A CHRONICLE OF CURRENT EVENTS

Nr 50

Journal of the Human Rights Movement in the USSR

Amnesty International Publications

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A Chronicle of Current Events
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Preface

A Chronicle of Current Events was initially produced in 1968 as a bi-monthly journal. In the spring of that year members of the Soviet Civil Rights Movement created the journal with the stated intention of publicizing issues and events related to Soviet citizens' efforts to exercise fundamental human liberties. On the title page of every issue there appears the text of Article 19 of the Universal Declaration of Human Rights, which calls for universal freedom of opinion and expression. The authors are guided by the principle that such universal guarantees of human rights (also similar guarantees in their domestic law) should be firmly adhered to in their own country and elsewhere. They feel that 'it is essential that truthful information about violations of basic human rights in the Soviet Union should be available to all who are interested in it'. The *Chronicles* consist mostly of accounts of such violations.

In an early issue it was stated that 'the *Chronicle* does, and will do, its utmost to ensure that its strictly factual style is maintained to the greatest degree possible. . . .' The *Chronicle* has consistently maintained a high standard of accuracy. As a regular practice the editors openly acknowledge when a piece of information has not been thoroughly verified. When mistakes in reporting occur, these mistakes are retrospectively drawn to the attention of readers.

In February 1971, starting with number 16, Amnesty International began publishing English translations of the *Chronicles* as they appeared. This latest volume, containing *Chronicle* 50, is, like previous ones, a translation of a copy of the original typewritten text. The editorial insertions are the endnotes (numbered) and the words in square brackets. The table of contents, abbreviations, illustrations, index of names, bibliographical note and material on the outside and side of the cover have been added to help the general reader. None of this material appeared in the original texts.

The endnotes have been kept to a minimum, partly because the Russian text already refers to earlier issues, and partly because the index of names gathers together all references to a particular person. Ukrainian names are usually given in transliteration from the Russian, not in Ukrainian forms.

Since Amnesty International has no control over the writing of *A Chronicle of Current Events*, we cannot guarantee the veracity of all its contents. Nor do we take responsibility for any opinions or judgements which may appear or be implied in its contents. Yet Amnesty

International continues to regard *A Chronicle of Current Events* as an authentic and reliable source of information on matters of direct concern to our own work for the worldwide observance of the Universal Declaration of Human Rights.

Amnesty International
February 1979

Abbreviations

A S S R	Autonomous Soviet Socialist Republic. Subordinate to any S S R (see below) and based on the minority nationality whose home is on the territory, The Mordovian A S S R, for example, is subordinate to the Russian Soviet Federated Socialist Republic and so named because it is the home of the Mordovian national minority.
C P S U	Communist Party of the Soviet Union.
K G B	Committee for State Security.
Komsomol	Communist Youth League.
M V D	Ministry of Internal Affairs.
O V D	Department of Internal Affairs.
O V I R	Department (of the M V D) for Visas and Registration.
S S R	Soviet Socialist Republic, of which there are 15 in the Union of Soviet Socialist Republics (U S S R).
U V D	Administration for Internal Affairs.

The Struggle for Human Rights in the Soviet Union Continues

A Chronicle of Current Events

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Universal Declaration of Human Rights, Article 19

Number 50 **[November 1978, special issue]**

Political Trials in the Summer of 1978

The Trial of Orlov. The Trial of Gamsakhurdia and Kostava. The Trial of Ginzburg. The Trial of Shcharansky. The Trial of Petkus. The Trial of Lukyanenko. The Trial of Alexander Podrabinek. Trials of Jewish Activists.

ELEVENTH YEAR OF PUBLICATION

The Trial of Orlov

From 15 to 18 May the Moscow City Court heard the case of Yury Orlov, charged under article 70 of the Russian Criminal Code. Judge V. G. Lubentsova presided over the court (she had judged the 'demonstrators' in October 1968 — *Chronicle* 4). The People's Assessors were G. N. Tsvetkov and A. N. Lebedev. The prosecutor was the Moscow Deputy Procurator, S. A. Emelyanov. The defence lawyer was E. S. Shalman.

Orlov was arrested on 10 February 1977 (*Chronicle* 44). For a detailed account of the investigation of his case see *Chronicles* 44-49.

Yury Fyodorovich Orlov was born in 1924. His father was a driver and metal worker; he died of tuberculosis at the age of 33, in 1933. His stepfather was also a worker; he died at the front in 1942.

Yu. Orlov spent his early childhood in a village near Smolensk and subsequently lived in Moscow. At the beginning of the war, without completing his schooling, he got a job as a lathe operator in a factory. In his autobiography Orlov remembers being struck by something his uncle said to him at this time: 'I hope that our alliance with democratic countries during this war will lead to the democratization of our country after the war.'

At the beginning of 1944 Yu. Orlov was drafted into the army and sent to a military academy. At the academy Orlov became a candidate member of the communist party. A month before the end of the war he was sent to the front.

After the war, while continuing to serve in the army, Orlov studied intensively the 'Marxist classics' and the works of Hegel. He recalls that already at this time, in conversation with close friends, he spoke out against 'bureaucratic dictatorship' and in favour of 'a return to the ideas of Marxism'. The security organs invited him to work for them on secret assignments — Orlov firmly refused.

At the end of 1946 Orlov was demobilized; he completed his schooling as an external student and entered Moscow University. In 1948 he became a member of the communist party. In 1952 Orlov completed his course in physics at Moscow University.

In 1953 Orlov started work at the Institute of Theoretical and Experimental Physics (I T E F) at the U S S R Academy of Sciences (Director — Academician A. I. Alikhanov).

At the beginning of 1956 he finished his master's thesis; at the same time his first scientific publications appeared, and his work was presented in five papers sent to an international conference in Geneva.

In March 1956, at an institute party meeting held to discuss the documents of the 20th Party Congress, Yu. Orlov spoke out in criticism of the party's past policies. He spoke about the general decline

of honour and morality, about the need for democratic changes. Sharp criticism was also voiced by several other people at the meeting. On 5 April *Pravda* published an article highly critical of this meeting (without mentioning the institute by name); there was also a 'private letter from the Central Committee'. By a decision of the Central Committee, Yu. Orlov and three others were expelled from the party and dismissed from their jobs. Orlov's name was removed from all reports and articles and he was not allowed to defend his doctoral thesis.

For six months Orlov was unable to find a job. In many physics institutes in Moscow money was collected for him and for those of his colleagues who were in a similar position.

At the suggestion of A. I. Alikhanyan, a corresponding member of the USSR Academy of Sciences and brother of A. I. Alikhanov, Orlov moved to Armenia, where he worked at the Erevan Physics Institute. In 1958 he defended a master's thesis, in 1963 his doctoral thesis. In 1968 he was elected a corresponding member of the Armenian Academy of Sciences.

In 1972 Orlov returned to Moscow. Academician L. A. Artsimovich tried — and after six months, with difficulty, succeeded — in getting Orlov a post at the Institute of Earth Magnetism and Diffusion of Radiowaves of the USSR Academy of Sciences (IZMIRAN).

On moving to Moscow, Orlov began to take an active part in the human rights movement. In September 1973 he wrote an open letter to Brezhnev in defence of A. D. Sakharov. In October 1973 Orlov became a founding member of the Soviet group of Amnesty International.

On 1 January 1974 Orlov was again dismissed from his job. From then on he lived by giving private lessons in mathematics and physics, continuing his scientific work at home. During the next few years regular seminars on physics, presided over by Orlov, were held in his flat.

In February 1974 Orlov protested against the deportation of Solzhenitsyn. In June 1974, in connection with the international symposium organized by A. Voronel (*Chronicle* 32) Orlov was kept under house arrest for nine days.

In 1976 Orlov's article 'Is Socialism of a Non-Totalitarian Kind Possible?' appeared (in samizdat and also in the collection *Self-Awareness* — New York, Khronika Press). The article demonstrates that the concentration of political and economic power in the hands of a centralized bureaucracy inevitably leads to the loss of individual freedoms (*Chronicle* 38).

In May 1976 Orlov organized and led the Group to Assist the Implementation of the Helsinki Agreements in the USSR — the Moscow Helsinki group (*Chronicle* 40). Later, Helsinki groups were organized in Lithuania (*Chronicle* 43), the Ukraine (*Chronicle* 43), Georgia (*Chronicle* 44), and Armenia (*Chronicle* 46).

* * *

The trial took place in the People's Court building in the Lyublino District of Moscow (Egorevskaya ul. 14) — where A. E. Krasnov-Levitin (*Chronicle* 20), V. Bukovsky (*Chronicle* 23) and A. Tverdokhlebov (*Chronicle* 40) were also tried.

None of Orlov's many friends and acquaintances who had gathered in front of the court building long before the trial began were allowed into the courtroom; as usual, this was 'because there is no room'. Only Orlov's wife, Irina Anatolevna Valitova, and his sons (by his first marriage) Alexander and Dmitry Orlov, were allowed in. On the very first day of the trial their tape recorders were confiscated, they were forbidden to take notes, to leave the courtroom during the breaks, or even to go near the windows. Before and after the court sessions they were given body searches (in the process the sons were also beaten up twice and the wife was stripped naked in the presence of three men, KGB officials).

When 'establishing the identity' of the defendant, the Judge emphasized the fact that Orlov 'had not worked' since 1974. Several times Lubentsova interrupted Orlov when he, in answer, was explaining that as a professional scientist, and independently of his regular job, he was consistently active in the scientific field, writing and publishing articles, and that he was also doing voluntary work at the Erevan Physics Institute.

Orlov then submitted several petitions to the court. His explanations of the reasons for these petitions, like everything he subsequently said throughout the trial, were interrupted by shouts from the Judge: 'No one is asking you (about this or that)!' 'Stand up straight, don't prop yourself up!' 'You're not giving a lecture!' and so on.

Orlov asked that the English lawyer J. Macdonald, to whom his wife had entrusted his defence (*Chronicle* 45) be invited to the trial.

Orlov petitioned for additional witnesses to be summoned. Among these were L. Sery (*Chronicles* 42, 43), V. Pavlov (*Chronicle* 43), V. Khailo (*Chronicles* 36, 48), N. Svetlichnaya, N. Strokatova, O. Ya. Meshko and S. Karavansky, all of whom feature in the Moscow Helsinki group documents which formed part of the basis of the criminal charges against Orlov. (Pavlov and Khailo had come to Moscow that day and were outside the court building). There were also several research scientists from Moscow and Erevan who could have testified to Orlov's scientific capabilities. Orlov asked that the director of IZMIRAN, corresponding member of the USSR Academy of Sciences V. V. Migulin, be summoned, since his letters to the KGB had influenced the formulation of the charges, and also S. Lipavsky (see 'The Trial of Shcharansky') and A. Gradoboyev (see 'The Trial of

Ginzburg'), whose testimony was included in Orlov's case file (Orlov did not know Gradoboyev and he had seen Lipavsky once only, at the entrance to his own apartment). Orlov asked that V. Slepak, a member of the Moscow Helsinki Group, be summoned before the court (with reference to the group's Document No. 9 about the Jews from the village of Ilinka — *Chronicle* 43); also the secretary of the Soviet group of Amnesty International, V. Albrekht, the director of the Institute of Psychiatry of the U S S R Academy of Medical Sciences, A. V. Snezhnevsky (with reference to an incident involving L. Plyushch — *Chronicle* 36) and translator Antonova, who had translated Orlov's interview with the Italian journalist M. Zoppelli.

Orlov asked for inclusion in the case of additional documents. Lawyer Shalman petitioned for the inclusion of Orlov's scientific articles, published in the U S S R and abroad in 1974-1978, and certificates and testimonials concerning Orlov's scientific work. He asked that a number of people be summoned to court who could give evidence about Orlov's efforts to obtain a regular job in Moscow and Erevan.

The court rejected all the petitions of the accused and his lawyer. Of Antonova, Gradoboyev and Snezhnevsky, Lubentsova said that they could not appear due to illness (it is known that on that day Snezhnevsky was examining patients in a clinic); on the following days Lubentsova said that Snezhnevsky had gone away on an official trip.

The indictment (40 pages) was then read. It stated that Orlov, who had not worked as a scientist for a long time, being of a hostile disposition, had tried to undermine the foundations of the Soviet system. He had on several occasions given interviews to foreign correspondents, in which he had defamed the Soviet political and social system; he had compiled anti-Soviet, slanderous documents, which he had transmitted to hostile radio stations through foreign correspondents and also to the embassies and governments of Western countries (signatories to the Helsinki Agreement — *Chronicle*), for all of which he received payment in the form of money and parcels, the contents of which he gave to commission shops to sell for him.

Orlov was charged with preparing and disseminating:

— Documents 3, 4, 6-9 and 11-14, and the supplements to documents 7, 11, 14, 17 (*Chronicles* 41-44) of the Moscow Helsinki Group; the Group's documents 'An Evaluation of the Influence of the Conference on Security and Cooperation in Europe, with Particular Reference to Human Rights in the U S S R' (*Chronicle* 41) and 'Christmas Repressions' (about searches in the homes of five members of the Ukrainian Helsinki Group — *Chronicle* 43);

— a letter to Brezhnev (1973);

— the letters 'On the Rights of Scientists', 'To Scientists of the World', 'Open Letter to Artists';

— a letter to the B B C and Voice of America radio stations;

— 'Moscow Appeal' (13 February 1974, concerning Solzhenitsyn — *Chronicle* 32) and an appeal by Moscow scientists on behalf of S. Kovalyov;

— a statement concerning A. Marchenko's hunger-strike (in 1975 — *Chronicle* 35), a statement concerning P. Starchik (*Chronicles* 42, 43) and a statement in defence of the pilot Zosimov (*Chronicle* 43).

— the statements entitled '10 December — International Human Rights Day' and '30 October — Political Prisoners' Day' (1975 and 1976);

— the articles 'Is Socialism of a Non-Totalitarian Kind Possible?'

Orlov was charged with having the *Gulag Archipelago* in his possession.

The indictment stated that these documents contained 'slanderous fabrications' to the effect that there are no democratic freedoms in the Soviet Union, that international human rights agreements are constantly violated, that 'psychiatric repressions' take place, that people are persecuted for their political and religious beliefs, and that those wishing to leave the U S S R are harassed.

Both in the indictment and in the court hearings reference to the Helsinki Group by name was carefully avoided; occasionally 'Orlov and a group of others ...' were mentioned.

To the question: did he understand the indictment? Orlov answered in the negative. To the question: did he admit his guilt? Orlov expressed the wish to give an explanation before answering. His request was granted, after he had stated that he would otherwise refuse to take any further part in the trial.

In his 'explanatory' speech Orlov said that he was in favour of gradual democratic changes in Soviet society, that he had not in any way advocated undermining the system, and that his attitude to the existing order, as to any other state system, was a critical one. This was well known from the letter to Brezhnev with which he had been charged. In this letter he did not, as alleged in the indictment, refer to our society as one of slavery and feudalism, but only pointed out a few characteristics of slavery (15-20 million people who were in Stalin's camps, the tying of peasants to collective farms). Neither did he refer to the Soviet system as a Nazi one; he only compared the imprisonment of dissenters in psychiatric hospitals with the practices of Nazi doctors. Orlov asked the court to read out his letter to Brezhnev.

Referring to the charges in connection with the Plyushch case, Orlov recalled his visit (with Plyushch's wife) to Professor Snezhnevsky (*Chronicle* 36). The latter had said to them: 'Surely you don't think that Plyushch would be better off in a camp than in a hospital?' It was precisely for this reason that Orlov had asked that Snezhnevsky be summoned as a witness. Orlov reminded the court that Kovalyov and Tverdokhlebov had faced charges in connection with the Plyushch case, long after it had been concluded. Later, he said, those who

maintained that Orlov's trial was political and not criminal would also be brought to trial. 'This is a vicious circle, a circle of lies, from which you will never emerge.'

Discussing those passages in the indictment referring to documents on the right to emigrate (Nos. 9 and 11-14) Orlov insisted that No. 5, which he had not been charged with and which cited many facts about the persecution of believers, be included in the evidence. Regarding demands to emigrate for political and economic reasons, Orlov stated that he did not, as stated in the indictment, 'assign' such intentions to anyone. He said: 'I was approached by people who told me such things openly. What can I say? That they want to emigrate "because of family circumstances"?' Orlov asked that the relevant document of the Group, based on the trustworthy evidence of real people (among them V. Pavlov and L. Sery) be read out. The Judge replied in the standard way: 'The court is familiar with the contents of this document.'

As regards the charges of 'slander' with reference to conditions in Vladimir Prison and in the camps, Orlov said that members of the Helsinki Group spoke out primarily against torture through cold and hunger. He gave details of the food norms and told how Sergienko, who was ill with tuberculosis, was placed in a punishment cell; he asked that Sergienko's mother, O. Ya. Meshko, be summoned to testify about the conduct of the camp doctors.

Regarding the charges relating to the newspaper cuttings and the transcript of a Radio Liberty programme which were found during a search of his home, Orlov explained that he had asked journalists he knew to send him cuttings and other materials on problems of human rights. 'I wish to know how the question of human rights is treated in other countries.' He protested against the term 'criminal' being applied — with the help of the word 'contact' — to his acquaintance with foreign journalists.

Orlov talked about an interview he gave to a Norwegian journalist. In actual fact, the interview never took place, since the Norwegian knew neither Russian nor English. Yet the content of the Norwegian's article, which had appeared in *Possev* and some other publication, formed part of the charges against Orlov. Orlov said that if the court had been interested in what he actually said to journalists it should have summoned the translator Antonova as a witness, since the previously mentioned translation of Zoppelli's article formed part of the 'case'.

At the end of his explanatory speech Orlov said: 'The work of the Helsinki Group has been based on trust in the people who have turned to us for help and it is my opinion that this principle has been thoroughly vindicated ...'

Then followed the examination of the defendant. In response to

questioning, Orlov said that the Group's documents had been delivered to the embassies of 35 countries and to certain journalists, whom he did not wish to name. He stated that he accepted full responsibility for the content of the Group's documents but would not answer questions regarding to whom, where and when they were given. There followed a question from the Procurator concerning the '*preparation*' and '*dissemination*' of the letter to Brezhnev. Orlov answered that he *wrote* the letter and *sent* it by post to the addressee and to the editors of *Pravda* and *Izvestia*. He also showed the letter to the director of IZMIRAN, V. V. Migulin, and to the head of the personnel department, Yanshina (so that they should know why they were dismissing him).

The Procurator asked about 'the slanderous statement about the case of Zosimov, who fled from the USSR in a military plane carrying secret documents'. Orlov refused to answer questions about Zosimov, since the case belonged to the category of defectors, not of hijacking. He asked the court to obtain information from the Ministry of Foreign Affairs as to the type of plane — civilian or military — used by Zosimov to cross the border and whether there were any secret documents in the plane.

The second day of the trial was devoted entirely to the examination of 15 witnesses summoned by the prosecution (witnesses requested by the defence were not summoned).

The first witness to be questioned, **V. Varna,** turned out to be only a namesake of J. Varna, who had figured in the supplement to the Helsinki Group's Document No. 7 as one of four Riga dock workers arrested for striking in protest at the deterioration of food supplies (see also 'The Trial of Ginzburg').

Witness **Yanshina,** head of the personnel department at IZMIRAN, gave evidence about the circumstances in which Orlov gave her his letter to Brezhnev, namely for her own information and to pass on to the Institute director, Migulin; she also made a few remarks intended as an evaluation of Professor Orlov's scientific work. At this point, the defence lawyer requested that a statement signed by Migulin concerning Yu. F. Orlov's scientific work be appended to the evidence; the request was turned down.

Witnesses **V. P. Blokhina and L. A. Lyubarskaya** (*Chronicle* 38), psychiatrists responsible for the treatment of Leonid Plyushch at the Dnepropetrovsk Special Psychiatric Hospital [SPH], gave evidence regarding the circumstances and reasons for this treatment, contradicting one another and the previous evidence regarding Plyushch's health. Orlov asked Blokhina, who described Plyushch's illness as 'sluggish schizophrenia of paranoid type', whether she agreed with Professor Snezhnevsky that 'sluggish schizophrenia never assumes a paranoid form'. There was no answer. After the examination of these two wit-

nesses, Orlov with difficulty managed to obtain permission to give supplementary evidence and to recount his meeting with Snezhnevsky, during which the latter had said: 'Plyushch's case is a complex one; consultations with the Serbsky Institute are necessary.' After this conversation Plyushch underwent a psychiatric examination and a month later another one. The diagnoses differed.

N. M. Georgievskaya, a psychiatrist at a Moscow City District Psychoneurological Dispensary, summoned to give evidence regarding the legality of the compulsory hospitalization of Pyotr Starchik in the autumn of 1976 (*Chronicles* 42, 43) stated:

> Starchik was on the dispensary list, but I myself never saw him. Once they telephoned the dispensary from the police station to say that up to 50 people were gathering in his apartment, smoking on the landing, disturbing the neighbours and listening to songs of anti-Soviet content performed by Starchik. After this telephone call the chief doctor at the dispensary decided to put a stop to it. Starchik was summoned to the dispensary for an interview with the chief doctor.

In reply to questions from Orlov, Georgievskaya said that neither she nor the chief doctor, I. A. Sapozhnikova, had ever heard Starchik's songs; she did not know about Starchik's compulsory hospitalization following the 'interview' with Sapozhnikova, nor that Kotov, chief psychiatrist of Moscow, having listened to Starchik's songs, had ordered his release.

A Vladimir Prison doctor, **L. Sukhacheva,** told the court that prisoners were not made to do work which would endanger their health, that all the prisoners, including A. Sergienko (*Chronicle* 40), G. Superfin and Ya. Suslensky (*Chronicle* 41) were 'practically healthy', so that there was no obstacle to putting them in a punishment cell; she did not consider it immoral to keep ill persons in prison, since they had all been convicted 'under an article'. It turned out that Sukhacheva was unaware of the existence of article 100 of the Russian Corrective Labour Code, concerning the release of prisoners on grounds of illness.

Doctor **I. Emelyanova** of the Mordovian camps testified that food in the camp was of good quality, that there were no seriously ill prisoners, and that ill prisoners were never made to work. S. Karavansky (suffering from a cerebral deficiency), Yu. P. Fyodorov (chronic nephritis), V. Moroz, A. Murzhenko and all the other prisoners '... are practically healthy. When necessary we provide immediate medical aid. In the camp we have not only Soviet, but even imported medicines'. Emelyanova then admitted that the diagnoses in the camp medical histories corresponded, regarding facts, to those given in the relevant Helsinki Group document; when Orlov then turned to the court and asked what, in that case, constituted the slanderous nature of the document, Lubentsova was silent.

The head of the hospital at Perm Camp 35, **Yu. Sheliya** (*Chronicle* 44), told the court that 'the conditions provided for sick prisoners are not simply good — they are excellent! In my opinion, they couldn't be better!' When Orlov, who was interrupted, as happened almost every time he asked a question, asked about an incident involving Pronyuk, the Judge announced a break.

After a five-minute break, during which Orlov saw his investigator, Trofimov, coming out of the room where the prisoner witnesses Anisimov (*Chronicle* 44) and Dovganich (*Chronicle* 48) were waiting, Orlov petitioned the court for an explanation of such a gross violation of the law. Lubentsova rejected his petition: 'This has no bearing on the case; the investigator has the right to be where he needs to be, when he needs to be.' **Anisimov,** a prisoner from Vladimir Prison, told the the court that 'he personally' had never received rotten food, that prisoners were often punished for 'inter-cell communication' (V. G. Lubentsova corrected him: 'that is, for violation of the regime!'), that some prisoners (he mentioned Abankin in this connection) only made the pretence of declaring a hunger-strike, and did not actually carry it out ... Orlov, seeing how terribly pale, thin, wrinkled and terrified Anisimov was, refrained from asking him any questions.

* * *

After the trial political prisoner **A. Zdorovy** (*Chronicles* 44, 48) sent the following statement to the Russian Supreme Court:

> I have learned from reports in the press of the trial of Yu. F. Orlov, corresponding member of the Armenian Academy of Sciences, Doctor of Physical and Mathematical Sciences, who has made every effort to ensure the practical implementation of the Helsinki Agreement by the Soviet government and the fulfilment of its obligations in the field of human rights as regards the citizens of the U S S R, and who has fought against the violation of these rights in the U S S R.
>
> Among the charges brought against him by Soviet organs is that of making 'slanderous' and 'false' allegations concerning the violation of elementary human rights in the Corrective Labour Institutions of the M V D: quantitative and qualitative shortcomings in the prisoners' diet, the compulsory eight hours of hard labour a day, six days a week, the unsatisfactory living conditions.
>
> In order to 'prove the false and slanderous nature' of such allegations by Yu. F. Orlov, the investigative organs are employing the testimony of untrustworthy witnesses who have been specially selected from among the prisoners and rehearsed in advance by the K G B in their places of imprisonment. These people are, as a rule,

enlisted as informers by K G B officials at the corrective labour colonies, or by labour colony officials, and become entirely dependent on these officials. They are told, or it is hinted to them: 'If you give the required testimony you will earn an improvement in your present conditions or in your future fate.' I am personally acquainted with several such false witnesses, who have been examined by the investigative and court organs as witnesses for the prosecution in the case of Orlov. One of them — V. P. Anisimov (b. 1937?) is a criminal recidivist, imprisoned for vagrancy, hooliganism, robbery, armed robbery, escapes, and, finally, for 'politics' under article 70 of the Russian Criminal Code: in an attempt to save himself from being murdered by the criminals in a camp, he quickly wrote a leaflet and hung it on the door of the camp refectory. A grateful K G B official, bored at the lack of work in the criminal zone, swiftly organized for Anisimov a sentence and the salvation of transfer to Vladimir Prison. In the autumn of 1974, in the prison, on the initiative of senior K G B operations official N. A. Obrubov, Anisimov was 'cleared' of recidivism (some legal loophole was found), and then he was transferred from the 'striped' category to the 'black' one.[1]

All this he had to 'earn', and then they started to employ him as a 'stool-pigeon' in the cells containing political prisoners, especially those who were soon to be released or with whom the prison administration or Obrubov had a special relationship. In particular, he spent a long time in the cells of V. Konstantinovsky, M. Makarenko, K. Lyubarsky, V. Bukovsky, G. Davydov, A. Safronov, G. Superfin, Gaiduk, Abankin, Sergienko and others. For the same reasons I too was obliged to share a cell with Anisimov in Vladimir Prison, for about eight months in all. I was able to get to know well this subject and his 'cases' and the miserable role which he agreed to play in relation to the prisoners at the insistence and instigation of Obrubov, and also Inspector Captain A. A. Doinikov and prison operations officials Lieutenant Aleksandrov and others. I also had the opportunity of observing and hearing how the subject was prepared for the part of false witness in the Orlov case (and perhaps they intended to use his testimony in other cases: those of Ginzburg, Lukyanenko and others). When he returned from his regular interview-instruction sessions, to which he was summoned almost daily (sometimes two or three times a day), he attempted to explain these suspicious visits to his cell-mates and often gave himself away, sharing his thoughts and saying straight out that Obrubov and some, as he put it, 'investigator from the administration', were preparing him to give evidence in the Orlov case. Anisimov was twice summoned for interrogations in the Orlov case: first by the local K G B, then by a visiting investigator from Moscow (according to Anisimov himself). He said that

N. A. Obrubov and others had assured him that if he gave the required testimony he could count on an improvement in his conditions of imprisonment, a reduction of his sentence, or, at the very least, a transfer from prison to a different camp from his previous one, once half his sentence was completed.

While they were preparing Anisimov to give false evidence, N. A. Obrubov, A. A. Doinikov and others ensured that he was always given food of norm 5b (reserved for prisoners with stomach ulcers, tuberculosis and so on). There were no medical grounds on which Anisimov should have been given the 5b diet.

On his return to Vladimir Prison Anisimov was boycotted by political prisoners there. In September he was sharing a cell with Shcharansky.

* * *

Dovganich, a prisoner in Perm Camp 36, was questioned (he had earned a sentence under article 70 in a camp, where he had been imprisoned for 'Violation of the Laws on Currency Transactions'; prior to this he had been sentenced for speculation; V. Bukovsky's light touch had given him the nickname 'Bath-head' [Zavbanich]: in the intervals between his stays in hospital, where he contrived to spend months at a time, he always 'worked' as head of the bath-house or as a barber). The witness told the court about the — in his opinion — very good conditions in the camp: a weekly change of underclothes; a camp shop which sold wafers, jam and toffee; billiards; sports activities. Dovganich spoke disapprovingly of the 'young instigators' (Gluzman, Altman, the Zalmanson brothers) who were on bad terms with the 'older prisoners', simply because the latter had shot Jews during the war and were now helping the camp directors.

Yoin Yakovlevich Kozhokin, Senior Poultry Officer at the 'Rossiya' collective farm in the village of Ilinka, and the farm President **V. D. Tarasov** were summoned as witnesses in connection with Helsinki Group Document No. 9 (*Chronicles* 43, 48, 49). They both told the court about the material and cultural plenty in Ilinka (television sets, motor-cycles, food products, a club). Kozhokin said that he did not know whether many of his fellow collective farmers were preparing to leave (he himself had given the invitation he had received from Israel to Tarasov, who had sent it to the district party committee), and Tarasov, although he did not remember the statistics, testified that there were no obstacles to emigration. Referring to the passage in Document No. 9 which says that 'Ilinka is literally isolated by the authorities from the outside world' (with reference to the seizure by the authorities of invitations from Israel), the Judge asked Kozhokin about the 'isolation of the village'. The witness, 'correcting the slander,' said that there was a bus service to the village, bringing newspapers and magazines.

The last three witnesses were summoned to describe Yu. F. Orlov's scientific work (a capable person but ambitious, a careerist) and his 'social character' (not patriotic, as a Soviet scientist should be by definition but, instead, a slanderer).

A. V. Lebedev, a senior scientific researcher at I T E F, had read Orlov's letter about the position of Soviet scientists and considered it slanderous: all the rights of Soviet scientists, affirmed Lebedev, are protected by Soviet law; any Soviet physicist can publish freely, travel abroad to conferences and seminars, have free contact with foreign colleagues, whatever his views and beliefs; Lebedev knew of no cases of discrimination. After Orlov's dismissal from work in 1956, he was only expelled from the party and was allowed to defend his master's and doctor's theses and to be elected a corresponding member of the Armenian Academy of Sciences; therefore he was a slanderer.

Orlov asked a few questions: was the witness aware of what had happened in 1956 to his reports which had been sent to an international conference; of how long he was without a job after 1956 and after 1973; whose name was removed from the list of authors of the accelerator project; why his name was removed from the list of candidates for a 1974 State Prize; and in what manner A. S. Kronrod had been dismissed from I T E F (*Chronicle* 1)? The witness answered 'I don't know' to all these questions. To the question: how could one find out that a certain scientist had been dismissed for political reasons — perhaps from the newspapers? — Lebedev did not reply for a long time (from the hall came the exclamation 'What an idiot!'), until Lubentsova told the witness that he was free to go.

Orlov's neighbour at home, a party secretary at one of the institutes of the U S S R Academy of Sciences and a Candidate of Economic Sciences, **B. Sinitsyn,** often saw, as he put it, diplomatic cars parked outside the house and considered this evidence of Orlov's efforts to become known in the West. He recalled that Orlov did not approve of the one-party system and the obstacles to free emigration in the U S S R, but he did not remember the nuances of his conversations with Orlov, did not understand his questions, and at the end of his examination, with visible relief, tried to leave the courtroom, so that Lubentsova was obliged to tell him that he would not be allowed out until the break.

Akop Aleksanyan, Party Secretary at the Erevan Physics Institute and a Doctor of Physical and Mathematical Sciences, regarded Orlov as a high-class physicist, but said that he had given the institute an ultimatum: either they made him an Academician, or he would leave; he was always saying: 'I will leave! I will leave!' Orlov's exclamation: 'Akop! That's a lie!' was cut short by the Judge, who heard out the witness's ideas on the necessity of Soviet scientists possessing a harmonious unity of creative and moral qualities, and then dismissed him.

The third day of the trial opened with verification of the presence in the case file of a number of documents cited by the Procurator. The correct procedure for reading out the titles of documents is stipulated by law (article 292 of the Russian Code of Criminal Procedure) and Orlov tried to follow this when his turn came. He quoted in full the title of the document and tried to describe its content. Each time the Judge interrupted him: 'Name only the number of the volume and the page. The court is familiar with the content of the documents! The court had a whole week to acquaint itself with the documents!' Among the documents cited by Orlov were: material on the fining of believers; material on the complaints of prisoners about the poor quality of prison food; records of the examination of the personal affairs of Karavansky (the fact of his being punished while ill) and of Kovalyov (the fact of his being punished after his operation); information about the visit to Snezhnevsky and the Medical Administration of the M V D from *A Chronicle of Current Events* No. 36 (Judge: 'This is not relevant to the case!' Orlov: 'I am entitled to refer to publications as well as to factual evidence'); a medical report on Plyushch dated 29 March 1975; and a T A S S report in which Orlov was described as an N T S agent (*Chronicle* 44).

Orlov then submitted some petitions to the court:

1. that several confiscated documents and possessions be returned to I. A. Valitova;
2. that four additional witnesses be called (A. I. Ginzburg, I. A. Valitova, Stakhanov, a scientific researcher at I Z M I R A N, and Kurdyumov, the chairman of that institute's trades union committee);
3. for permission to dispense with the services of his lawyer (at this point Orlov thanked E. S. Shalman for his legal and moral support).

The first two petitions were refused, with no reasons given, the third, after long exchanges, was granted.

During the break, Shalman, who had stayed in the courtroom, was forcibly removed and locked in a room. There was a telephone in the room, however, and after consultations with the Presidium of the Moscow Bar, the door was unlocked and Shalman returned to the courtroom.

Each side then presented its case. Procurator Emelyanov made his prosecuting speech:

> Comrades! 60 years ago, under the leadership of the communist party, the workers and peasants of our country seized power into their hands — the building of a new, communist society began. At the present time, Soviet people have set about the building of communism, the bright dream of mankind. In an attempt to defame our system, the imperialists have devised fantasies about there being

various 'variants of socialism', for example 'democratic socialism'. In actual fact, only one form of socialism exists — the *real* socialism built in our country ... In their efforts to blacken the Soviet system the imperialists count on politically immature people in our country, on various drop-outs — they do not even disdain the mentally ill ... In 1956, on the pretext of criticizing the cult of personality, Orlov tried to subvert the policies of our party and found himself outside the party. Gradually Orlov falls under the influence of anti-Soviet organizations and propaganda centres.

At the end of 1973 Orlov leaves his job and from then onwards devotes himself entirely to anti-Soviet activities. Orlov writes a letter to Brezhnev, in which he compares our society to a system of slavery and feudalism, identifying socialism with the fascist Reich. In the letter Orlov slanders Soviet science. The U S S R forged the way to the cosmos ... We publish two or three times as many English books as the number of Soviet books published in England. Orlov's letter contains attacks on our ideology. Naturally, this letter was widely used for anti-communist propaganda with subversive aims ...

Orlov speculates on the interest of Western society in the Helsinki Accords. Disguising his subversive aims, he fabricates documents about violations of these Accords which are supposed to have taken place in the U S S R and sends them to the embassies of capitalist countries, to the editors of foreign newspapers and radio stations. Orlov tried to defame the domestic and foreign policies of the U S S R, advocated the subversion of the system existing in our country and called for struggle against it ...

Orlov was a pawn, though, it must be noted, a conscious pawn. I wish to draw the court's attention to the fact that Orlov is a dangerous state criminal. Orlov's guilt in carrying on anti-Soviet agitation and propaganda with the aim of undermining Soviet power, in fabricating and disseminating slanderous falsehoods and documents which defame the Soviet political and social system, has been fully demonstrated.

The Procurator demanded that the court sentence Orlov to seven years' deprivation of freedom in a corrective labour institution with strict regime, and to five years' exile.

In his defence speech Orlov said that the prosecution speech had been three-quarters political. And as long as there was political prosecution speeches, there would be political imprisonment. The charges were based on ideology; therefore he, Orlov, was also entitled to speak of ideology. He was being tried not for criminal offences, as the Procurator claimed, but for ideological (or political) ones. Moreover, Orlov regarded the Procurator's speech as an insult to him personally.

Judge Lubentsova interrupted Orlov, announcing that he should not have dismissed his lawyer, since he himself obviously had no idea of the 'authorized' way of making a defence speech.

Orlov asked not to be interrupted. He went on to describe the Procurator's speech as a prime example of ideological intolerance; this was always harmful, but when applied to whole societies, it was positively dangerous. He again tried to expound his views, to describe the activities of the Moscow Helsinki Group, of which he was the leader, to point out that the Procurator's speech slandered him, that it was devoid of concrete facts regarding the points of the indictment, but he was constantly interrupted by the Judge telling him what one should and should not say in a defence speech, by the Procurator 'drawing the court's attention' to the fact that the defendant continued to engage in 'agitation', 'slander' and 'demagogy' in the courtroom, and by hostile, insulting shouts from the 'public'.

Orlov said:

> We became convinced that approaching our government through the governments of other nations was more effective than a direct approach. For this reason we wanted the Moscow Helsinki Group's documents to be discussed at the Belgrade conference ... (Lubentsova once again interrupted him). Each country has its own laws ... It is in the nature of things that these laws may come into conflict with humaneness and with international agreements and treaties. And it is also in the nature of things that in each country there should be people and groups of people striving to ensure that the internal laws of their country are based on international covenants and agreements and are applied in the most humane way possible ...

Judge: Defendant Orlov, you do not understand how to defend yourself in the proper way. I declare your defence speech finished. Move on to your final plea.

Orlov was given five minutes in which to prepare his final plea. He said:

> You may sentence me to seven years' imprisonment, you may shoot me, but I am convinced that trials like this one will not help alleviate those ills and shortcomings to which the documents of the Helsinki Group bear witness and about which I have tried to speak here ...

At this moment the members of the court left the courtroom and the defendant was led out under guard, so that he was unable to finish his final plea. The final session of the court was fixed for 10 o'clock the following morning.

At 13.30 on 18 May Judge Lubentsova read out the verdict, the descriptive part of which was essentially a repetition of the indictment.

Yury Fyodorovich Orlov was sentenced to 7 years' strict-regime camp and 5 years' exile.

* * *

As usual in such cases, the court building was surrounded by police and K G B officials in civilian clothes. In comparison with previous occasions (for example the trial of Tverdokhlebov), the behaviour of the police and state security officials differed only by more demonstrative, indeed blatant crudeness, insolence and shamelessness. Already, before the 15 May session, several people who had been waiting in the court building since early morning (in particular **Sergei Ermolayev** — *Chronicles* 48, 49) were literally thrown from the porch into the street. There were at least three lines of guards surrounding the building: at the doors themselves (so that no one should slip into the building); at the fence about 20-30 metres from the doors (anyone who crossed this line away from the building was not allowed back again, so that the crowd of supporters who had got to the doors had already grown noticeably smaller by noon); and at the 'farther approaches' to the court building (the 'primary', basic 'screening' took place here: a 'pile of bricks' did not allow journalists' cars to get any nearer the court building than this, people reaching this point were immediately taken under surveillance by state security agents, and so on).

About two hours after the opening of the trial, when I. Valitova (for the first and last time) managed to leave the courtroom during the break and began to relate her impressions to Western correspondents, the group of listeners was literally thrust apart and cameras and tape recorders were torn out of reporters' hands. When **Yury Golfand** emerged with a group of friends through the 'second cordon', he was seized and bundled into a black car which was waiting by the third barrier; he was driven to police station No. 103, where they searched him, and, not finding any cassette tapes, disappointedly let him go. The atmosphere was aggravated by the fact that that morning, as soon became known, searches had begun in connection with the arrest the previous evening of **Alexander Podrabinek** — at the homes of **Tatyana Velikanova,** who was under house arrest, of **Vyacheslav Bakhmin,** who had been sent on an urgent official trip, and of **Tatyana Osipova** and **Leonard Ternovsky,** who had both managed to get to the trial.

On the evening of the same day **Malva Landa,** who had managed to get to the Taganskaya metro station, was seized and bundled into a car. She was interrogated for three hours at police station No. 70: 'What were you doing at the court?' 'Why did you come to Moscow, where you have no residence permit?' and so on. The interrogation was conducted to the accompaniment of insults and threats: 15 days 'for insubordination', or 30 days 'for your personal enlightenment'. Landa was detained a second time on 19 May, on Volgin Street as she came out of Ginzburg's apartment. She was taken to the same police station, where she was told that she had no right at all to be in Moscow, especially not for the purpoes of 'anti-Soviet activities'. After the customary round of insults and threats, the 'chief threatener' conducted a 'confiscation' of papers (relating to the trial of Orlov). They refused to give Landa a copy of the list of confiscated items, saying: 'With us everything is done on trust!'

On 17 May, after he had spent some time outside the court building, **Iosif Begun** was arrested (see 'The Trial of Iosif Begun').

As well as the police and non-uniformed K G B officials, a fairly large crowd portraying 'the anger of the people' gathered outside the court building on each of the four days of the trial. The rowdy shouts and occasionally more actively provocative behaviour of this crowd (its composition differed markedly from the few genuine passers-by, who were attracted to the scene by curiosity) clearly had a dual function: to provoke incidents and to justify the presence of large numbers of police as protection for Orlov's supporters from the angry 'toilers'.

On one of the days of the trial a group of people surrounded the Baptist **V. Khailo,** who had travelled to Moscow for the trial. He willingly entered into a discussion and was patiently explaining something when his 'opponents' began to shout and hurl insulting jokes at him. Finally, when someone actually spat in his face (even then Khailo tried to appeal to the hooligan's conscience) the police intervened. V. Khailo was led away to a police station, where he was charged with insulting citizens and spitting at someone — a 'witness' was even found.

On the morning of 18 May **A. D. Sakharov** and **E. G. Bonner** approached the cordon, insisting that everyone was entitled by law to hear the reading of the verdict. Several people loudly supported them. As A. D. Sakharov and E. G. Bonner moved towards the cordon, a policeman struck E. G. Bonner hard. She slapped the policeman's face in answer. She was seized, her arms were twisted, and she was dragged into a police car. A policeman pushed Sakharov away as he rushed towards her; Andrei Dmitrievich raised his hand and he too was bundled into the car.

At the same time the police seized **Dmitry Leontev, Elena Armand, Vitaly Korotich** (who was also beaten up) and **Nokin.** They were all driven to police station No. 103. From there they were taken to court, where E. Armand was fined 20 roubles, and Korotich, Leontev and Nokin were sentenced to 15 days' imprisonment.

A. D. Sakharov and E. G. Bonner were spoken to at police station No. 103 by District Procurator Ushkov. Sakharov told him that none of those detained had done anything illegal, but that the action of Judge Lubentsova in not admitting the public for the reading of the verdict was illegal, as was the behaviour of the police, who had been

so free with their tongues and their hands. They were released at 14.30 after some general had telephoned the head of the police station.

In the record of the detention of D. Leontev it was noted that he 'contributed to the release of citizeness Bonner'. When Leontev was brought before the court he stated that he was not acquainted with the witnesses named in the record and demanded that A. D. Sakharov be summoned as a witness. The Judge answered that Sakharov and his kind ought to be shot.

On learning that Leontev was a professional musician, the Judge said: 'I knew it — a parasite and idler.' Having sentenced Leontev to 15 days, the Judge called after him: 'We should have brought criminal charges — for the likes of you, 15 years is too little!' During the next few days, D. Leontev was taken to various police stations, but none was willing to accept him, saying 'We don't need sick people' (Leontev suffers from bronchial asthma and is in constant need of a breathing apparatus).

On 23 May Leontev was released and told to present himself on 30 May with a doctor's certificate, to serve the remaining 10 days' imprisonment. On that day he was 'accepted', although he did not bring a doctor's certificate.

On 2 June Sakharov and Bonner were summoned to police station 103 and from there were taken to the District Court (the same building on Egoreskaya Street) where they were fined for 'disobeying the legal instructions' of police officials. Sakharov was fined 50 roubles, Bonner 40 roubles. According to the police record, they had obstructed the entrance to the court building and had not obeyed the order to move away.

On 22 May Valitova and Yury Fyodorovich Orlov's sons Alexander and Dmitry applied to Judge Lubentsova for permission for a visit, to which the law entitled them. Lubentsova told them to come the following day. On 23 May they were told in the court office that Lubentsova was on holiday. During the next few days one of the deputy presidents of Moscow City Court, to whom Yu. F. Orlov's relatives had turned on this matter, sent them to another deputy president and so on, until, finally, the President himself, L. E. Almazov, told them that the 'question' (of the visit, provided for under article 360 of the Russian Code of Criminal Procedure) was outside his competence. In the end Orlov's relatives were given to understand that they should wait until the appeal had been heard.

* * *

On 18 July the R S F S R Supreme Court heard Yu. F. Orlov's appeal.

The appeal was not read in full. The presiding Judge simply summarized it briefly: in his appeal, Orlov wrote that the court had heard his case in a biased and unobjective manner; that it did not call the witnesses he had asked for; that his petitions were turned down; that the documents which figured in the charges against him were not read out or analysed; and that the official record of the trial did not accurately reflect the court proceedings.

Procurator Vorobyov announced that the number of documents prepared and disseminated by Orlov, and the illegal manner of their preparation and dissemination, was evidence that he intended to undermine the existing order. He said that Orlov's complaints about the court's lack of objectivity were unfounded. 'Orlov was interrupted in court for the good reason that he made inadmissible remarks — even in the courtroom he continued to carry on anti-Soviet agitation and propaganda.' The Procurator said that even after the trial Orlov continued to engage in anti-Soviet slander, saying that the trial record was false.

The Supreme Court did not alter the sentence imposed by the Moscow City court.

* * *

It was not until 21 July that **Valitova** and **Orlov's sons** were granted permission for a 40-minute visit.

On 4 August Orlov arrived at Perm Camp No. 35. On his arrival he told the camp administration that he continued to regard himself as a member of the Moscow Helsinki Group and that he was in camp not only as a political prisoner but also as the Group's observer.

On 21 August Valitova was granted a three-day visit to her husband.

At their meetings Orlov told his wife that immediately after his arrest the investigators had begun to threaten him with charges under article 64 of the Russian Criminal Code ('Treason') since he had supposedly 'received instructions from the American Congress'. He was also continually threatened with charges under article 88 of the Russian Code; for this reason they were preparing to investigate transactions (termed 'currency operations') that Orlov had made with commission shops regarding the sale of goods he had received in parcels (it was evidently with this in view that several skeins of imported woollen yarn were confiscated during a search which took place after Orlov's arrest — *Chronicle* 45). Over a period of 16 months, the investigative organs had changed the formulation of the indictment several times, each time adjusting the testimony of witnesses to fit the current version.

As regards the appeal court procurator's assertion that Orlov continued to slander Soviet authority even after the trial by saying the trial record was false, Orlov pointed to the numerous distortions of his questions to witnesses, of their replies and of his defence speech, and the complete omission of the Judge's rude remarks and the shouts of the 'public', which had hampered him in conducting what was, in any case, a difficult defence. He made special mention of the pre-

meditated distortion in the record of the position of his lawyer E. S. Shalman, to whom he was genuinely grateful for his petition at the end of the investigation asserting his client's complete innocence (*Chronicle* 49) and for his expert help during the trial. In the record, Shalman was made to appear virtually as an aide to the Procurator (this 'version' of the lawyer's position, thanks to the efforts of 'informed sources', came through even in foreign radio broadcasts).

Orlov told of the confiscation of the manuscripts of three works on theoretical physics and mathematical logic which he had written during the investigation period; he spoke of conditions during transit, which had greatly shocked him (the crudeness and vindictiveness of the guards, the filth in the overcrowded 'Stolypin' rail-trucks and the cells in the transit prisons, where he was kept together with common criminals, the six-kilometre trek at night, accompanied by guards and dogs, when, after he had fallen ill in transit, he was made to carry a bag with broken handles containing his belongings).

Orlov asked that the press and the public be informed that, in his capacity as representative in camp of the Helsink Group, he intended particularly to raise once again the question of poor food in places of imprisonment and also to make a special complaint to the Procuracy about the illegal practices of the prison and camp administrators, who were punishing prisoners for their complaints.

The Trial of Gamsakhurdia and Kostava

From 15 to 19 May the Tbilisi City Court heard the case of Zviad Gamsakhurdia and Merab Kostava, charged with 'anti-Soviet agitation and propaganda' (article 71 of the Georgian Criminal Code [equivalent to article 70 of the Russian Code]). The court was presided over by A. V. Kobakhidze, Deputy President of the Tbilisi City Court; the state prosecutor was G. A. Ugulava, Assistant Procurator of the Georgian S S R. The defence lawyers were M. V. Alkhazishvili and O. Sh. Nikolaishvili.

Zviad Gamsakhurdia (b. 1939) is the leader of the Georgian Helsinki Group, a member of the Georgian Initiative Group for the Defence of Human Rights, and a member of the Soviet group of Amnesty International (for details of his activities see *Chronicles* 34, 36-38, 42-44). Gamsakhurdia is a Candidate of Philological Sciences; he taught at the university and until his arrest he worked as a senior academic researcher at the Shota Rustaveli Institute of Literature of the Georgian Academy of Sciences. He was a member of the Georgian Writers' Union. His father was the eminent Georgian writer Konstantin Gamsakhurdia.

Merab Kostava (b. 1939) is a member of the Initiative Group. He is a musicologist by profession. Until his arrest he worked as a lecturer at a music college.

Both men were arrested on 7 April 1977 (*Chronicle* 45; see also *Chronicle* 46).

* * *

The trial took place in the Georgian Supreme Court building. There were 126 seats in the courtroom; during the trial there were television cameras in the courtroom. Only those with tickets were admitted, but the tickets did not have names on and university teachers, for example, were able to obtain them relatively easily. Relatives in the courtroom were Z. Gamsakhurdia's wife Manana, M. Kostava's mother, and his 18-year-old son Irakly. On the last day Merab's former wife Rusudan Beridze was admitted. 50 to 100 people gathered outside the court building while the trial was going on. The defendants were charged with preparing, possessing and disseminating anti-Soviet literature.

Most of the indictment referred to Z. Gamsakhurdia. He was charged with disseminating and in some cases duplicating 'literature': the *Gulag Archipelago*, the collection [of Solzhenitsyn's statements] *Peace and Violence*, Sakharov's book *My Country and the World*, a collection of articles by P. G. Grigorenko entitled *Thoughts of a Madman*, Yu. Orlov's article 'Is Socialism of a Non-Totalitarian Kind Possible?', issues 32-34 of *A Chronicle of Current Events*, several issues of the paper *Russkaya Mysl*, published in Paris, and other items.

Merab Kostava was charged with authorship of an article about Sakharov's book *My Country and the World* (*Chronicle* 45), of a letter in defence of Starchik, and of the article 'Meshketian Turks or Meshketian Georgians' (*Chronicle* 41), and with translating into Georgian Shafarevich's work *Socialism*, Sakharov's book *My Country and the World* and the above-mentioned article by Orlov.

In addition, both defendants were charged with producing several 'slanderous' journals, in particular the journal *Sakartvelos Moambe* (*Georgian Herald*; see *Chronicle* 45).

According to a bulletin of the Novosti Press Agency:

> the defendants ... over a period of several years systematically prepared, duplicated and disseminated anti-Soviet leaflets. In 1976, in an attempt to systematize their anti-Soviet activities, Gamsakhurdia and Kostava organized the illegal publication of so-called 'journals'. These contained material slandering the domestic and foreign policies of the Soviet government, exalted people who had engaged in armed struggle against the U S S R during the Second World War on the side of fascist Germany, and propagandized material prepared by the defendants and others, including leaflets of the foreign émigré

organization N T S (People's Labour Alliance) advocating a struggle against Soviet power.

In answer to the Judge's questions, Gamsakhurdia said that he admitted his guilt and was sorry; Kostava answered both questions in the negative.

Gamsakhurdia made a two-hour speech explaining the charges against him (according to the reports of those who were present, he spoke with his usual fine oratory). He said that he had not admitted his guilt at first, but having thought it over he understood that he really had broken Soviet laws. He admitted that he was guilty of disseminating anti-Soviet literature, although not everything he disseminated was of this nature. He had changed his views on many questions, but in religious, educational and linguistic matters he retained his previous convictions — his national-patriotic views had not changed.

Judge: No one is disputing that with you.
Gamsakhurdia: That is true and I am grateful.

Gamsakhurdia said that all the facts mentioned in the indictment were correct. He had maintained earlier that all our shortcomings were due to the peculiarities of our system — now he understood that this was not so. He had based his ideas solely on the international covenants and taken no notice of Soviet laws — and thus violated them. Gamsakhurdia had got to know people who were in possession of samizdat. Such is human psychology — whatever is forbidden is attractive. A great deal of literature was produced abroad. There they wrote that we lived poorly. This was untrue: most Georgian peasants owned their own cars.

Gamsakhurdia expressed his sorrow that he had disseminated the *Gulag Archipelago*: this book was written with great venom; its author saw everything in a black light. He forgot that it has been admitted that 1937 was a mistake; the year 1937 was the fault of individuals, not of the system. Gamsakhurdia said that he used to have a negative attitude to everything, although men should above all look at what is good. He said that he wanted to convince the court and society that he was not an enemy. He had understood that he must respect the laws or leave the country. People called him a dissident, but this was untrue. He did not want to live abroad and had never been an adherent of capitalism.

Gamsakhurdia told the court that he twice met Belousovich (First Secretary at the U S Embassy — *Chronicle*) and received literature from him, but this did not mean that he fulfilled any sort of assignment. (According to the Novosti bulletin already quoted, Gamsakhurdia 'noted the pernicious effect which the Americans Belousovich, Shipler and Friendly had on him').

Gamsakhurdia said that in the West they were always trying to show that things were better there, but this was not true. Everywhere there wre indications to the contrary: in the West there was anarchy, presidents were assassinated, Moro was killed. He had come to the conclusion that it was wrong to act as he had done. The path he had chosen was incompatible with patriotism. 'A patriot should follow the official path. We have such paths here. I say all this not because I am afraid of prison but because I am aware of my guilt.'

Judge: What brought you to repent? Were you coerced in any way during the pre-trial investigation?
Gamsakhurdia: I was not coerced. I thought things over, reanalysed my position and realized that it was a false one.
J: Which foreign radio broadcasts did you listen to?
G: Voice of America, Deutsche Welle, Liberty. Liberty is jammed and rightly so — its broadcasts seriously distort our reality.
J: What do you know about these radio stations?
G: That they are financed by Western intelligence agencies. Radio Liberty, for example, is financed by the C I A.
J: Was your name mentioned in any of their broadcasts?
G: Yes.
J: And what have you disagreed with in the Soviet press at this time?
G: With the allegation that I was employed by Western intelligence.
J: What literature did Kostava disseminate?
G: Shafarevich's work *Socialism*.
Lawyer: Did you transmit your own works to the West?
G: No.
L: Have you fully understood the harmful nature of the literature you disseminated and especially of the books of Solzhenitsyn?
G: I did not understand this earlier, but now I do. In a resolution at a meeting at the Institute of Literature, where I was employed, I was quoted as saying that I would not stop publishing the journal. This is untrue. I said that its publication did not depend only on me. I have now chosen my path. I don't expect any indulgence from the court. At the start of the pre-trial investigation I refused to testify, but then I was presented with a number of documents and I began to give evidence. Merab is anxious that people will think that he gave evidence. Merab only confirmed facts and he did this at my request I accept all responsibility. Merab was not co-editor of the journal *Sakartvelos Moambe*.
Judge: Which human rights did you defend?
G: I was mistaken.
Procurator: You repent?
G: Yes.
P: When did you realize your mistakes?

G: A few months after my arrest.
Lawyer: Is your repentance sincere, or will you perhaps subsequently change your mind?
G: I don't ask you to believe me. It is not worth trying to prove that nothing will change.

During Gamsakhurdia's speech the horrified **Manana** cried: 'Zviad! Come to your senses! Do you realize what you're doing?' He turned to her and answered: 'It's you who don't understand what you are saying!'

Kostava began his speech with the declaration:

> We did not conceal anything of what we were doing; we signed every article. Therefore our actions were not illegal.

He said that until March 1978 he regarded his arrest as unjust and refused to testify. Then, at Gamsakhurdia's request, he confirmed the facts concerning events in which he had participated. Contradicting Gamsakhurdia, Kostava said that he wrote articles on his own initiative and not on Gamsakhurdia's instructions, and that he was co-editor of *Sakartvelos Moambe,* with the same rights as Gamsakhurdia. He also mentioned that neither during the pre-trial investigation nor in court had he said anything of which he needed to be ashamed. Kostava said that he had no complaints against the investigators. He had translated Sakharov's book because he wanted to have it in Georgian. 'I disagree with Sakaharov on some points,' he said, 'but I have great respect for him.'

Judge: Do you consider Sakharov's book anti-Soviet?
Kostava: I will refrain from answering that question.
J: Is your article on the Meshketians anti-Soviet?
K: I do not regard it as such.
J: You said that prisons and psychiatric hospitals are full of people fighting for justice.
K: This used to be true, but now the situation has improved somewhat. For example, when I was in a psychiatric hospital (in Tbilisi, for psychiatric examination — *Chronicle*) I was the only political there.
J: In your journal you published an N T S leaflet. Do you not regret this either?
K: This leaflet had been severely criticized, but it had not actually been published. I consider that one should publish a text before criticizing it.
J: What about the article about General Maglakelidze? (During the war, Maglakelidze went over to the Germans and organized the 'Georgian Legion'; he was kidnapped and brought back by Beria's agents but was not brought to trial. He spent his last years in Georgia, working as a barrister — *Chronicle*).
K: Perhaps the publication of this article was premature, although future historians will probably interpret Maglakelidze's fate in the same way as today's historians interpret that of Georgy Saakadze consternation in the courtroom); moreover, from earliest times man has tended to have respect for an enemy who is strong and wise — remember, for example, Aeschylus and Homer. As regards my article on agriculture, I still maintain that the peasants should be given the opportunity to use their own initiative. This question still remains to be put right. Unsolved also is the problem of the Meshketians.

21 witnesses were examined in court. Among them was **Viktor Rtskhiladze** (*Chronicles* 44, 45, 48) who was brought to court under guard. People who had taken part in a mass photocopying of the *Gulag Archipelago* (*Chronicle* 38) were also questioned.

During the trial Gamsakhurdia tried to shield Kostava in every way possible, even interrupting while Kostava was being questioned.

They both received the same sentence: 3 years' camp and 2 years' exile.

On 21 May *Pravda* published a T A S S bulletin under the heading 'Criminals Punished'; it concerned the trial of Yury Orlov and that of Gamsakhurdia and Kostava. On 24 May the *Literary Gazette* published a major article about Zviad Gamsakhurdia by Guram Gldaneli, entitled 'Shadow in the Desert'.

* * *

On 24 May in the Tbilisi K G B building, Merab Kostava and his former wife Rusudan Ivanovna Beridze registered their second marriage. R. I. Beridze is an assistant professor at the Mechanics and Mathematics Faculty of Tbilisi University. Their son Irakly has completed two years of study at the faculty.

After the trial the central television network showed Zviad Gamsakhurdia's 'repentance' speech (see 'Discussion of the Draft Constitution in Georgia' in *Chronicle* 49). The American journalists **Piper** and **Whitney** wrote in their articles that in the opinion of people close to Z. Gamsakhurdia, his television appearance had been falsified. On 28 June the U S S R State Radio and Television organization brought a court action against them in Moscow City Court under article 7 of the Russian Civil Code (see 'In Defence of Honour and Dignity', *Pravda,* 29 June).

On 2 July **Gleb Yakunin,** member of the Christian Committee for the Defence of Believers' Rights in the U S S R, made the following statement for the press:

> I, Father Gleb Yakunin, testify that **Manana,** wife of my friend

Zviad Gamsakhurdia, and also other people on her instructions, have informed me by telephone from Tbilisi and asked me to inform foreign journalists, that during Manana's visit to her husband in prison after his 'television appearance', Zviad Gamsakhurdia told her that he had made no statements in front of television cameras and had no idea how the programme was made.

Isai Goldshtein, a member of the Georgian Helsinki Group who had come from Tbilisi for the trial of Yury Orlov, expressed his conviction that the official information about the trial of Z. Gamsakhurdia was incorrect. The 'television repentance' had aroused the suspicion that it was a falsification made with the aim of discrediting Gamsakhurdia in the eyes of the Georgian people. This suspicion gains particular support from the fact that, as Manana has stated, Zviad Gamsakhurdia's physical appearance on the television screen differed markedly from his physical appearance in court and during her visit, when he was thin, pale and emaciated by illness. It has been suggested that the 'television repentance' was filmed during the first stages of the pre-trial investigation and was the result of a photomontage of shots taken with a hidden camera ...

On 18 July the Moscow City Court heard the case brought by State Radio and Television. Z. Gamsakhurdia appeared as a witness at the hearing (*Izvestia*, 19 July). His appearance in court was filmed and shown on the Central Television Network.

* * *

Merab Kostava sent his appeal to the Georgian Supreme Court. The court rejected it. In the middle of August Kostava arrived in Perm Camp 37.

Gamsakhurdia did not appeal against his sentence. The Presidium of the Georgian Supreme Soviet exercised clemency and commuted the unserved part of his sentence to 2 years' exile. Since 26 July he has been serving his sentence of exile in the village of Kochubei in the Kizlyar District of the Dagestan A S S R. The things that were confiscated during the search at the time of his arrest have been returned to him. He is doing cultural work among the Georgian shepherds who tend flocks on Dagestan pastures.

According to Gamsakhurdia the attitude he adopted during the investigation and in court — his 'repentance' — is justified first of all by the fact that he would otherwise have received the 'maximum' sentence, which would have caused unrest in Georgia; this would have been severely put down by the authorities, as happened in Georgia in 1956 after the 20th Party Congress; secondly, many people connected with him, whose activities were known to the K G B, would have suffered; thirdly, all the positive results which he and his friends had achieved would have been wasted.

Gamsakhurdia also said that he had made a compromise with the K G B and as a result brought about the arrest of Bishop Gaioz (*Chronicle* 34), the cessation of the bombardment of the David-Garedzha monastery (*Chronicle* 38), the opening of three churches, and the keeping of the article of the Constitution which proclaims Georgian the national language (see *Chronicle* 49).

As regards his 'repentant' appearance on television, Gamsakhurdia said that this was a videotape recording made by the investigators with his consent: 'You say one thing now, but what guarantee have we that you won't behave differently in court?'

According to Gamsakhurdia himself, he was unable to say what he wanted when he appeared as a witness in the Moscow City Court — the Judge and Procurator would not let him. Moreover, he had counted on the presence in court of the journalist defendants, who would have asked him questions.

The Trial of Ginzburg

From 10 to 13 July the Kaluga Regional Court heard the case of Alexander Ginzburg, charged under article 70 part 2 of the Russian Criminal Code. The composition of the court was: Presiding Judge A. I. Sidorkov and People's Assessors S. M. Brandt and N. P. Parshina; the prosecutor was Procurator V. V. Savkin; defending was the Moscow lawyer E. A. Reznikova (when the time came for the defence speech Ginzburg dismissed his lawyer and spoke in his own defence). Ginzburg's other defence lawyer, the American E. B. Williams (*Chronicle* 44), was refused a Soviet visa.

Ginzburg was arrested on 3 February 1977 (*Chronicle* 44). (For details of the pre-trial investigation see *Chronicles* 44-49).

Alexander Ilich Ginzburg was born in Moscow in 1936. On leaving school he worked as an actor and assistant to a theatre director and as a newspaper reporter. In 1956 he entered the Faculty of Journalism at Moscow University.

In 1959-60 Ginzburg produced in samizdat several issues of a collection of poems by various poets, entitled *Sintaxis*. He was arrested soon afterwards and sentenced to 2 years' camp for forging documents (he had tried to take an examination for a friend). Until just before the end of the K G B investigation, Ginzburg was also charged with anti-Soviet agitation and propaganda.

In 1962, after his release, having with difficulty managed to settle in Moscow, Ginzburg tried to find a job but met everywhere with official opposition. He worked as a night-watchman, as a lathe operator, laboratory assistant and librarian.

In 1964 Ginzburg was detained for several days in the Lubyanka. Soon afterwards a letter signed by Ginzburg appeared in *Evening Moscow*; here he dissociated himself from the sensation created by the Western press around his name. Ginzburg did in fact write such a letter, but the published version differed sharply from the original.

In 1966 Ginzburg became a student at the Historical Archives Institute.

In January 1967 he was arrested for compiling a *White Book* (a collection of materials on the trial of A. Sinyavsky and Yu. Daniel).

In January 1968 he was tried together with Yu. Galanskov, V. Lashkova and A. Dobrovolsky (*Chronicles* 1, 2). He was sentenced under article 70 part 1 of the Russian Criminal Code to 5 years' strict-regime camp, and served his term in the Mordovian camps and in Vladimir Prison.

In 1972, having served his sentence, he was released. He was not permitted to live in Moscow and was forced to settle in Tarusa. In the years following he was subjected to continual harassment: he was twice placed under surveillance and was often refused permission to go to Moscow to visit his mother, wife and children; it was made difficult for him to find a job, and at the same time he was threatened with charges of 'parasitism'.

From 1974 Ginzburg was the official treasurer of Solzhenitsyn's Aid Fund for Political Prisoners. Ginzburg belonged to the Moscow Helsinki Group from the moment it was founded.

A. I. Ginzburg is married to Irina Sergeyevna Zholkovskaya. Ginzburg's arrest in 1967 took place five days before the planned registration of their marriage. After the trial Ginzburg and Zholkovskaya tried to obtain permission to register their marriage. Their request was supported by many of Ginzburg's friends in camp, and five political prisoners declared a hunger-strike. The hunger-strike lasted 3-4 weeks and ended in victory: on 21 August 1969 the marriage was registered in the camp guardroom.

Ginzburg has two sons — aged five and three years.

* * *

The legal proceedings were based on the examination of three themes:

1. Possession and dissemination of literature;
2. Participation in the compiling of documents;
3. Ginzburg's activities as treasurer of the Aid Fund for Political Prisoners.

1. *Possession and Dissemination of Literature*

According to the indictment, Ginzburg possessed and disseminated the following works: *The Gulag Archipelago* and *The Calf Butted the Oak* by Solzhenitsyn; the collections *Sakharov Speaks* and *From Under the Rubble*; the journals *Kontinent* and *Herald of the Russian Christian Movement*; several issues of *A Chronicle of Current Events* and *A Chronicle of Human Rights in the U S S R*; Conquest's book *The Great Terror*; Fischer's *Life of Lenin*; and *Shipwreck of a Generation* by [Joseph] Berger.

The charges in this part of the indictment were based on material confiscated during searches (*Chronicle* 44) of Ginzburg's home in Tarusa and the Moscow flats of his wife I. S. Zholkovskaya and his mother L. I. Ginzburg, and also on the testimony of the following witnesses:

— A. Gradoboyev (lived in Tarusa, four previous convictions for embezzlement, forgery of documents and pornography);
— V. Podobailov (citizen of Kemerovo, an electrician; hearing about Ginzburg on foreign radio broadcasts, he travelled especially to visit him);
— T. Davydovich (a woman friend of Podobailov);
— S. Khanzhenkov (a former political prisoner living in Minsk — *Chronicle* 46);
— I. Ivanov (a worker living in Tarusa);
— P. Novikova (Ivanovi's sister);
— V.Pestov (a former political prisoner — *Chronicle* 45; living in Sverdlovsk);
— V. Vaganov (an acquaintance of Pestov);
— M. Khvoshchov (an artist from Tarusa);
— A. Shemetov (a writer and member of the Soviet Writers' Union; lives in Tarusa);
— V. Kalninš (a former political prisoner — *Chronicle* 44).

Witnesses **V. Podobailov** and **S. Khanzhenkov** insisted that they themselves had asked Ginzburg for books, moreover Ginzburg had refused to give Khanzhenkov any. Witnesses **V. Vaganov, T. Davydovich, A. Shemetov** and **P. Novikova** testified that they had not received their books from Ginzburg; moreover, the first two were not acquainted with Ginzburg. **V. Pestov** and **V. Kalninš** were not present in court, the former due to illness; the latter had left the U S S R in May 1978. Their testimony during the pre-trial investigation was read out, despite the fact that Kalninš, in a letter sent to the Kaluga K G B in April, had renounced all his testimony.

Ginzburg himself stated that the criminal nature of the literature he was charged with disseminating must be demonstrated in court. Otherwise, he said, he would not answer a single question containing the phrase 'anti-Soviet literature'.

The court read out K G B reports which described the activities of the publishing houses Possev and Y M C A Press as anti-Soviet.

Ginzburg said that he was grateful to these publishing houses for printing information on the contemporary situation in Russia and

refused to answer further questions about giving books to various people.

In reply to the Judge's question as to why five copies of one issue of the *Chronicle of Current Events* were found during a search of his home, Ginzburg said that he constantly used the *Chronicle* in his work for the Fund, and since it was always confiscated during searches, it was necessary to have not five, but ten copies.

2. *Participation in Compiling Documents*

The incriminating documents were: Moscow Helsinki Group Document No. 3 (describing conditions in camps and prisons); the supplement to No. 7 (about a Riga dock strike); No. 8 (about abuses of psychiatry); No. 13 (about emigration for economic and political reasons); No. 17 (about the plight of political prisoners who were ill); the Group's documents 'An Evaluation of the Influence [of the Conference on Security and Cooperation in Europe, with Particular Reference to Human Rights in the USSR]' and 'Christmas Repressions', the collection *Go out of Her, My People* (about the Pentecostalists), and also three letters sent to the Presidium of the USSR Supreme Soviet and the UN Commission on Human Rights.

All the above-mentioned documents were described in the indictment as slanderous.

At the very beginning of the trial, even before the reading of the indictment, Ginzburg submitted a large number of petitions — that additional witnesses be called, and that a number of documents, indispensable to his defence, be appended to the evidence.

These documents included the collected current MVD decrees governing the situation of prisoners, documents concerning the norms and quality of food in places of imprisonment, extracts from the verdicts and personal files of prisoners, and also numerous letters from prisons and camps — to confirm the information in Document No. 3; an extract from the verdict in the case of J. Varna and others, copies of menus from restaurants in Riga, and copies of an order about the introduction of a 'fish day' — in connection with the supplement to Document No. 7; lists of patients and the Directions on the Urgent Hospitalization of the Mentally Ill — in connection with Document No. 8; copies of medical histories and death certificates of political prisoners, the archival record of Yu. Galanskov's case (*Chronicle* 28), and information on food norms prescribed for the sick in camps and prisons — in connection with Document No. 17.

Not one of these petitions was granted.

The following witnesses were examined in connection with Documents Nos. 3 and 17:

Yu. I. Fyodorov (*Chronicles* 42, 44, 45), D. Demidov (*Chronicles* 33, 46) and Kranov — all former political prisoners;

the political prisoners Tyndyuk (who worked as a cook in the Perm camps, then as head of the refectory) and Dileyev (who was sentenced under a political article in a criminal camp);

Yu. Fesenko, head of the medical unit at the women's political camp in Mordovia (institution ZhKh-385/3-4);

Ugodin, director of Vladimir Prison.

(Demidov and Ugodin were summoned to court at Ginzburg's request, with a request made during the pre-trial investigation.)

Witnesses **Fyodorov** and **Demidov** confirmed the description of camp conditions given in the Helsinki Group documents.

Kranov[2] told the court that he met Ginzburg and Galanskov in the camp hospital. He, Kranov, had received good medical treatment. He recalled that Galanskov had often been deprived of his right to use the camp shop. Ginzburg asked the witness how serious he thought Galanskov's condition was, and whether he was in a fit state to undergo punishment, but the Judge deleted the question, saying that Kranov was not a doctor. (Prior to his arrest Kranov had completed four years' study at a medical institute). **Tyndyuk** and **Dileyev** described camp conditions as acceptable and maintained that food norms were adhered to.

Fesenko and **Ugodin** testified that conditions in camps and prisons were good. However, Fesenko confirmed the existence of food norm 9b (for those in punishment cells — see *Chronicle* 33). Ginzburg's question as to the extent of this food norm was deleted by the Judge. In answer to questions from the defendant and his lawyer, Ugodin stated that no one was put in a punishment cell for more than 15 days. At the lawyer's request the court verified the presence in the case file of a document in which it is stated that Abankin, an inmate of Vladimir Prison, spent 45 days in a punishment cell: 15 days, a break of three days, 15 days, a break of five minutes, then again 15 days (see *Chronicle* 46).

The following witnesses were questioned in connection with the supplement to Document No. 7:

— Shayekhov — a dock worker from Riga;

— Lerov and Dizhbit — journalists who had written articles denying reports of a strike at the Riga docks.

In court the witnesses stated that there had been no strike. In addition, **Shayekhov** said, 'There is meat even on fish days' in the Riga Port refectory, but **Lerov** stated that there were no fish days at all. When questioned about the letters from abroad addressed to Riga dock workers, which Lerov had mentioned in his article in *Ogonyok* (No. 17, 1977), Lerov referred the question to **Dizhbit.** Dizhbit, however, maintained that he knew nothing about these letters.

In connection with Document No. 8, **[T. P.] Pechernikova,** Head of the Department of Medical Examinations at the Serbsky Institute,

and **Kuzmicheva,** a doctor at Psychiatric Hospital No. 14 in Moscow, were questioned. They stated that misuse of psychiatry did not occur.

No one was questioned in connection with the other incriminating documents. Ginzburg's request that **Yu. Mashkov's** address should be found and that he should be summoned to court to testify that he was the author of letters attributed to Ginzburg, was turned down. (Former political prisoner Yury Mashkov had recently left the U S S R.)

When questioned about the 'Helsinki Documents' Ginzburg answered that he was the author of the document about the Riga dockers' strike, and shared responsibility for the rest with all the members of the Helsinki Group; he did not intend to play down the extent of his participation in compiling each document. The collection *Go out of Her, My People* had been compiled from Pentecostalist documents. Ginzburg stated that he accepted full responsibility for it, since he had compiled it.

3. *Ginzburg's activities as Treasurer of the Aid Fund for Political Prisoners*

The indictment stated that Ginzburg, using funds obtained from abroad, had engaged in anti-Soviet activities with the aim of undermining and weakening Soviet authority. It also said that Ginzburg used money from the fund to live on.

Witnesses Gradoboyev, Fydorov, Dileyev and Tkachyov (all former political prisoners) were questioned in connection with this part of the indictment.

Gradoboyev stated that Ginzburg 'bought information' from alcoholics in Tarusa, paying them either in roubles or sometimes in money certificates. The defendant had helped Gradoboyev with money, engaging and paying a lawyer for him. In exchange Ginzburg had asked Gradoboyev to visit some Baptists and gather information from them, but Gradoboyev had refused.

Gradoboyev also testified that there existed an illegal organization of dissidents which worked by conspiratorial methods, using self-erasing slates, and that this organization was supported by the West.

Witnesses **Fyodorov, Tkachyov**[3] and **Dileyev** testified that the Fund helped many prisoners and their families unconditionally. Tkachyov expressed the opinion that Ginzburg's activities could be explained by the fact that he wished people to speak well of him 'when he next got locked up'. The witnesses did not confirm the allegation in the indictment that Ginzburg lived on money from the fund.

During Ginzburg's cross-examination his letter to Natalya Solzhenitsyna, confiscated from someone by customs officials, was mentioned. Ginzburg protested against the reading of his personal correspondence in public, but the Procurator read extracts from the letter where Ginzburg stated that the *Gulag Archipelago* was multiplying and travelling about the country and that he would like to have 30 copies of it.

Ginzburg was asked about the people he had helped. 'Neither your money, citizen Judge, nor the Procurator's money, nor the K G B's money formed part of our Fund, so I don't intend to render accounts to you, I render accounts only to the founders of the Fund, and I will not answer any of your questions about it,' Ginzburg replied.

At the end of his speech for the prosecution the Procurator demanded that Ginzburg be condemned as an especially dangerous recidivist, but — 'in consideration of the fact that Ginzburg has two small children to support and that towards the end of the investigation he began to give evidence' — he demanded a sentence of 8 years in a special-regime camp and 3 years' exile.

(By 'evidence towards the end of the investigation' the Procurator evidently meant the fact that, towards the end of the investigation, Ginzburg, who for a whole year had refused to talk to his investigators, had made a few statements, including one to the effect that he alone was the author of the supplement to Document No. 7.)

In his defence speech Alexander Ginzburg said that he pleaded not guilty. He did not consider that the literature in question was anti-Soviet, and the court had not demonstrated its criminal nature. All the facts in the Helsinki Group's documents corresponded to reality and, having studied the materials of the case, had once again been convinced that this was so. Ginzburg repeated that he did not intend to give the court an account of the work of the Fund, but he considered it necessary to state that he had not used the Fund's resources for is own personal needs but had lived on his own salary and that of his wife, and on royalties from his book, which had been published in the West.

Ginzburg's final plea was brief. He said that he was taking the opportunity to send greetings to his friends and to express solidarity with **Anatoly Shcharansky,** who was being tried at the same time. 'I understand,' said Ginzburg, 'what it means to wait in the death cell for 17 months.' He stated that he himself had for 17 months been threatened with charges under article 64 and with the death penalty.

The court found A. I. Ginzburg guilty

— of possessing and disseminating anti-Soviet literature;
— of compiling documents and articles slandering the Soviet system;
— of organizing anti-Soviet activities using money from abroad.

The court found that Ginzburg was an especially dangerous recidivist and sentenced him to 8 years' special-regime camp. According to the verdict Ginzburg had to pay 1,500 roubles in legal costs.

* * *

A P N special correspondent V. Lysenkov described the verdict thus:

... it was established in court that between 1973 and 1977 Ginzburg systematically disseminated anti-Soviet materials received from abroad through illegal channels, or compiled by him personally, materials which advocated a violent change in the political and social system of the U S S R.

Using money from abroad, Ginzburg financed the hostile activities of anti-Soviet elements, including professional criminals and accomplices of the German fascists who had taken part in mass executions of Soviet citizens during the Second World War; he incited these elements to commit unconstitutional acts.

* * *

Not all the 'charges' on which the K G B had been working for the past year and a half were included in the indictment. For example, there was no mention of the foreign currency which Ginzburg allegedly kept in his wife's flat and which was 'confiscated' during a search (*Chronicle* 44). Charges of a purely criminal nature which abounded in the article by A. A. Petrov (Agatov) published in the *Literary Gazette* on the eve of Ginzburg's arrest, were also omitted. In the spring and autumn of 1977 the investigative organs had worked hard on the idea of there being an illegal political organization for which the Fund had been a legal cover (see Gradoboyev's testimony above and details of the interrogations of Yu. Fyodorov in *Chronicle* 46). Nevertheless, there was no mention of such an 'organization' either in the indictment or in the verdict. Later, at the end of 1977, a number of witnesses were questioned with regard to Ginzburg's activities in camp in 1968-1970 — establishing illegal links with the world outside the camp, organizing hunger-strikes, etc. In addition, some witnesses were told that Ginzburg had been responsible for the death of his colleague Yury Galanskov. These matters were also not mentioned in court. (For some reason they came up during the trial of Shcharansky — see, in the relevant section, the interrogation of V. Platonov).

It should be noted that the investigators did not manage to keep secret the fact that these matters were being probed, and thus they were discussed in good time by people in various parts of the world.

During the investigation and at the trial particular attention was paid to Ginzburg's moral character. Although Ginzburg was not formally charged with using money from the Fund for his own personal needs, nor of immoral conduct, the Judge and Procurator questioned witnesses in detail as to whether Ginzburg took money from the Fund for his own personal use, whether women came to his home, whether they spent the night there, how many beds there were in the flat, etc. The main witness on this point was again **Gradoboyev.** He told the court that Ginzburg drank a lot and explained in detail what he thought of the defendant's private life, and of his Tarusa and Moscow friends.

Gradoboyev said that, in his opinion, it was impossible for a man to handle 270,000 roubles (the Fund's turnover) and not take some of it; he emphasized the fact that neither Ginzburg nor his wife had jobs. Witness Levashov, head of a tourist centre near Tarusa, also talked of Ginzburg's 'parasitism'.

Lawyer Reznikova showed the court her client's labour book, to counter the charges of 'parasitism'. Despite this, it was stated in the verdict that Ginzburg was unemployed.

Of the 23 witnesses questioned in court, eight were unacquainted with Ginzburg and the rest knew him only superficially. Nevertheless, the court refused the requests of **A. Sakharov, V. Pomazov, V. Ronkin** and others, who knew Ginzburg well, to appear in court as witnesses. Numerous statements by political prisoners were also ignored (of these, the names of **V. Balakhonov, S. Kovalyov, A. Sergienko, A. Safronov, L. Khnokh, Z. Antonyuk** and **G. Superfin** are known to the *Chronicle*). They requested that they be summoned to the trial in Kaluga as witnesses, to give evidence regarding conditions in camps and prisons.

Ginzburg's own petition that 27 additional witnesses be summoned was turned down. The witnesses he named included K G B investigators Saushkin, Suchkov, Gaideltsov, Oselkov, Nikiforov, Parushev and Gusev. Ginzburg gave as a reason for requesting them as witnesses his desire to show that the investigation had been conducted in an unobjective manner and with the aid of threats and blackmail. The Procurator stated that this request had the aim of compromising the investigators.

Ginzburg stated that Fyodorov's testimony at the pre-trial investigation showed that he was blackmailed (the court refused to accept this as evidence); that witness Podobailov was told that he might 'change places with Ginzburg', and that witness Demidov was summoned from the witness room 'for an interview with the investigators' immediately before his appearance in court. He was promised 'every possible privilege' if he 'answered well in court' (Demidov was not interrogated at the pre-trial investigation).

Ginzburg and his lawyers persistently tried to demonstrate the truth and accuracy of the facts contained in the documents with which Ginzburg was charged. With this aim in view, Ginzburg had, before the start of the court proceedings, submitted over 80 reasoned requests to summon additional witnesses and to include in the evidence a number of documents, etc (see above). When the examination of the witnesses was over he asked for verification of the presence in the case file of 800 documents which had not figured in the trial; he also managed briefly to summarize the subject-matter of many of the documents and to state the reasons why he considered it essential that some of them also be read out. The court refused all Ginzburg's requests.

Nevertheless, the fact that the requests had been aired in court enabled the defendant to demonstrate the existence in the case file of a mass of arguments favourable to the defence.

Several facts refuting the charges came to light during the examination of witnesses, although the questions asked by the defendant and his lawyer were constantly barred by the court. (This happened particularly during the examination of the officials Ugodin, Fesenko, Pechernikova and Kuzmicheva). None of all this was mentioned in the verdict.

Already on the first day of the trial Ginzburg's physical condition gave cause for alarm; his blood pressure had risen sharply. He even asked the court for permission to submit petitions without standing up (the court refused him permission). A doctor was permanently on duty in an adjoining room. At the end of the three days, Ginzburg felt really ill; he was given an injection and some medicine, but his condition did not improve. Soon after the trial, at a meeting with his wife, Ginzburg told her that due to dizziness and general weakness he had been unable to give the defence speech, lasting several hours, which he had prepared.

Ginzburg's wife I. S. Zholkovskaya and his mother L. I. Ginzburg were admitted to the courtroom. None of the defendant's friends and acquaintances, who came to Kaluga every day and stood outside the court building (about 50 people) were allowed in to hear the court proceedings. Benjamin Tua, a Second Secretary at the U S Embassy, and foreign correspondents were not admitted either. However, a special representative of the Ministry of Foreign Affairs was present in court, and during the breaks he informed foreign correspondents about the trial. This information was incomplete and tendentious.

When the trial was over Judge A. Sidorkov also talked to foreign correspondents. He told them that Ginzburg's sentence had been commuted to eight years because he had (allegedly) given evidence against A. Sakharov and Yu. Orlov. According to Sidorkov, this was mentioned in the verdict (which was also not the case).

None of Ginzburg's friends who had travelled to Kaluga were able to find accommodation in the town's hotels — for them 'there was no room'. I. S. Zholkovskaya and L. I. Ginzburg were exceptions.

People waiting outside the court building were continually photographed. They themselves were forbidden to use cameras. One of Ginzburg's friends tried to take a few pictures, but he was told that the vigilantes objected to being photographed; he was taken to a police station and his film exposed. Former political prisoner **V. Ronkin** was detained and taken to a police station to have his identity checked. However, this detention too was of short duration. In Moscow **V. Kuvakin** was taken off a train. He was taken to a police station and, after his documents had been checked, was released.

On the second day of the trial, when he was being questioned for the second time, witness **Gradoboyev** stated that Ginzburg and Zholkovskaya were parasites. He told the court that dissidents might hire assassins with money they received from the West in order to deal with him, Gradoboyev, and that **Zholkovskaya** had already threatened him with reprisals. (In actual fact Zholkovskaya had said to him: 'God will punish you!'). The Judge invited the witness to make a written complaint against Zholkovskaya so that her illegal activities could be curtailed. (Gradoboyev later did write a complaint.) From her seat I. Zholkovskaya asked the court for permission to make a statement concerning Gradoboyev's slanderous testimony. The Judge told Zholkovskaya to be quiet. Zholkovskaya said that a criminal and a slanderer had been allowed to talk for three hours; she asked permission to explain to the court that Gradoboyev was lying. The Judge ordered that Zholkovskaya be removed from the courtroom. As she was being taken out she said: 'This isn't a trial but a filthy kangaroo court. You wouldn't let Ginzburg's friends, or Academician Sakharov, tell you about Ginzburg, but you let a liar do it. You wouldn't let me or my husband work. I, a Moscow University lecturer, managed with great difficulty to get a job as a house cleaner, and you call us parasites!' Ginzburg requested that his wife be allowed to return. The Judge recalled Zholkovskaya and ordered her to apologize and to promise to create no more disturbances. Zholkovskaya asked permission to give her explanation regarding Gradoboyev's testimony and her own conduct in connection with this. She was then once again removed from the courtroom. Despite her written appeals to the court and her telegrams to Brezhnev and Andropov, she was not admitted to the trial either that day or on the following days.

Immediately after this incident, when witness **Lerov** — from his seat — accused lawyer Reznikova of discrediting the Soviet press by her questions, he was not only expelled from the courtroom, but was not even called to order, despite the lawyer's demands.

On the first three days of the trial, the vigilantes, the K G B operations men and the police on duty outside the court building behaved with restraint and propriety. Chance passers-by — citizens of Kaluga — reacted in a neutral fashion to what was happening, or even expressed sympathy for Ginzburg. But on the day the verdict was announced a large group of people appeared, portraying the 'indignation of the people'. These people shouted insults and anti-Semitic slogans, and provoked Ginzburg's friends. The 'demonstration of popular anger' was carefully organized and kept within prescribed limits. It began and ended as ordered, and no serious incidents were permitted.

* * *

Although the trial of A. Shcharansky, which took place simultaneous-

ly, was commented on in the Soviet press and referred to on radio and television, the mass media remained silent on the case of A. Ginzburg during his trial. Only two weeks after the verdict, on 27 July, the Kaluga newspaper *Znamya* published an article by A. Shcheglov, entitled 'Poverty of Soul'. A few quotations from this article follow:

> Ginzburg tried every possible means to delay and disrupt the proceedings ... He submitted countless petitions, he insisted on adding (these are the words used! — *Chronicle*) new documents to the case. Most of them had no relevance to the charges. The court patiently heard him out, occasionally granted his requests, but refused to allow the proceedings to be sidetracked ... People like Ginzburg have not and will not have a place in our society. The citizens of Kaluga who were present at the trial greeted the verdict with applause.

Several days after the trial had ended Ginzburg's Bible, dictionaries, Japanese primers, judicial literature, pens, spare glasses and personal clothing were taken from him. Although the sentence had not yet legally come into force, he was reclothed in striped prison clothing (i.e. as worn by prisoners on special regime).

On 18 August the R S F S R Supreme Court examined A. Ginzburg's appeal [whose text follows] and left the sentence unchanged.

The Appeal of A. Ginzburg

I consider that my sentence is unjust, that it should be revoked and the case sent for retrial, for the following reasons:

1. One-sidedness of the pre-trial and court investigations, manifested in the following ways:

(a) persons whose testimony had a significant bearing on the case were not questioned.

I and my lawyer made several requests that these persons be summoned. The biased and tendentiously accusatory nature of the pre-trial investigation and court proceedings was reflected particularly clearly in the choice of witnesses.

The Helsinki Group's documents on the violation of human rights were assessed only on the basis of the testimony of those persons directly responsible for the violations and of their accomplices. How would you react if, at the trials concerning atrocities in fascist concentration camps, only the testimony of S S and Gestapo officers was heard and the victims were not allowed into the witness box as they had 'been given bad character references' by these same officers?

(b) Documents with a direct bearing on the case were not called for. The Procurator rightly noted that some of my requests were aimed at compromising witnesses. Documents can be used to discredit false witnesses and false testimony. This did not suit the investigators or the court. Especially significant was the refusal to obtain and examine official documents — instructions, decrees, regulations — cited in the Helsinki Group's material as independent proof of the violation of human rights. Since when has an order from the Minister of Internal Affairs or Minister of Health constituted incontrovertible law for a judge, while the compliance of a prison officer with this order or a secret instruction constitutes evidence of the absence of human rights violations?

(c) Personal details about the accused were not fully enough established. No one disputed the information I gave concerning my education (four years in the Faculty of Journalism at Moscow University), yet the verdict states: 'secondary education'. The statement in the verdict: 'unemployed prior to arrest' is not only false, but an insult to me. I am proud of the trust that has been placed in me: I worked for Academician Sakharov, by mutual agreement, from December 1975 until my arrest.

2. The discrepancy between the court's findings, as set down in the verdict, and the facts of the case. The court's findings are not supposed by the evidence produced during the trial.

This relates above all to the supposedly slanderous nature of the literature and documents on which the charges against me are based. Following the established tradition of political trials involving slander, here too it was denied that human rights (proclaimed in the Universal Declaration of Human Rights, laid down in the International Covenant on Civil and Political Rights, etc.) had been violated. Moreover, the official commentary to article 130 of the Russian Criminal Code lays down that for a charge of slander ('slanderous fabrications') the accused must be aware that the information he disseminated was false; 'the dissemination of correct, though damaging information does not constitute a crime'. It was in no way proved that the literature and documents on which the charges against me are based contained false information, nor that I was aware that this information was false. There was only the court's proclaimed 'conviction' that it was so.

3. A substantial violation of Criminal Procedure, namely of article 46 of the Code, which guarantees the right of the defendant to study the documents of the prosecution. The most obvious example of this concerns the materials on which the documents of the Helsinki Group were based. These materials were confiscated during searches conducted in January-February 1977 at the homes of Group members. I was not even able to obtain copies, not only of the documents confiscated from other members of the Group which had a direct bearing on the case, but of many documents taken from me and from members of my family ...

4. Incorrect application of criminal law:

(a) The applicaton of article 70 of the Criminal Code contravenes article 19 of the International Covenant on Civil and Political Rights. Recourse to paragraph 3 of this article is groundless. You would surely not call the U S Communist Party's publication *The Human Rights Situation in the U S A* or the Indians' march to Washington a danger to the government of the U S A.

(b) Article 13 of the Criminal Code was not applied, yet this states: 'Although falling within the category of an act provided for in the Special Part of the present Code, an action shall not constitute a crime if it is committee in necessary defence, that is *in protecting* the interests of the Soviet state, social interests, or the person or *rights* of the defender or of *another person* against a socially dangerous infringement, by causing harm to the infringer, providing that the limits of necessary defence are not exceeded. (My italics — A.G.) The limits of necessary defence shall be deemed to be exceeded if the defence is clearly disproportionate to the character and danger of the infringement.

Since the formulation and acceptance of the Universal Declaration of Human Rights, the question of human rights has become a concern of people all over the world. To use the printed word to defend human rights against socially dangerous infringements is certainly not to exceed the limits of necessary defence.

I do not intend either to deny or to admit disseminating literature. Such activities are entirely protected by the Universal Declaration of Human Rights and by the International Covenant on Civil and Political Rights. I leave it on the conscience, civil courage and political wisdom of the court to decide whether they constitute especially dangerous crimes.

Everyone should read the *Gulag Archipelago*. I rejoiced when the investigators and judges were reading it. I rejoice that you will read it. This is even a way of making the world a slightly better place.

The works of Solzhenitsyn and Sakharov are well known all over the world. Not I, but you and the whole country will be judged according to the way these works are treated here.

I do not intend to deny possessing literature. Nowadays in our country the people who burn books are almost all members of the Writers' Union (Otten, Shemetov). Other people read them — and keep them.

I do not wish to deny 'preparing and disseminating' the documents of the Helsinki Group and the others I am charged with.

Whatever the extent of my participation or non-participation in the preparation of individual documents, I am prepared to accept responsibility for all of them. Even a biased investigation confirmed the truth of the majority of the facts they contain.

I deny any intention of defaming or undermining Soviet power in my actions. I see nothing here to defame or undermine. If the Soviets ever held power, it has been so undermined by the all-powerful party apparatus that you cannot even call it power.

I deny using funds received from abroad for any propagandistic or even human rights purposes (by the latter I am referring, for example, to the Helsinki Group's documents). The Helsinki Group did not spend a kopek on the duplication of its documents, and for other expenses (travel, postage, etc.) depended on the private means of its members. This has never been disputed by anyone.

I deny the charge that I lack principles; this was highlighted in the verdict by a quotation from a private letter of mine. The context of the letter clearly shows that the matter under discussion did not concern ideology, but proposals regarding the recently-established Fund.

I deny the charge of profiteering and using the resources of the Fund for my own personal needs and for those of my family. And I have no 'masters' abroad. I have friends, many of them. You could have found this out for yourselves. I do not ask you to commute my sentence.

After three years' intensive work, after a year under investigation, constantly being threatened with charges under a number of Criminal Code articles, three of them involving the death penalty, and with being shot; after six months of being firmly promised the maximum sentence under article 70 part 2, with a prison term to begin with (Shcharansky's case confirms that threats of prosecution on charges of treason are not empty words, Filatov's case that the firing squad is still in readiness; I hope that this time wisdom will prevail and it will not be used) — after all this, I can only rejoice at the prospect of eight years. Particularly on special regime. This is the only island of today's Archipelago that I have not yet visited.

I do not ask for a lighter sentence, I do not expect the impossible — a just trial. I desire only the improbable: annulment of the verdict and a trial which will trample less unceremoniously on the laws by which it is supposed to abide.

* * *

At the beginning of September Ginzburg arrived in Mordovian Camp No. 1.

* * *

International public interest in the Ginzburg case far surpassed the usual limits of Western interest in political trials in the U S S R. It is impossible to list here all the letters, statements and protests, and the demonstrations and appeals to official Soviet bodies by committees in defence of Alexander Ginzburg. Many prominent writers, social and

political figures, and mass organizations in various countries took part in this campaign. In the USSR itself, Ginzburg's case prompted hundreds of people, including entire religious communities, to speak out in his defence.

A detailed account of the investigation and the texts of letters and statements are published in *Information Bulletins* No. 1 (*Chronicle* 45), No. 2 (*Chronicles* 47, 48), and No. 4 (*Chronicle* 49). Immediately after the trial the book *Kaluga, July 1978* appeared in samizdat. Material from this book has been used extensively here.

The Trial of Shcharansky

The case of Anatoly Shcharansky, charged under articles 64 and 70 of the Russian Criminal Code, was heard from 10 to 14 July by the Russian Supreme Court's Division for Criminal Cases, in the People's Court building in the Proletarsky District of Moscow (Serebryanicheskaya Embankment 15/17). The composition of the court was as follows. Chairman — P. Lukanov of the Russian Supreme Court; People's Assessors — L. Petrov and G. Samsonov. The Proesecutor was P. Solonin, Senior Assistant to the RSFSR Procurator. Two experts — Bulgakov and Buravov — took part in the court sessions. The court appointed lawyer S. A. Dubrovskaya as Defence Lawyer.

Anatoly Borisovich Shcharansky was born in 1948. In 1972 he graduated from the Moscow Physical-Technical Institute and began work as a mathematical engineer in the All-Union Research Institute on Petroleum and Gas. In 1973 Shcharansky submitted his application for a visa to Israel. Since then he has been a 'refusenik'. He left his job and began to earn his living giving private lessons. Around 1975 he became an active member of the Jewish emigration movement. Shcharansky helped those who had been refused visas by interpreting at press conferences and meetings with foreign political and social activists. As a result he became well-known to foreign journalists and diplomats as someone who had a good command of English and handled information responsibly. Shcharansky became a member of the Moscow Helsinki Group at its inception and played a consistently active part in its activities. After the arrest of Ginzburg and Orlov and the emigration of Alekseyeva, Shcharansky continued to work intensively on the compilation of the Group's documents and to organize press conferences. First in January and then in March Shcharansky was constantly followed by a group of KGB operatives. On 4 March 1977 *Izvestia* (Moscow evening edition) accused Shcharansky of spying. On 15 March Shcharansky was arrested. During the investigation of his case, over 100 people were questioned (particularly refuseniks)

in 20 Soviet cities. Nearly all of them either refused to take part in the investigation or described the accused as an honourable man and a law-abiding citizen. Witnesses confirmed that they had signed collective documents which were being used to incriminate Shcharansky. Many Soviet citizens signed group letters in defence of Shcharansky. The arrest of Shcharansky and the investigation of his case evoked an unprecedented number of protests from the Western public and Western political figures. For a detailed account of the investigation of Shcharansky's case see *Chronicles* 44-48.

* * *

The trial opened at 10 am. The courtroom, which contained about 70 seats, was filled with people who had special passes and with operations men. The Procurator responsible for supervising the state security organs, M. Ilyukhin, was present. About 20 seats were empty. Beside each participant in the proceedings was a microphone and the trial was recorded on studio tape-recorders.

After establishing that the trial participants were present, the court turned to establishing the identity of the defendant. Without answering the Judge's question, Shcharansky asked whether it was a closed trial — why were there no relatives or friends of his in the courtroom? The Judge replied that the defendant's mother and brother had been summoned to the court as witnesses, but had not appeared. Shcharansky contradicted him: 'I have in front of me a list of witnesses — they are not on it.' He stated that he would refuse to take part in the trial proceedings until such time as at least one member of his family was present in the courtroom. The Procurator suggested to the court that the defendant's father should be summoned. The Judge announced a break and sent the commandant to a nearby alleyway where the relatives and friends of the defendant had gathered. The commandant, finding that the defendant's father was not in the vicinity of the court building, made some enquiries and brought the defendant's brother, Leonid Shcharansky, back to the courtroom. L. Shcharansky was present during all the court sessions except the ones held in camera.

When the trial participants had been informed of their rights and duties and a number of other formalities carried out, Shcharansky requested permission to dismiss his lawyer.

The Judge commented that the defendant's mother had been given time to choose a lawyer, but from December 1977 to June 1978 she had failed to do so; for this reason the investigative organs had engaged lawyer Dubrovskaya (*Chronicle* 48). The Procurator did not object to the defendant conducting his own defence and the court relieved Dubrovskaya of further participation in the case.

Having already assumed the function of defence lawyer, Shcharansky stated that during the year and a half which had passed since his

arrest, he had not been allowed to elucidate his relatives' position as regards a lawyer.

At this point the Procurator requested that the defendant's mother, I. P. Milgrom, be called as a witness. Shcharansky objected that his mother had already refused during the pre-trial investigation to be a witness, seeing this as a way of stopping her attending the trial. The Procurator stated that Milgrom could tell the court about the defendant's path in life. The court granted the Procurator's request (Leonid Shcharansky shouted to his brother that their mother was standing outside the court building, and was punished by being moved to the back row).

When asked whether he had any more requests to make, Shcharansky answered that when the case was being officially wound up he had submitted a 39-page list of petitions, but the Procuracy, after studying 51 volumes of case materials in four days, had refused all his petitions. The Procurator asked the court for a ten-minute break in order to study the list of petitions. After about an hour's consultation, the court and the Procurator came to an agreement and it was announced that four documents were being added to the case: the International Covenant on Civil and Political Rights, the Final Act of the Helsinki Conference, the testimony given by witness L. Volvovsky during the pre-trial investigation (this had not been included in the case materials because Volvovsky had written a few friendly words to Shcharansky on the record) and a statement by the Central International Telephone Exchange that tape-recordings of A. Shcharansky's international telephone conversations had been sent to the K G B. (Shcharansky had requested the inclusion of the tape-recordings themselves.)

The Indictment

Shcharansky was charged with 'espionage' and 'helping a foreign government to carry out hostile activities against the U S S R', under article 64 of the Russian Criminal Code.

'Espionage' is detailed in the indictment in the following way:

Shcharansky collected and sent to the West information about 1,300 people in possession of military and other Soviet state secrets. This information consisted of details about the location, bureaucratic subordination and security rating of 200 enterprises in various towns in the Soviet Union, and details about the leading officials of these enterprises. The text of the indictment indicates that the information comprised a list of people who had been refused exit visas from the U S S R in the interests of state security. The indictment asserts that right up to his arrest Shcharansky was building up, arranging and preserving these lists, and, through various channels and by conspiratorial methods transmitting them to the West.

According to the indictment, in November 1976 Shcharansky gave such lists to 'agent of American military intelligence' Robert Toth (*Chronicle* 46), who worked in Moscow 'in the guise of a journalist'. Toth used them against the interests of the U S S R, an example of this being his article 'Soviet Union Indirectly Reveals Centres of Secret Work', which was published in several American newspapers.

Shcharansky, it is claimed, did all this on the orders of foreign intelligence services. He received his assignment in a letter, sent through the diplomatic mail by Vitaly Rubin, who emigrated from the U S S R in June 1976 (*Chronicle* 41). According to the indictment, Rubin had long been a C I A agent. Shcharansky also received, again through the diplomatic post, a certain questionnaire containing questions of an information-gathering nature. On the reverse side there was a letter addressed to Shcharansky. According to a handwriting expert this text was written by Rubin's wife Inessa Axelrod.

The indictment also says that Shcharansky helped R. Toth to establish conspiratorial contacts with scientists and specialists who were party to secret information. By arranging confidential meetings with these people, Shcharansky helped Toth to collect secret information. In this way R. Toth received information not authorized for publication in the press concerning parapsychology and cosmic and sociological research. At Toth's request Shcharansky questioned a Soviet specialist about the development of genetics in the U S S R and the prospects of this science, and about the institutions working on problems of genetics.

At this point in the indictment testimony given during the pre-trial investigation is referred to. The following witnesses are mentioned: Lipavsky, Tsypin, Ryabsky, Adamsky, Raslin, Rukhadze, Igolnikov, Zapylayeva, Panchenko, Doronina, Smirnova, Petukhov, Toth, Popova (Toth's Moscow secretary) and Zakharov, janitor of the apartment house where Toth lived.

Material evidence took the form of: lists of people refused exit visas, presented by Zapylayeva; a list of refuseniks taken from Panchenko's flat (*Chronicle* 44); part of a photocopied list of refuseniks found by janitor Zakharov in Toth's dustbin; a questionnaire for collecting information from refuseniks, with a letter to Shcharansky on the back, which was confiscated at the end of 1976 during a search at the home of a Moscow refusenik; and a letter from Rubin to Shcharansky which reached Moscow via the American Embassy's diplomatic bag and was given to the K G B by Lipavsky.

'Helping a foreign government to carry out actions hostile to the U S S R' is described in the indictment in the following manner:

Shcharansky systematically fabricated and sent abroad material which deliberately distorted the reality of life in the U S S R. Having established illegal contacts with foreigners living in the U S S R, including some who did not conceal their links with intelligence agencies, and also

with Zionist emissaries who came to the U S S R in the guise of official representatives, religious activists or tourists, Shcharansky, on his own initiative and on the orders of these people, supplied them with such material. The material consisted of fabrications about Soviet emigration policy, about the violation of the civil rights of those who applied to emigrate from the U S S R, about discrimination against Jews, and about an alleged increase in anti-Semitism in the U S S R. The material was used extensively by reactionary circles in the West for purposes hostile to the U S S R, as Shcharansky knew.

Shcharansky appealed to the governments of various countries to use concern over human rights as a pretext for exerting continuous pressure on the Soviet Union, urging it to change its internal and external policies.

It is asserted in the indictment that Shcharansky was the author or joint compiler of letters and telegrams, and also analyses, which discredited Soviet emigration policy, that he organized nationalistic gatherings for this same purpose, and collected signatures for appeals about the Jackson-Vanik Amendment. These activities led to the U S Congress accepting the aforementioned amendment and U S S R-U S A trade negotiations were hampered. The Soviet Union was not given Most Favoured Nation status in trade, and this affected the country's economic situation.

Shcharansky is charged in connection with the following incidents: in 1974-1976 he personally prepared and sent to the West no fewer than 17 documents of a slanderous nature. These were: a telegram to Senators Jackson, Javits and Ribicoff, sent in connection with the adoption of the amendment (1974); greetings on the occasion of the 200th anniversary of the U S A (1976); a letter to U S presidential candidates J. Carter and G. Ford (1976); congratulations to J. Carter on his election to the Presidency (1976); a letter regarding the Jackson-Vanik Amendment (12 January 1976); an appeal to the American people and the Congress; collective letters by refuseniks entitled 'We Turn to You . . .' and 'Dear Brothers' (1975); the documents 'Emigration of Jews' and 'The Emigration Policy of the U S S R', sent at the beginning of 1976 to the Zionist Congress in Brussels; the document 'Lessons of the Trials of Roitburd and Malkin' (17 September 1975); and four reviews of the situation regarding Jewish emigration in various towns of the Soviet Union, covering the years 1974 to 1976. In addition, Shcharansky took part in conspiratorial meetings of Jewish activists with American senators and congressmen who came on an official visit to Moscow in 1975. He made a speech to them, in which he called for a severe and uncompromising policy with regard to trade with the Soviet Union, and gave them a letter from refuseniks asking them to demand from the U S S R a change in its emigration policy.

On 4 June 1975, in the lobby of the Sovetskaya Hotel, Shcharansky had a secret, conspiratorial meeting with the American scholar Pipes. Pipes, who was a link between the refuseniks and American Zionists and diplomats, gave Shcharansky instructions regarding Zionist activities. He approved of Shcharansky's speech to the senators and said that they had gained an advantage through meeting Jewish activists before their official engagements. Then Pipes gave Shcharansky instructions on the formation of the Helsinki Group.

Shcharansky is also charged with meeting the American Senator Brooke: in February 1976 Shcharansky brought Brooke to Vladimir Slepak's apartment, where Slepak, Shcharansky and a few other Jewish activists signed a letter to Jackson on the subject of the Amendment (letter dated 12 January 1976). This letter had been prepared earlier by Jackson himself and sent to Moscow with Brooke. It was intended to help Senator Jackson, who was running as a presidential candidate, in the primary elections of the Democratic Party.

At this point in the indictment Shcharansky is charged with having a conspiratorial association with American journalists and diplomats of anti-Soviet inclination: M. Levitsky, J. Presel, A. Natanson, P. Osnos, G. Krimsky, A. Friendly and R. Toth. The indictment asserts that all the above-named were involved with secret services and gave Shcharansky instructions concerning hostile activities.

The indictment now mentions Shcharansky's contacts with representatives of foreign Jewish communities and Zionist organizations, and also his telephone conversations with the well-known Zionist activist in Britain, Michael Sherbourne. It is stated that representatives of Zionist organizations gave Shcharansky instructions to carry out hostile activities in the Soviet Union.

Shcharansky is charged with organizing a press conference following a meeting of Jewish activists with Albert Ivanov, Deputy Head of the Department of Administrative Organs of the C P S U Central Committee (*Chronicle* 40), in February 1976. He is also charged with organizing two other press conferences: one following an incident in which Jews were beaten up after they visited the reception rooms of the Supreme Soviet Presidium on 19 October 1976, and the other after Shchelokov, the U S S R Minister of Internal Affairs, had received chosen representatives of the refuseniks in connection with the aforementioned incident, on 21 October 1976 (*Chronicle* 43).

Evidence to support this section of the indictment is provided by the testimony given by Lipavsky, Tsypin, Ryabsky, Raslin and Adamsky during the pre-trial investigation. The documents already mentioned above serve as material evidence.

Under article 70 of the Russian Criminal Code Shcharansky is charged with preparing and sending abroad materials which deliberately defame the Soviet political and social system. The indictment says that these materials were used by reactionary circles to wreck impor-

tant Soviet foreign policy undertakings and to put pressure on the U S S R regarding its internal affairs. Shcharansky was a link between Zionistically-minded people and foreign journalists. The activities of Shcharansky and his colleagues were inspired and supported from abroad.

The main weight of the charges then shifts to Shcharansky's activities in the Moscow Helsinki Group. Shcharansky is charged with all the Group's documents and appeals which he signed. These are: Documents 2-6, 8-9, 11-14, 16-19, the document 'Evaluation of the Influence ...', and a number of appeals and statements by the Group. All the Group's documents are referred to in the indictment as 'anti-Soviet lampoons'.

Several collective letters by Jewish activists also fall under article 70. These include an 'Appeal to the French and Italian Communist Parties', written in January 1976 on the eve of the 25th C P S U Congress, the appeal 'To the U S S R Supreme Soviet and U S Congress'. the letter 'To Jewish Communities in America' (concerning the organization H I A S*) and a statement on the death of Colonel Davidovich (*Chronicle* 40). Also featuring here is a press statement issued by several refuseniks who were portrayed in the television programme 'Buyers of Souls', shown in the autumn of 1976 on the Central Television Network.

The indictment says that the materials which Shcharansky helped to compile or sent to the West were used by such hostile organizations as the Possev Publishing House, Y M C A Press and Khronika Press, the journal *Kontinent*, the radio stations Liberty, Free Europe, Deutsche Welle and Voice of America.

In addition Shcharansky is charged under article 70 with taking part in the British television film 'A Calculated Risk', filmed in Moscow in 1976. A film about Anatoly Shcharansky, 'The Man Who Went Too Far', made by an English television team after his arrest, is also included in the charges.

The indictment refers to the following as evidence of slander: numerous official reports from places of imprisonment and special and ordinary psychiatric hospitals; testimony from officials employed in these institutions; the testimony of former political prisoner V. Platonov (*Chronicles* 1, 32, 47) and the 'political from among the criminals' Epelfeld (the political prisoners in Mordovian Camp No. 1 mentioned him in letters written in the summer of 1977 as one of the rabble set upon them by the administration); and also the testimony of Lipavsky and Tsypin and the daughter of Davidovich, who returned from Israel.

[*Hebrew Immigration Advisory Service, a Jewish organization serving Jews who want to settle in countries other than Israel.]

The indictment asserts that Shcharansky acted with mercenary aims, trying at any cost to establish a reputation for himself in the newspapers of certain circles in the West so as to make sure that he would be able to live comfortably if he should ever leave the U S S R. With reference to some money which Shcharansky had received from abroad in 1973-1974, it is claimed that he was paid for his activities by foreign intelligence agencies.

The indictment says that Shcharansky does not deny his involvement in the preparation of the documents incriminating him, but pleads not guilty.

Commentary on the Indictment

The *Chronicle* considers it necessary to comment on certain documents, events and people mentioned in the indictment, and also the content of the two television films produced at the trial as material evidence.

As is already known (*Chronicles* 44, 45), **S. L. Lipavsky** played a particularly important role in the Shcharansky case. Having got to know many Moscow refuseniks in 1972-1973, he began regularly to help well-known activists as a doctor. While keeping an eye, in his medical capacity, on protest hunger-strikes by Jewish activists, he got to know the family of Vitaly Rubin. Up until the Rubins' departure from the U S S R, Lipavsky was a frequent guest at their home, where many friends, including foreigners, were made welcome. Shcharansky too was a frequent visitor. At the end of January 1977 Lipavsky suggested to Shcharansky that they rent a room together in the centre of Moscow (they both had residence permits for the Moscow suburbs). He soon found a room and helpfully transferred Shcharansky's possessions there. Having settled in together, they saw each other rarely, since Shcharansky was in those days entirely absorbed by his work in the Helsinki Group, which was under official attack, and often spent the night with friends. At the end of February Lipavsky suddenly disappeared and on 4 March his open letter appeared in *Izvestia*, denouncing Jewish activists and exposing himself as a spy. In March 1978 U S **President Carter** announced to the press that, on checking C I A files, he had not found Shcharansky's name, but had come across Lipavsky's and explained that Lipavsky had been working for the C I A for about nine months.

As regards **Zapylayeva's** testimony, it is known that Lipavsky helped her to find a room in the communal flat where the Rubins lived. Lipavsky constantly advised his friends to ask Zapylayeva to do their typing for them.

L. B. Tsypin's testimony is described in detail in the article 'According to a Foreign Scenario' (*Evening Moscow*, 17 May 1977). To this may be added the fact that from the time in 1972 when the 20-year-old Leonid Tsypin was refused a visa for Israel (his parents refused their

consent), he spent most of his time among Jewish activists. In 1976 it was discovered that Tsypin was cooperating with the K G B. Sensing that reactions towards him had changed. Tsypin made several unsuccessful attempts to explain himself. After this he disappeared from refusenik circles.

The American journalist **Robert Toth** worked in Moscow as official correspondent of the *Los Angeles Times* from 1973 to 1977. R. Toth's reports on the Soviet Union included articles on the development of science, human rights problems and official emigration policy. Shcharansky sometimes helped Toth as a translator. Neither Toth nor Shcharansky ever concealed their close association.

In June 1977, a week before his departure from the U S S R, Toth was detained in the street after a meeting with the biologist Petukhov. There followed a statement by the Ministry of Foreign Affairs concerning Toth's inadmissible activities' and he was twice questioned by the K G B in connection with the Shcharansky case (*Chronicle* 46). Some time later, T A S S and the *Literary Gazette* (31 August 1977) announced that Toth was a spy. After his return to the U S A Toth on several occasions publicly denied these accusations.

Valery Petukhov has been described in M. Popovsky's samizdat report *Muscovites on the 'Case' of R. Toth* (*Chronicle* 46). Popovsky writes that Petukhov is a biophysicist with a doctorate and a member of the communist party. In 1973 he worked at the World Health Organization in Switzerland, then became head of a laboratory at the Tarasevich State Drug-Testing Institute. Petukhov insistently proclaimed his interest in parapsychology and in this connection he asked Shcharansky to introduce him to Toth. R. Toth was detained by the K G B immediately after Petukhov had given him an article of his on parapsychology for publication in the West. The investigative organs claimed that Petukhov's materials were secret. According to Popovsky, Petukhov is a K G B agent of long standing.

Richard Pipes is a well-known American historian and a professor at Harvard University. Pipes specializes in Russian history: his subject is liberalism in Russia. He is the author of several books, he has visited the Soviet Union several times and is well known to Soviet historians. In the summer of 1975 Pipes spent about a month in Moscow, working in specialist libraries and meeting many Moscow friends.

Senator Brooke is a member of the Negro movement and an important political activist in the U S A. He came to Moscow on an official visit in February 1976 and visited Moscow refuseniks.

The American journalists and embassy officials listed in the indictment — Osnos, Krimsky, Friendly, Levitsky, Presel and Natanson — mixed widely with members of the movement for the rule of law and Jewish activists. Allegations that they cooperated with the C I A first appeared in the Soviet press in the winter of 1977, at the time of the

vigorous campaign in connection with the human rights question.

The following is known about the list of refuseniks. Jewish activists began to keep such a list when it transpired that several people had been refused visas over a long period of time, while the majority of those who submitted documents for emigration to Israel were being allowed to leave without much difficulty. Those who were refused passed on information about themselves to those keeping the list, either directly or through a 'chain' of acquaintances. Occasionally Jewish activists waited at O V I R offices and questioned people who came for an answer to their applications. The name, surname and patronymic of those refused visas, the town and sometimes the address, the date of application and date of refusal and the reasons for refusal, were entered in the list. Since there are three main reasons for refusal, either 'served in the army', 'family refuses consent' or 'security reasons' was entered in this part of the list. (Nowadays the entry 'no reunification of family involved' appears with increasing frequency.) In some exceptional cases the place of work was entered, in order to show the inappropriateness of a refusal on grounds of security.

The names of refuseniks who have already left are kept in the list, as the list is cumulative. (Thus the list to date has about 800 names, including about 250 from Moscow and about 150 from Leningrad.)

The existence of this list has never been kept secret; it is known to the wide circle of people who apply to emigrate and to those interested in the problem of emigration from the U S S R. Many refuseniks knew the identity of those who kept the list. The list was checked thoroughly and sent to Jewish organizations in the West concerned with the emigration of Soviet Jews. More often it was read out over the telephone during international calls. Sometimes it was sent out with representatives of Jewish communities when they visited the U S S R.

On the basis of this list, analogous lists were kept abroad. An additional source of information for these lists was those people who had left the Soviet Union. Due to the untrustworthiness of some informants, the foreign lists occasionally contained names of non-existent refuseniks. Nevertheless, the overall structure of the Moscow and foreign lists, and the extent of the information they contained about those refused visas, were generally the same.

In the autumn of 1976 a group of Jewish activists proposed that a list be started of those who were refused visas for reasons of state security. It was decided to include in this some information about the institutions which served as grounds for refusal for those who had worked in them. The compilers of the list worked on the following principle: if the officially open institutions in which the refuseniks were employed were engaged in secret work, then foreign firms should not be selling them complex technical equipment; if, however, these institutions were really open, the grounds for refusal were non-existent.

Such a list was begun in February 1977. In addition to the information contained in the traditional list, this one also named the place of work and in some cases the name of the institute director. Enterprises were referred to by name, regardless of whether there was a name-plate on the buildings or not. (Some enterprises without name-plates did appear in the list). The directors of institutions were named only in cases where they were well-known scientists authorized to travel abroad, so that Western colleagues could appeal to them directly on behalf of refuseniks.

The list contained no other information. It consisted of about 70 names (three typed pages).

The existence of this list was not kept secret either — those wishing to be included in it gave their particulars either in person or through friends.

Those who compiled the list made use of Zapylayeva's services. They gave the manuscript to Lipavsky, who shortly afterwards returned it, together with typed copies. No one apart from Lipavsky had direct contact with the typist. In February 1977, when the list of those refused for reasons of state security was typed, Lipavsky returned the typed list without the manuscript, telling an involved story about how the manuscript had been lost. During the searches which took place on 4 March the typed copies of the list were confiscated (Shcharansky was not searched on that day).

The manuscript of the new list was prepared by **Dina Beilina,** who regularly undertook the compilation and collation of the lists and gave them to Lipavsky for typing. There is no doubt that all this was well known to the K G B, especially as Beilina made no secret of her participation in the compilation of the lists. In March 1978 it was proposed to D. Beilina, a refusenik of long standing, that she leave the U S S R immediately (*Chronicles* 48, 49). The involvement of Shcharansky, as of many other Jewish activists, in preparing the lists consisted of his occasionally waiting at O V I R offices or reading out the lists during telephone calls to England. Schcharansky took no part at all in preparing lists of those refused on grounds of state security.

The lists given to the investigation organs by the janitor Zakharov were found by him, according to the case documents, on 14 April 1977 (a month after Shcharansky's arrest). These were photocopies of some typed lists annotated by R. Toth. During the pre-trial investigation, Toth testified that when he discussed with Shcharansky the plan for his article 'Soviet Union Indirectly Reveals Centres of Secret Works', Shcharansky advised him to use the lists of refuseniks in the possession of Jewish organizations in the U S A and England. R. Toth said that he was planning to write a series of articles about Soviet scientific institutions whose former employees were being detained in the U S S R, and about American firms which traded with them. His

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1 Yury Orlov, *r*, physicist and leader of Moscow Helsinki group, with his wife Irina and Valentin Turchin, 1975. On his trial and 10-year sentence see pp 1-20. **2** Irina Orlova (Valitova) with a group of friends during the trial. *L to r:* Sergei Shibayev, Svetlana Pavlenkova, Yury Gastev, Vera Serebrova (wife of Felix Serebrov). Vladlen Pavlenkov (Svetlana's husband), Orlova, unknown.

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3 Irina Orlova with Elena Bonner during the trial. Bonner and her husband Sakharov were provoked by police into a skirmish and fined. Orlova was stripped naked in front of K G B men. See pp 3, 17-18. 4 Alexander Orlov, son of Yury Orlov, with a friend. He was allowed to attend the trial, but was subjected to body searches and twice beaten up. 5 Alexander Ginzburg, member of Helsinki group and administrator of Aid Fund for Political Prisoners, 1976. On his trial and 8-year sentence, see pp 27-42. 6 His mother Lyudmila Ginzburg, during the trial.

7 Group of friends near the court-house in Kaluga: *l to r* Malva Landa, Irina Zholkovskaya-Ginzburg (wife), Yury Yarym-Agayev *behind*, Sergei Polikanov, Natalya Vladimova (wife of G. Vladimov, *behind*), Valery Prokhorov. 8 Anatoly Shcharansky *centre*, mathematician, Jewish activist and member of Helsinki group, sentenced to 13 years. See pp 41-69. With him: Nikolai Vilyams *l*, Yury Mnyukh *r*, and (*standing*) Lyudmila Alekseyeva and Valentin Turchin.

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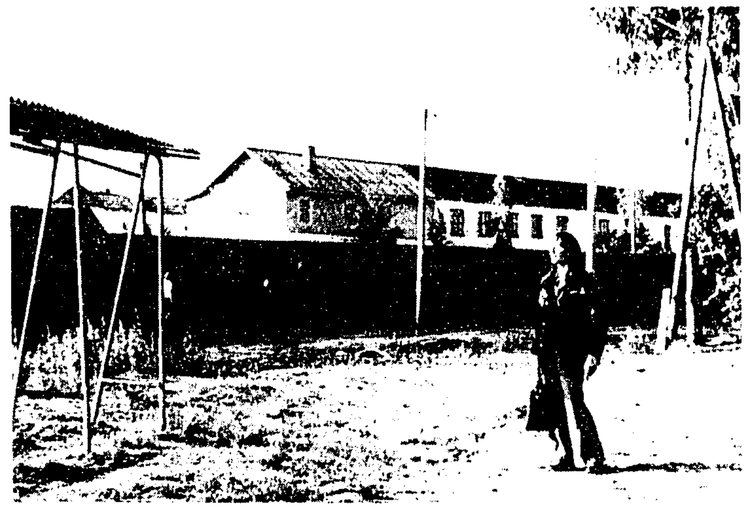
9 Two peasants from Ilinka, thought to be members of the Matveyev and Piskarev families. The villagers were converted to Judaism and recently some have emigrated to Israel, while others, including these two, have been refused. Shcharansky was accused of distorting these Jews' position (p 56, 11). **10** Sanya Lipavsky, Moscow doctor and refusenik, who turned state's evidence against Shcharansky. **11** Sonya Gaskova *l* with her son and her parents Efim and Maria Davidovich (see *Chronicle* 40). Gaskova returned from Israel to the USSR, but failed in court to give evidence against Shcharansky (p 60).



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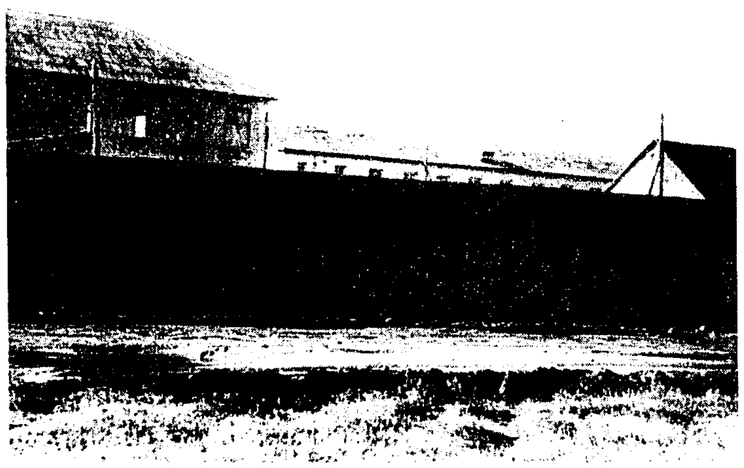

13

12 Yury Belov (pp 82-3) outside the Sychyovka special psychiatric hospital in Smolensk region, where he was long interned. The deaths of two inmates of the hospital were a central issue at the trial of Alexander Podrabinek. See pp 83-9. The background figure indicates that the fence is about ten feet high. **13** Another view of the hospital.

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14 Alexander Podrabinek *l*, sentenced to 5 years' exile for his book on psychiatric abuse, with, *l to r*, Moscow psychiatrist Alexander Voloshanovich, London psychiatrist Gerard Low-Beer, and Vyacheslav Bakhmin, April 1978. See pp 81-9. **15** The M V D investigation prison in Moscow known as Matrosskaya Tishina, or Sailor's Rest, from the name of the street it is on. Podrabinek and Begun (no 16) were both held here in 1978. **16** Iosif Begun, Moscow technologist, Jewish refusenik and Hebrew teacher, given 3 years' exile for alleged violation of residence regulations. See pp 104-108.

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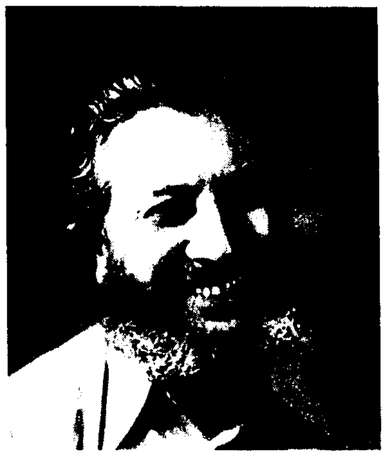

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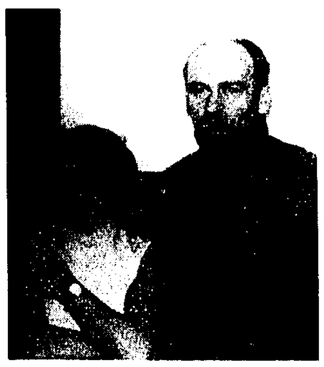

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17 Alla Drugova *l*, Begun's wife, with refuseniks Maria Slepak *r*, who was given a 3-year suspended sentence for a demonstration conducted in her apartment (pp 100-104), Vladimir Prestin, and Riva Feldman. **18** Vladimir Slepak, Maria's husband, engineer, refusenik since 1970, and member of Helsinki group, exiled to the Manchurian border for 5 years for the same demonstration (pp 100-104). **19** Viktor and Batsheva Elistratov, Jewish refuseniks involved in other Moscow demonstrations in summer 1978 (pp 91, 93).

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20, 21 Natalya and Grigory Rozenshtein, landscape architect and cybernetician, refuseniks who took part in these demonstrations and also prayed beside an inscription inciting people to kill Jews (pp 90-2, 94). **22, 23** Galina and Mikhail Kremen, refuseniks since 1972, demonstrators. Mikhail, a radio engineer was given 15 days in prison at a hearing lasting 30 seconds. See pp 90-2, 94.

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24 Ida Nudel, Moscow economist and refusenik since 1971, sentenced to 4 years' exile for demonstrating (pp 89, 92-100), with Alexander Druk, *l*, and Alexander Lerner . **25** Elena Chernobylskaya, another refusenik demonstrator, with her husband Boris Chernobylsky, who was charged but not tried in 1976 (*Chronicle* 43), and their children.

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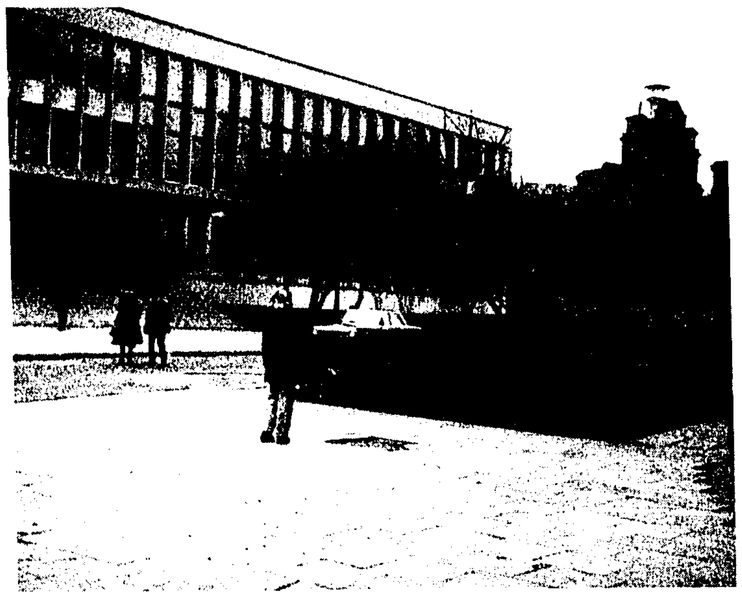

28

26 Viktoras Petkus, *r*, member of Lithuanian Helsinki group sentenced to 15 years of imprisonment and exile (pp 69-77), with Albertas Zilinskas.
27 Viktor Kalniņš, Latvian national democrat whose alleged pre-trial testimony was used, after his emigration, against Petkus. See pp 72-3, 29. **28** The Lithuanian Supreme Court building in Vilnius, where Petkus was tried, and, *r*, the Lukiški prison, where political prisoners are often held before trial.

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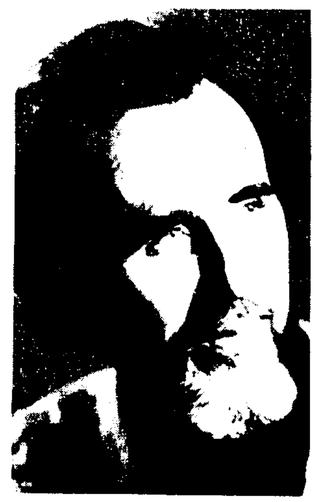

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29 Manana and Zviad Gamsakhurdia in Tbilisi, 1977. Zviad, a national democrat and member of the Georgian Helsinki group, was arrested in April 1977 and, after partially recanting at his trial, ultimately given 2 years of exile. See pp 20-27. **30** Merab Kostava, music teacher and Georgian national democrat, sentenced with Gamsakhurdia to 5 years of camp and exile.
31 Alexander (Oles) Berdnik, science fiction writer and member of Ukrainian Helsinki group, witness at trial of Lukyanenko (p 80).

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32 Lev Lukyanenko, lawyer and member of Ukrainian Helsinki group, imprisoned 1961-76 for forming a political group, then sentenced to 15 years in 1978 (pp 77-80), with family members. **33** Oksana Meshko and Zvenislava Vivchar, mother and wife of political prisoner Alexander Sergienko, with Vivchar's son. Vivchar gave evidence at Lukyanenko's 'open' trial, which Meshko was barred from attending.

first article had already evoked the displeasure of such firms and Toth pursued the subject no further. Toth's meetings with scientific officials which are mentioned in the indictment and which took place with Shcharansky's assistance, provided him with material for articles about the development of Soviet science, published in the American press. Toth also collected information for his articles at official meetings with Soviet scientists.

As regards the questionnaire sent to Shcharansky by Rubin's wife, it is known that it arrived in Moscow via the American Embassy's diplomatic bag. The envelope was given by the Americans to Lipavsky. Lipavsky took it to the home of one of the refuseniks with a request that it be given to Shcharansky. They did not manage to do this — the house was searched a few days later and the envelope with the questionnaire was confiscated. The questionnaire was compiled for those who had refused visas for undisclosed reasons.

* * *

The appeals of refuseniks to American politicians were signed by many people, including Shcharansky. These documents express gratitude for their concern about the refuseniks' problems and give a positive assessment of the defence of refuseniks from the West. Some of them also contain information on the current emigration situation. Letters written to foreign Jewish communities and to the Zionist Congress contain requests for support in various matters and for the defence of various individuals. The document 'Lessons of the Trials of Roitburd and Malkin', signed by 38 people, is a resolution of an assembly of Jewish activists in Moscow. It expresses their alarm at the criminal prosecution of Jews who have handed in their documents for an exit visa from the USSR, and discusses the problem of their conscription into the army (*Chronicle* 37).

* * *

Jewish activists and foreign correspondents took part in the meetings of refuseniks with senators and congressmen. These meetings took place openly and Shcharansky acted as an interpreter at them.

* * *

The British television film 'A Calculated Risk' describes the problems of several national minorities in the USSR: Crimean Tatars, Germans, Lithuanians and Jews. It includes an interview with Shcharansky on the subject of emigration. It also contains film of the Moscow sites of Crimean Tatar and Jewish refusenik demonstrations. The British film 'The Man Who Went Too Far' contains excerpts from 'A Calculated Risk', an interview about Shcharansky with Jewish activists in Moscow, interviews with Michael Sherbourne and

Shcharansky's wife, and also film of demonstrations and meetings organized in the West in defence of Shcharansky.

[The Trial]

To the Judge's question as to whether he pleaded guilty Shcharansky replied: 'I do not plead guilty. I consider the charge absurd.'

While the court was determining the procedure for the investigation of the evidence, the Procurator proposed that everything connected with the charge of espionage should be examined in a closed session. Shcharansky objected categorically to this: all the investigation materials he had been shown, and also the indictment which had already been read out, contained nothing that was secret information, and nothing he intended to say contained information which was not covered by the indictment. He added that the investigation had not been carried out in an objective manner and the numerous complaints to the Procurator from those questioned demonstrated this. He had himself spent one and a half years in an investigation prison and, thank God, he had at least now seen his brother at the court session. Yet now the most absurd part of the charge — espionage — was to be examined at a closed session. The judge announced that the court had decided on the closed session at a conference on administrative arrangements.

Then the questioning of the accused began. Shcharansky's testimony concerning the charges and his knowledge of the circumstantial details of the case lasted over an hour.

First of all he warned that he could not give concrete evidence, either written or spoken, on every point contained in the charge. He had stated this several times during the investigation. He said he would reply to the charge as a whole. Nonetheless, he did not deny his part in the composition of the documents he was charged with, even when his involvement had consisted of discussion only. He added that he was prepared to clarify every point in the indictment if the court really were open, and if foreign correspondents, his family and friends were admitted.

Shcharansky said that the Soviet Union, having ratified the International Covenant on Civil and Political Rights in 1973 and other human rights covenants, should have brought its own laws into conformity with these documents. This, however, had not been done, and many problems had arisen as a result. For example, there were still no laws dealing with emigration in a clear, precise manner — hence the arbitrary nature of decisions made in this area. At this point Shcharansky referred to the discussions between refuseniks and A. Ivanov, which took place in February and October 1976 (*Chronicles* 40 and 43). (Ivanov had told refuseniks that there were not and never would be any special emigration laws.) Shcharansky noted that his petition that

A. Ivanov be called as a witness had been rejected.

Shcharansky then spoke about the situation of those who hand in declarations stating that they wish to emigrate: in reality, they lose many of their rights and the authorities not uncommonly regard the desire to emigrate as an act of treachery performed under the influence of bourgeois propaganda. Shcharansky cited examples from the lives of certain refuseniks. He added that the very system of emigration 'by invitation only' was a pernicious one and that it constituted a violation of human rights.

He asserted that the emigration problem was not imported, but had arisen within the country itself; its causes were various: economic, religious, national, cultural and the desire of families to be reunited. Shcharansky considered one of the causes of the emigration of Jews to be anti-Semitism, 'which developed as a result of Stalin's policies regarding national groups'. He noted that a comparison of the text of Begun's book *Creeping Counter-Revolution*, recently published in the U S S R, and the well-known *Protocols of the Elders of Zion*[4] showed that they were very similar. (Shcharansky's petition that these books be added to the case file had been rejected.) According to Shcharansky, the other reason for Jewish emigration was the absence of Jewish cultural centres in the Soviet Union. The Procurator asked who, in that case, was reading the books written by the 70 authors at present writing in Yiddish. Shcharansky advised him to consider the average age of these readers and commented that even in the Jewish Autonomous Region there was not a single Yiddish-speaking school, and that the teaching of Hebrew was in practice forbidden in the U S S R. He could name around 20 people who wanted to teach Hebrew on an official basis.

In reply to the charge concerning Zionist organizations, Zionist emissaries, etc., Shcharansky gave a brief account of the history of Zionism. Summing up with the words: 'Zionists are those people who want to live in Israel or who consider Israel to be their native land,' he said that in this sense he was himself a Zionist. Returning to the charge concerning Zionists, the accused noted that the Jewish Anti-Fascist Committee in the Soviet Union had appealed to Jewish organizations during the war and received millions of dollars from them. But the concern of these organizations about the situation of Soviet Jews was seen as interference in Soviet internal affairs and the refuseniks' appeals to such organizations as subversive activity.

With regard to the charges concerning the Jackson-Vanik Amendment, Shcharansky said that it was proposed in 1972 before he had applied to emigrate and before he became involved in the Jewish Emigration Movement. He stated:

The charge that the U S S R was not offered more favourable trading

terms on account of the refuseniks is absurd. It was not our fault that the Soviet Union, unlike Romania for example, could not reach a compromise solution. The authorities' lack of desire to fulfil the international obligations they had assumed was responsible for the Amendment.

Speaking on behalf of all refuseniks, Shcharansky asserted that in letters and appeals and at meetings with American politicians they had called for compromises. The investigation and the indictment had highlighted one side of the refuseniks' appeals, because they did not wish to look at the other.

Briefly touching on the charges of espionage, Shcharansky said that the lists of refuseniks were already in existence before he became actively involved in the emigration problem. They contained nothing secret and their composition had never been a matter of secrecy. Shcharansky said that it was stupid to call his meetings with foreigners conspiratorial. He recounted one particular meeting with senators and congressmen. It took place on the Americans' initiative in the hall of the Rossiya Hotel. Numerous foreign correspondents were present. In answer to the Procurator's question as to why Soviet journalists were not invited, Shcharansky said: 'There are Soviet journalists sitting in this hall. You can ask them whether they would have accepted such an invitation.' He said that several attempts had been made to invite Soviet press officials and also correspondents on East European newspapers and the Western communist newspapers *Unità* and *Humanité*.

Moving on to the charge concerning the compilation of Helsinki Group documents, Shcharansky said that the main source of information was discussions with the people who figured in the documents.

Regarding document No. 9, the Procurator asked whether the accused himself had been on the Rossiya collective farm. Shcharansky answered that he had been detained several kilometres from the village of Ilinka, but, nonetheless, he had had meetings with collective-farm workers from the Rossiya and knew there were about 70 people there who intended to emigrate. Shcharansky remarked that the investigators had questioned four people who did not wish to leave the Soviet Union, but even from this questioning it was clear that there were would-be emigrants in the collective farm.

With regard to document No. 8 the Procurator said that it was unethical to raise the question of sick people in public, as it caused anxiety to the sick. He added that Shcharansky was not a doctor. In reply, Shcharansky quoted excerpts from the medical histories included by the investigators in his case. **Plyushch** 'suffers from the mania of reformism, needs further treatment'; **Sivak** (*Chronicle* 43) 'suffers from emigration mania', and, at the end of the medical report: 'No traces left of emigration mania. Suitable for discharge.'

On the subject of the Group's documents concerning the prisons and camps, Shcharansky said that the information they contained was obtained from prisoners or their relatives. The accused added that he now had first-hand experience, because he had twice been put in a punishment cell during the investigation. The Procurator wanted to clarify whether Shcharansky had been fairly punished on these occasions. Anatoly replied: 'It is a question of the conditions. As for the reasons for my being locked up, I can say something about that also ...' The Judge interrupted Shcharansky at this point.

The Procurator then started a discussion with Shcharansky on the document 'Lessons of the Trials of Malkin and Roitburd'. The argument was about whether or not refuseniks should be called up to serve in the army, and whether the desire to emigrate was not, at times, the reason for conscription. Shcharansky said that handing in documents for an exit visa was the reason why Malkin was expelled from an institute and this, in turn, led to his conscription.

Explaining the biographical details of the accused's life took about an hour. A long argument began on Shcharansky's domestic situation: according to the documents before the court he was a bachelor, although in 1974 he married Natalya Shtiglits (Avital Shcharansky) in accordance with the Judaic rite. Using Judaistic terminology, the Judge and Procurator asked whether all the details of the Judaic wedding ritual were observed. On the Procurator's request, the petition of Rabbi Fishman of the Moscow Synagogue to the Supreme Rabbinate in Israel, asking for an annulment of Shcharansky's religious wedding, was filed. Shcharansky objected that in contemporary Judaism there were differing opinions on this question, and his marriage certificate had been signed by one of the leading authorities in this sphere — Manevich.

The Procurator also asked whether there had been any anti-Semitic discrimination against Shcharansky or members of his family. Shcharansky did not embark on an answer to this question.

* * *

In the closed sessions which took place on 11 July and the first half of 12 July the charge of espionage was examined. Twelve witnesses were questioned: Lipavsky, Tsypin, Ryabsky, Rukhadze, Raslin, Igolnikov, Adamsky, Zakharov, Zapylayeva, Doronina, Smirnova and Panchenko.

The testimonies of **Lipavsky** and **Tsypin** corresponded to what was published in the newspaper *Izvestia* on 5 March 1977 and 8 May 1977 (in the Moscow evening edition, 4 March and 7 May respectively) and in the newspaper *Evening Moscow* on 17 May 1977. These testimonies formed the basis of the charge of espionage against Shcharansky.

The testimony of witness **Ryabsky** differed little in essence from that of Lipavsky and Tsypin. (Ryabsky is an acquaintance of Vitaly

Rubin. All that is known about him is that he has renounced his intention of emigrating to Israel.)

The full details of **Raslin's** testimony are not known. (Raslin is a former refusenik from Kiev who changed his mind about emigrating. He is the hero of articles published in Kiev similar to the article about Tsypin).

Pyotr Adamsky, a Vilnius refusenik, testified that he had brought a list of Vilnius refuseniks to Moscow. In Moscow he had been told that such lists would be sent abroad to demonstrate the fictitious nature of 'refusals on security grounds' and to help the same refuseniks to emigrate.

The testimonies of Lipavsky, Tsypin, Ryabsky, Adamsky and Raslin contained information which went beyond the limits set by the charge of espionage, and concerned all the points in the indictment. In view of this, Shcharansky petitioned that these witnesses be called to appear in an open session.

Nothing has been ascertained concerning the testimonies of Igolnikov and Rukhadze. (**Igolnikov** lives in Minsk, has many refusenik friends and was intending to emigrate. **Rukhadze** is a refusenik from Georgia.)

Zapylayeva testified that she had typed lists of refuseniks and that Lipavsky had brought her this work and collected it. He said that he was doing it on Shcharansky's behalf. To Shcharansky's question Zapylayeva replied that Anatoly had never asked for her help himself.

The witnesses **Smirnova** and **Doronina** own the flats in which Shcharansky held telephone conversations with Michael Sherbourne. One of them said that she was in the kitchen during these conversations. The other said that she remembered Shcharansky dictating surnames over the telephone, but could not hear whether he dictated any other information.

The witness **Panchenko,** a friend of Lydia Voronina (*Chronicle* 44), who emigrated from the USSR in January 1977, testified about the papers confiscated from her during a search on 4 March 1977 (*Chronicle* 44). She had kept these papers without reading them, thinking that they belonged to Lydia Voronina.

Many of the questions put by Shcharansky to the witnesses were overruled by the Judge. All these witnesses appeared on 11 July.

In addition, the testimonies of **R. Toth** and **V. Petukhov** were heard in the closed session. The above-mentioned letter of Vitaly Rubin and the questionnaire and lists enumerated in the indictment, along with Shcharansky's notebooks, were examined as material evidence. The notebooks were found to contain the surnames and addresses of 15 refuseniks whose names appeared on the list. The court considered this to be proof that Shcharansky had compiled the lists. There was no stamp of 'secret' on any of the documents filed in the case materials or put before the court. Not a single list was read out.

In addition, the court reviewed certain official documents concerning visits to the USSR by foreigners with whom Shcharansky allegedly maintained criminal connections and concerning the connections of these foreigners with intelligence services.

An experts' report on the lists states that the facts they contain 'are, taken together, state secrets and, as a whole, constitute a state secret of the Soviet Union'. With regard to the questionnaire the report states that, if certain parts of it were completed, secret information might be revealed.

On 12 July Sukhacheva, Emelyanova, Platonov, Gaskova, Abramov, Susikhina and Shcherbakov appeared as witnesses in an open session. In response to a petition by Shcharansky, Lipavsky, Ryabsky and Tsypin also appeared. It was said that Raslin and Adamsky had already left Moscow.

Shcharansky's colleague **Shcherbakov** spoke about his behaviour at work: before he applied to emigrate he worked well, but afterwards his work deteriorated. **Irina Susikhina,** a neighbour of L. Voronina, testified that Shcharansky had lived in Voronina's flat and that Robert Toth had visited the flat several times. Once she saw Shcharansky handing Toth a text of some 30 or 40 pages. She did not know what it contained. Of Shcharansky she said that he was a well disciplined and educated man. On the Judge's insistence, Susikhina confirmed the testimony she had given at the pre-trial investigation that Shcharansky was in the habit of leaving unwashed plates in the kitchen.

L. Sukhacheva, a doctor at Vladimir Prison, stated, as she had done before at Orlov's trial, that the medical facilities in the prison were satisfactory and she cited the example of prisoner Fedorenko (*Chronicles* 38, 39, 43 and 44), who was being treated for gastritis. (Document No. 17 stated that Fedorenko had lost a lot of weight and showed symptoms of paralysis.)

Emelyanova, a doctor working in the Mordovian camps, asserted that the temperature in the punishment cells there was 18-24° Centigrade. (She also appeared as a witness at Orlov's trial.)

Vyacheslav Platonov recounted events connected with the hunger-strike of Ginzburg and his friends in camp in 1969: how information on the hunger-strike and other events was gathered and how Yury Ivanov painted portraits of camp-prisoners. His testimony was of interest to the investigators of Ginzburg's case (*Chronicles* 46 and 47). Platonov himself stated that he could not understand what his role in the present trial was, since he was not acquainted with Shcharansky. In reply to a question about medical facilities and food in the camp he said: 'OK, bearable.' Replying to the Judge's question as to whether his punishment was justified, he said: 'Yes, but the sentence could have been shorter.'

Most of the time was taken up with questions about Shcharansky's work as a Jewish activist.

Abramov, the Deputy Personnel Manager of a canning factory in Derbent, related speeches he had made discrediting Zionists. He stressed that he had written them himself. Evidently, Abramov's testimony (he is a mountain Jew, or a Tat) were meant to be evidence of the defamatory character of a letter in which refuseniks wrote that the speeches at the Derbent meeting were prepared in advance. Answering the Judge's question as to what he knew about Jewish culture, he said that before the war there were Jewish schools, but because nobody wanted to study in them they no longer existed. He himself had no need for the Tat language.

S. E. Gaskova, the daughter of Colonel Davidovich, was summoned to appear in court. She now lives in Minsk, having returned from an unsuccessful emigration to Israel. During the questioning Gaskova remained silent and wept practically the whole time. The Judge therefore read out the testimony she had given during the pre-trial investigation, in which she spoke of the poor quality of life in Israel, about how such 'Zionist emissaries' as Polyachek, Ovsishcher, Lipavsky, Rubin, Zaitsev and Ratner had seen her family off when they emigrated. The Procurator asked Gaskova about the collective letter in memory of Davidovich (*Chronicle* 40). (Shcharansky was charged under article 70 in connection with this letter.)

Procurator: Shcharansky and others state that the Soviet authorities are responsible for Davidovich's death.' (The letter states: 'murdered by K G B organs' — *Chronicle.*)
Gaskova: That is their personal opinion.

Seeing the state Gaskova was in, Shcharansky told her: 'If you do not wish to answer, I will not ask you any questions.'

Gaskova agreed to answer him, but some of the questions he asked were overruled by the Judge and the rest she did not answer.

Shcharansky said the letter contained the views of Davidovich's friends and had not therefore been discussed in advance with his relatives.

The testimonies of Ryabsky, Tsypin and Lipavsky were similar in style to the indictment and the Procurator's speech.

Ryabsky: Shcharansky's activities have led to a distortion of the Soviet Union's emigration policies. Shcharansky was responsible for contacts with foreigners. At first he acted as an interpreter. Later he became the organizer of various nationalistic get-togethers, whose aim it was to discredit the U S S R's emigration policy ... Jewish activists appropriated funds allocated by Zionist organizations for all refuseniks.

Tsypin: Shcharansky's activities were on many different levels. He wrote many letters, collected signatures to appeals concerning the Jackson Amendment and drafted a letter stating that Jews were happy with this amendment. When he met the senators he insisted on a tougher line and was displeased with the outcome of the meeting.

Tsypin related that Shcharansky composed the letter about Malkin and Roitburd. Shcharansky intended to put the leaders of the Italian and French communist parties 'in a difficult position' at the 25th C P S U Congress, i.e. he wanted to hand correspondents the letters addressed by refuseniks to the leaders of these communist parties.

Tsypin said that Shcharansky's conspiratorial meetings took place in a café on Kutuzov Prospekt. He mentioned that Shcharansky was acquainted with Natanson, Levitsky and Krimsky. He said that many refuseniks had sought Shcharansky's help and had frequently looked for him at the synagogue. According to Tsypin, Shcharansky and several of his friends intended to found an organization called 'Sherut Aliya', which would have a presidium and a secretariat. Tsypin said that Shcharansky was a link connecting the emigration movement with the 'Sakharov group', for whom Shcharansky had interpreted. He testified that Shcharansky had read 'provocative books written in English' and also [Solzhenitsyn's] *Lenin in Zurich* and that he used *The Gulag Archipelago* as a textbook. The accused had given the witness books by G. Meany, a 'malicious anti-Sovietist', to read and asked him to arrange for books to come in by diplomatic mail.

Lipavsky: Shcharansky suggested an operation involving the letter to the Italian and French communist parties. On advice from the West he knocked together a letter from refuseniks concerning the planned closure of the Jewish organization H I A S [Hebrew Immigration Advisory Service].

(According to Lipavsky, H I A S owed its continued existence to this letter.) Lipavsky said that without the letter about Malkin and Roitburd there would have been nothing to back up the appeal to the candidates for the U S presidency.

Lipavsky spoke at length about the shooting of the film 'A Calculated Risk'. According to him, Shcharansky had been its director and commentator, and had also played the leading role. Shcharansky had travelled around Moscow with the camera crew and pointed out where the demonstrations of militant groups had taken place. When the film was completed Shcharansky became a film star and received invitations to take part in the shooting of other such films. In reply to a question from Shcharansky Lipavsky said that all this information was second-hand.

Lipavsky also talked at length about the trip to the Rossiya collective farm. He had taken Slepak and Shcharansky in his car, to deliver to some collective-farm workers invitations which had been urgently prepared for them in the American Embassy. On arriving at Ilinka their car was detained and searched and all the papers were confiscated.

Lipavsky asserted that Presel and Levitsky, Secretaries at the American Embassy, were C I A Agents. Shcharansky was friendly with both of them.

The three witnesses all made their testimony very colourful:

Ryabsky: Rubin and Shcharansky were a Trojan horse to stir up anti-Soviet feelings in the West.

Tsypin: Shcharansky rated much praise from correspondents who dislike our system.

Lipavsky: I am coming to the conclusion that the main purpose of Shcharansky's activities was to alter the existing order in the Soviet Union. Anatoly Borisovich, surely with your analytical brain and your memory for dates and figures, you cannot have forgotten that our enemies have several times made such attempts. All to no avail. Did you really imagine that you would be allowed to raise your hand against the Soviet State?

Lipavsky addressed the accused several times with rhetorical questions, but on one occasion he succeeded in asking the Judge a question: 'As a Helsinki Group member Shcharansky spoke a good deal about separated families. To whom is he intending to go himself?'

Judge: He asserts that he will go to his wife.

Lipavsky (hands apart in mock incredulity): What wife? He doesn't have a wife!

During questioning, these witnesses handled facts, figures and dates loosely.

Ryabsky: Pipes advised founding the Helsinki Group.

Shcharansky: But the Helsinki Agreement was signed only two months after Pipes's visit.

Shcharansky (to Tsypin): Have you ever had occasion to be present in the café at a conspiratorial meeting with foreign correspondents?

Tsypin: Me — no. But I have heard people talk about such meetings.

Shcharansky (to Lipavsky): I must, nonetheless, return to facts and figures. On 12 March 1977 you asserted in your testimony that Congressman Brooke, who had just arrived in Moscow, brought refuseniks a draft letter from Jackson. With regard to this I ask. were you present at this meeting with Brooke?

Lipavsky: No, I was not.

Shcharansky: Why did you state at the pre-trial investigation that you were at the meeting?

This question, and many others put by Shcharansky, were not answered by these three witnesses.

On 12 July, as the questioning of the witnesses continued, the situation became more and more tense. The Judge frequently interrupted Shcharansky and stopped him from asking certain questions. At the same time he encouraged Ryabsky, Tsypin and Lipavsky. When they faltered, he helped them along with questions. The audience, who on the first day had been silent, began to liven up and the courtroom started to resound with their laughter and retorts.

At the end of the court session the Judge informed the court that Shcharansky's mother had been called to appear as a witness, but had not yet arrived. He asked the accused's brother, who was in the court, to explain her absence. Leonid Shcharansky replied that their mother had written several letters to the R S F S R Supreme Court and to the present assizes sitting, justifying her refusal to appear as a witness in the trial. He added that there were free places in the hall and that his mother's place was in the hall — not outside on the street. The Judge sent some officials out into the side-street to fetch the accused's mother. On being invited to testify, Shcharansky's mother said that she would agree to do so only if Anatoly himself requested it. Otherwise she would continue to refuse to be a witness and would demand admittance to the hall to attend the trial. When an official reported I. P. Milgrom's refusal to appear as a witness, the Judge said that by law it was possible to compel her to appear, but this measure would not be implemented in this instance as she was the mother of the accused and an elderly woman.

On the morning of 13 July the court began the examination of the material evidence. First a number of materials serving as evidence of espionage were examined: the questionnaire for refuseniks with Shcharansky's note on the back, Rubin's 'instructional' letter to Shcharansky (neither document was read out), Lipavsky's testimony concerning his (Lipavsky's) connections with the C I A, and a statement of the Ministry of Foreign Affairs to the U S Embassy concerning the detention of R. Toth after his meeting with Petukhov. Lipavsky's statement was read out, along with a list of Shcharansky's belongings which Lipavsky had handed over to the K G B. These belongings were taken from the flat which Shcharansky and Lipavsky had rented together (*Chronicle* 44). Shcharansky stated that the first time he had seen this questionnaire was during the pre-trial investigation and that at this time he had submitted several petitions to be allowed a confrontaton with Petukhov. This had not, however, been allowed.

The court then reviewed the collective documents of the refuseniks with which Shcharansky was charged under articles 64 and 70 (not a single document was read out). Shcharansky rejected the assertion

that the letter of 12 January 1976 (about the Amendment) was composed on Senator Jackson's instructions.

With regard to the statement by Jewish activists about the television film 'Purveyors of Souls', Shcharansky noted that letters sent to Soviet television in reaction to the film had also been included in the case materials. These leters were of an anti-Semitic character, and the statement with which he was charged said that the film was arousing hatred towards Jews.

After this the English television films 'A Calculated Risk' and 'The Man Who Went Too Far' were shown. This showing of the films was accompanied by a simultaneous translation. Shcharansky remarked that the translator was racing ahead of the text of the film and that there were many inaccuracies in his translation. In reply to the Judge's question as to whether or not he knew that the film 'A Calculated Risk' would be shown in the West, Shcharansky said that he had given British television a normal interview for unlimited use. The Procurator asked why Shcharansky spoke of a figure of 10,000 in connection with the number of Germans who had emigrated from the U S S R. Shcharansky replied that official sources on German emigration put the figure at 20,000. He added that he had petitioned that these information sources be filed, but had been refused. In answer to the Procurator's question: 'Where did Shcharansky obtain his information on the bad position of Germans in Central Asia?', Shcharansky said that he was not referring to this; the question arose from an inaccurate translation of the soundtrack: the text of the commentary had been ascribed to him.

The Procurator then petitioned for the Davidoviches' letters from Israel to be filed. Further, he asked for a report from the Foreign Parcels Trading Organization on the number of money transfers which had arrived for Shcharansky to be produced as material evidence. (All the transfers relate to the period from the end of 1973 to the beginning of 1974; they were sent from England and Switzerland, and their total value was about 500 foreign currency roubles. The report gave the value in foreign currency and gave no indication of customs duty.) The Procurator then asked for the carbon paper taken by Lipavsky from his and Shcharansky's apartment and given to the investigators to be filed. A forensic examination had shown that it bore the imprints of part of the lists found in the courtyard of the house where R. Toth lived. Shcharansky stated that the first time he saw this list and the carbon paper was during the investigation. The court agreed to all the Procurator's petitions.

On 13 July at 2.30 pm the summing-up by each side commenced. Procurator Solonin spoke for about three hours. His summary of the indictment was accompanied by comments in the spirit of press articles about the ideological struggle and human rights. To the public's applause and cries of 'Quite right!' Solonin declared that the prosecution considered Shcharansky guilty. His guilt flowed from all the factual evidence examined in the court sessions. Furthermore, Shcharansky's attitudes were subjective and hostile, a fact to which Tsypin, Lipavsky and Ryabsky were witnesses. This was also demonstrated by his persistent contact with correspondents and diplomats hostile to the Soviet Union. The Procurator remarked that Shcharansky had been called to account not for his opinions, but for breaking the law. He said that Shcharansky had been given patient explanations of the criminal nature of his actions, but it had been no use. The Procurator stated: 'The prosecution finds premeditation and the presence of intent to undermine the military power of the U S S R absolutely clear in Shcharansky's actions.' Because Shcharansky had not repented, the Procurator considered it just to impose on him the 'most severe penalty'; but taking into account extenuating circumstances — his age and the fact that it was his first conviction — he suggested 15 years' imprisonment in strict-regime camps with the first 3 years to be served in prison.

Shcharansky began his defence speech thus:

> I am fully aware of the fact that it is an utterly hopeless task to defend myself in this semi-open court with its specially-selected audience. All the more so when you consider that I was accused in the official press — the newspaper *Izvestia* — one and a half years before the trial, ten days before my arrest and even a week before a case against me was opened. My social activities were transformed into class ones, and my open activities as a supplier of information were turned into treason and espionage. I have no doubt that the court will support the Procurator's demand.

Remarking that human life does not consist solely of the existence of various economic systems in the modern world, Shcharansky took up the theme of the national rebirth of the Jewish people. In its time the Dreyfus affair had spurred the emergence of the Zionist movement, while the events lived through by Soviet Jews from 1948 to 1952, especially the 'doctor's plot', had led to the appearance among them of people wanting to emigrate to Israel. In the 50s, such people landed up in the prisons and camps, but in the 60s the Jewish emigration movement was reborn. Shcharansky considers the emigration of Jews from the U S S R to be a natural phenomenon and connects it with the emergence of a national self-awareness among Soviet Jews. Shcharansky stated that the Jewish emigration movement was the basis on which all his activities were founded.

Shcharansky then repeated that he was not going to conduct a defence on each individual episode, but would touch on only a few in order to show how his case had been distorted.

Speaking of the Senator Brooke episode, Shcharansky pointed out that the charge was based entirely on Lipavsky's testimony, which was particularly inconsistent at this point. Apart from the lack of chronological coordination in Lipavsky's testimony, it was vital to remember that Brooke was a Republican and could not therefore have been helping the pre-election campaign of Jackson, who was a Democrat. A single two-hour meeting between Brooke and the refuseniks had taken place; Lipavsky was not present at this meeting and his testimony on this point was false.

By comparing dates, Shcharansky demonstrated the falsity of Ryabsky's testimony with regard to the meeting with Richard Pipes. Shcharansky said that he had met Pipes and discussed his history book with him, but the details contained in the charge concerning this meeting had been invented by Ryabsky.

At the closed court session Lipavsky had testified that Shcharansky and Rubin had allegedly tried to persuade Miles, a diplomat with whom they were acquainted, to use his connections to stop grain supplies to the U S S R. Shcharansky emphasized in particular that his position in this matter was the exact opposite: 'I considered, and still consider, that the position which Lipavsky attributes to me is anti-humane.'

Shcharansky pointed out that all Lipavsky's information was culled from other people's accounts: 'Most sinister of all is Lipavsky's role in the testimony relating to espionage. This part of his testimony was given in a closed court session.' Shcharansky said that the material 'clues' — the carbon paper handed in by Lipavsky, the fragment of a list found by the caretaker Zakharov, and the questionnaire with a note from Rubin's wife — contained nothing written in his own hand, and that the first time he saw them was during the investigation. Then Shcharansky stated that despite Lipavsky suggesting several times that he seek the assistance of the typist Zapylayeva, he had never given her any material for retyping, neither personally, nor via Lipavsky, nor in his presence.

With regard to Robert Toth's article 'Soviet Union Indirectly Reveals Centres of Secret Work', Shcharansky said that it was about those refuseniks who personally communicated information on themselves for open use in the West. Concerning R. Toth's testimony at the pre-trial investigation, Shcharansky said that there were many discrepancies between the Russian and the English texts. He pointed this out several times during the investigation. Even the translator had agreed with him. More than a month had been needed to correct the Russian text. Nevertheless, the old, distorted text had been used in the indictment.

Shcharansky expressed his certainty that all these facts concealed a single purpose: to compromise him by a charge of espionage and to place him outside the law.

Moving on to the charges under article 70, Shcharansky said: 'I consider it immoral to institute criminal proceedings against someone for defending another person.' After repeating all he had said at the beginning of the trial about the Helsinki Group documents, Shcharansky added: 'I want to say that I am personally acquainted with Pentecostal believers. They are honest, open people. They want to carry on living in their communities, living as their religious outlook directs them.'

Shcharansky stressed that his activities were open and in no way did he disown them. He considered all the documents he had compiled to be correct and not in the least libellous.

Concluding his defence speech, Shcharansky again stated that he considered himself innocent and the charges against him tendentious and absurd.

* * *

On 14 July Shcharansky made his final speech:

During questioning from March to April 1977 the chief investigators warned me that because of the position I was maintaining under investigation — the same position I have kept to at this trial — I was threatened with the death penalty or a minimum of 15 years' imprisonment. They told me that if I agreed to cooperate with the security organs in their task of destroying the Jewish emigration movement I would be given only a short sentence, would be quickly released and could even have a meeting with my wife.

Five years ago I handed in an application to emigrate to Israel. Now I am further than ever from my dream. One might think that I ought to regret what has happened, but not at all — I am glad.

I am glad that I have lived honestly, at peace with my conscience, and have not acted against it, even when threatened with death. I am glad that I have helped people. I am glad that I have come to know, and have worked with, such honest and brave people as Sakharov, Orlov and Ginzburg — people who are carrying on the traditions of the Russian intelligentsia. I am glad that I am a witness to the rebirth of the Jews of the U S S R. I hope that the absurd charges against me and the whole Jewish emigration movement will not hinder the liberation of my people.

My family and friends know that I wanted to exchange my work as an emigration activist for life in Israel with my wife.

My people have been scattered for more than 2,000 years, but wherever Jews have wandered they have always repeated the words: 'Next year in Jerusalem!' Now that I am further than ever from my people and from my Avital, and many hard years in prison stretch ahead of me, I say to my people and to my Avital: 'Next year in Jerusalem!'

To the court, which can but confirm the sentence proposed earlier, I have nothing to say.

The court was in conference for over four hours. The verdict virtually repeated the indictment word for word. The reading of the verdict took about two hours.

The court sentenced Shcharansky to 13 years' imprisonment, the first 3 years to be served in prison and the remainder in strict-regime camps. As well as the tape-recorder, calculator, camera lens and two typewriters belonging to Shcharansky, three further typewriters taken during searches on 4 March from other refuseniks were also confiscated.

The courtroom received the sentence with applause and cries of 'He ought to be hanged!'

* * *

During the trial Shcharansky's mother made several appeals each day to the commandant and other officials to be admitted to the hall. They either did not answer her or promised to pass on her request to the members of the court. Neither was she allowed in during the reading of the verdict. At several points during the trial she sent telegrams to the assizes sitting, which was hearing Shcharansky's case, and to the Supreme Court of the RSFSR and the Supreme Soviet of the USSR, requesting them to intervene and allow her the chance to attend the trial.

Every day relatives and friends of the accused gathered outside the court-building. They were not allowed to come close. A place was allotted them in an unfrequented side street.

While the case was being heard the authorities took extreme precautionary measures. The side-street which the court-building overlooked was cordoned off at both ends by policemen and vigilantes. The side-street perpendicular to it was also cordoned off. All approaches to the court from yards or side-streets were barricaded with iron fences or wire netting. Standing in large numbers on the court side of these barricades were special operations men. Within a radius covering several blocks every courtyard was patrolled by special operations cars and agents. At the very least there were at any one time 300 operations men in the vicinity. Several large buses would bring the police guard. On the day the verdict was read a further bus full of vigilantes appeared in the side-street but the occupants did not get out.

The court-building was thoroughly protected: about 50 policemen patrolled it outside, and in the courtroom, apart from the guards, there were several dozen operations men. On his way to the courtroom Leonid Shcharansky would be stopped several times by guards for his passport to be checked. At the entrance he was checked by a portable instrument which reacted to metal objects, and then had his clothing frisked. Several times guards came up to Leonid with this instrument right inside the courtroom.

Nothing of the sort happened either in October 1968, when the 'demonstrators' were tried in this building (*Chronicle* 4), or in June 1978 during the trial of I. Begun (see current issue).

The accused himself was guarded no less vigilantly — either the Chief or the Deputy Chief of Lefortovo Prison was continuously in the court-building. Shcharansky was brought and taken away in a special car with a siren and a flashing light. When it arrived or left the court-building, without fail the siren was turned on, to prevent Anatoly hearing his friends' greetings. In the side-street where Shcharansky's friends were standing the operations men behaved correctly. There were hardly any 'ordinary people'; their few 'representatives' keeping silent on the whole. Even on the day the verdict was given, when more than 100 people gathered outside the court, the side-street was relatively quiet. The operations men paid special attention to people who did not look Jewish and whose faces were not yet familiar from other trials. These people were occasionally detained, their documents checked, and at times their bags and briefcases also. They were told their workplaces would be contacted. The operations men also detained several chance passers-by, and with them they did not try to be specially polite.

Numerous journalists and diplomats requesting the authorities' permission to attend the trial. They were not allowed to do so and had to stand outside on the street with the Soviet citizens. During the trial, however, a press-centre was at their disposal, putting out information twice daily on the court sessions. Only procedural points, the general section of the indictment and the Procurator's speech were adequately covered in these bulletins.

* * *

In August Anatoly Shcharansky arrived at Vladimir Prison.

The Trial of Petkus

From 10 to 13 July the Supreme Court of the Lithuanian SSR examined the case of Viktoras Petkus, charged under article 68, part 2 ('anti-Soviet agitation and propaganda'), article 70 ('organizational activity and taking part in an anti-Soviet organization'), article 122, part 2 ('sodomy') and article 241, part 3 ('the involving of minors in drunkenness') of the Lithuanian Criminal Code. Ignotas (*Chronicles* 32, 38, 39 and 40) presided over the court, the People's Assessors were E. Bedulskaya and Ju. Dabulevičius. The State Prosecutor was Bakučionis and the Social Prosecutor was A. Dziska, the Director of the A. Vienuolis secondary school in Vilnius. (The *Chronicle* reported the expulsion of 7 teenage boys from this school — see *Chronicles* 42

and 43.) There was no defence counsel.

V. Petkus (born 1928) was arrested for the first time in 1948 and sentenced for 'anti-Soviet agitation and propaganda'. In 1957 he was arrested a second time and sentenced to 8 years on the same charge. Petkus served his sentence in Mordovia.

After his release Petkus worked in the People's Art Society of the Lithuanian S S R, was the administrator of a church for a while, and, before his arrest, worked as a technician in a hospital.

Petkus has a good knowledge of Lithuanian literature, history and art. He worked on a translation of the Bible for several years. (There is as yet no complete translation of the Bible in Lithuanian.)

Petkus was constantly surrounded by young people, to whom he taught Lithuanian history and culture and with whom he discussed religious topics. The K G B took measures to put a stop to these meetings with young people (*Chronicles* 40, 42 and 43).

Petkus was one of the founders of the Lithuanian Helsinki Group (*Chronicle* 43). He was arrested on 23 August 1977 (*Chronicle* 47). See *Chronicles* 47 and 48 for the investigation of his case.

* * *

In a large courtroom (more than 100 places) about 40 places were taken by members of the 'special public'. Nonetheless, Petkus's numerous friends and sympathizers were told, as usual, that the hall was 'full up'. Admission was allowed to the court-building; 50 or more people gathered in the foyer, by the doors of the courtroom itself. Many had travelled from other towns to attend the trial.

Viktoras Petkus's only living relative is his brother Česlovas, who lives in a village and works as a shepherd. Česlovas Petkus found out about his brother's trial by chance, and then only on the final day.

Petkus, who had taken no part in the pre-trial investigation, also refused any part in the trial. He demonstratively ignored the court procedure. Escorts led him into the hall, holding his arms behind his back. He did not rise when the members of the court entered the hall, and when the Judge addressed him he neither answered his questions nor made any statements. He even listened to the verdict sitting down.

On the first day the indictment was read out. As far as one can judge from the text of the verdict, under article 68 Petkus was charged with 12 documents of the Lithuanian Helsinki Group (*Chronicles* 43 and 47) and with keeping 'anti-Soviet' literature, including four issues of the journal *God and the Motherland* (*Chronicles* 43 and 46); under article 70 he was charged with an attempt to organize the 'Chief Committee of the Estonian, Latvian and Lithuanian National Movements' (The Es-La-Li Committee — see *Chronicle* 47), and, possibly, with taking part in the founding of the Lithuanian Helsinki Group.

With regard to the charge under article 122 it was stated in the verdict that on 15 March 1973, having made Rimantas Čivilis drunk, 'he crudely performed a sexual act with him'.

Of the 30 witnesses called, 25 appeared at the trial.

* * *

On 11 July in the morning the witnesses **Rimantas Čivilis** and his mother were questioned regarding article 122. While they were being questioned the court was announced closed. R. Čivilis is at present serving in the army. He was accompanied to the trial by two sergeants. The interruption of the trial the day before was apparently due to his absence. At Čivilis's request he was allowed to leave before the end of the court session. He was led out via a different exit.

Following this, witnesses were questioned regarding article 241. In reply to the question, 'Did you ever have occasion to drink alcohol with the accused?' **Dainius Šeputis** said: 'Yes, on major holidays.'

'Did you drink a lot?'

'200 to 300 grams each of dry wine.'

'Did you drink brandy as well?'

'No, we didn't drink brandy.'

'Used you to spend the night at the accused's house afterwards?'

'I have my own house.'

Šeputis said that Regimantas Paulionis also drank in his presence at Petkus's house. Dainius's mother testified at the trial that her son had started drinking wine when he left school, before he and Petkus started meeting. The brothers **Regimantas** and **Edmundas Paulionis** were also questioned. They testified that they had nothing bad to say about Petkus; they knew him from the church where they had served; they had never seen him drunk. On the Judge's request the testimony of R. Paulionis given at the pre-trial investigation was read out: 'Petkus suggested having a drink. We were celebrating his birthday on 9 March. I used to get drunk from time to time. I saw that Petkus was getting Šeputis drunk as well.' R. Paulionis said that he had been brought to the interrogation from his brother's wedding, that he was frightened and not sober, and had testified according to the investigators' instructions. Nevertheless, the court considered his first testimony valid and referred to it in the verdict. In the verdict it was stated that from 1971 to 1977 Šeputis and Petkus drank together 12 or 13 times, and that Regimantas Paulionis also drunk with them.

The father of the Paulionis brothers, and M. Gabrys and M. Buračas, were also questioned regarding article 241. They did not endorse the charge.

At approximately 5.00 pm the questioning of witnesses on the 'political' articles began. In connection with the Es-La-Li Committee six former political prisoners — two Estonians, three Latvians and Birute

Pašiliene (*Chronicles* 45, 47 and 48) were questioned. The Estonian **Enn Tarto** (*Chronicles* 2, 47, and 48) asked the court to explain the charges against Petkus.

'The witness does not need to know this.'

'In that case I refuse to take part in the trial.'

The Estonian **Mart Niklus** (*Chronicles* 42, 43, 47 and 48) at first tried repeatedly to engage an Estonian-Lithuanian interpreter (there were only Lithuanian-Russian, Latvian-Russian and Estonian-Russian interpreters in the hall). He asked the court the same question as Tarto. 'You are in a courtroom. You are here to answer questions, not to ask them. When was the last time Petkus was in Tartu?'

'About a year ago in the summer.'

'A forensic examination has established that several documents confiscated from Petkus's house were printed in Russian on your typewriter. What have you to say about that?'

'The thing is, the K G B have been showing a keen interest in my typewriters for several years now. Moreover, during one of the searches the keys to my flat disappeared. I suspect that K G B officials simply visit my flat when I am not there and type whatever they like on my typewriter. When they confiscated it they forgot to seal it. This, by the way, is a serious violation of the procedure governing searches. The documents under discussion could, therefore, have been typed after my typewriter was confiscated.'

'How did Petkus come by your autobiography?'

'I typed it myself. How Petkus came by it I don't know, I can't remember.'

'In the summer of 1977 Pylva-Moscow tickets were found during a search of your flat. Why did you intend to go to Moscow?'

'I wanted to travel during my vacation.'

On the same day Niklus handed in a declaration to the court:

> In accordance with article 159 of the new Constitution of the U S S R I request that the speeches of those taking part in the trial be translated from Lithuanian into Estonian or Russian. Non-Lithuanian witnesses in the hall who have an interest in this trial have the right to full information on the court sessions at which they are present.

(After two days Judge Ignotas informed Niklus: 'You will receive an answer in a month's time, in accordance with regulations'.)

The Latvian **Inc Calitis** (*Chronicle* 47) described Petkus as a good, honest, responsible man and said that he knew nothing about the case against him.

'However, at the pre-trial investigation, during a confrontation with Kalninš (*Chronicles* 41 and 46-48) you confirmed his testimony.'

'Yes, I confirmed that during a search of my flat materials concerning the Chief Committee of the Estonian, Latvian and Lithuanian National Movements were taken, but these materials are not, in my opinion, anti-Soviet, and cannot be used against Petkus under article 68. Therefore I do not intend to speak about them.'

'Did Petkus and Kalninš meet at your flat?'

'No matter who met at my flat, this bears no relation to the charges against Petkus.'

The Judge read out the testimony given by Calitis at the pre-trial investigation: Petkus brought with him texts of the Es-La-Li Committee, Kalninš translated them into Latvian, and Calitis typed them out on his typewriter.

'I request the court to consider my testimony as invalid as I was blackmailed at the pre-trial investigation.'

The Latvian **Juris Ziemelis** (*Chronicles* 47 and 48) also described Petkus in positive terms and said that he knew nothing about the case against him.

'Your name, too, figures in the documents of the Es-La-Li Committee.'

'It was not until after Petkus's arrest that I found out about the creation of the Committee and my inclusion in it. Kalninš told me about it. I know nothing about Petkus's role in the Committee, but Kalninš was the one who had the idea of founding it.'

The Judge referred to the testimony Ziemelis gave at the pre-trial investigation concerning his conversation with Kalninš about Petkus's role in the creation of the Committee.

'The Riga K G B obtained this testimony unlawfully: they blackmailed myself and others. Kalninš agreed to give the testimony the investigators needed and thus bought himself an exit visa. He is now in the U S A.'

(Not long before the trial Kalninš emigrated from the U S S R; he was, nevertheless, called as a witness and the court secretary, who called the witnesses each day, gave his name also. With regard to Kalninš see also 'The Trial of Ginzburg'.)

'If the court deems it possible to build the prosecution case on such evidence as this, I refuse to take part in such a trial.'

The Latvian **Ivar Žukovskis** (*Chronicles* 32 and 33) said that he knew nothing about the case against Petkus.

'When and in what circumstances did you make the accused's acquaintance?'

'In Riga in 1976.'

'In 1977 Kalninš phoned you, said Lithuanians had come, and asked you to come over.'

'I can't answer. I don't remember.'

Kalninš's testimony is read out:

'In 1977 Petkus came to Latvia to arrange the founding of the Es-La-Li Committee. Soon afterwards another meeting took place — in

Trakai. From 15 to 17 August Petkus was in Riga, where he directed the preparation of the Committee's documents.'

Karolis Garuckas, a member of the Lithuanian Helsinki Group, greeted Petkus on behalf of those unable to gain admission to the courtroom and declared his solidarity with him. He refused to sign the warning about responsibility for false testimony: 'A true believer cannot lie.' Referring to the testimony given by Garuckas at the pre-trial investigation, the Judge asked him to confirm that he was not acquainted with all the Group's documents under which his name appeared. Garuckas answered that the investigator had been questioning him for seven hours and he was very tired. He denied the testimony he had given at the pre-trial investigation:

> I too belong to the Helsinki Group. Our declarations are founded on fact. If you want, you can try me as well. I will be happy if my fate is the same as that of Bishop Reinys,[5] Father Andruška[6] and other martyrs who perished in the camps.

Ona Lukauskaite-Poškiene, a member of the Lithuanian Helsinki Group, said:

> I know member of the Lithuanian Helsinki Group Viktoras Petkus; I am a member myself. I know Petkus to be a good, honest and cultured man. I request that legality be restored and the case be closed. I wrote a protest and I repeat: an innocent man is on trial. Therefore, I refuse to take part in the trial.

Jonas Volungevičius (*Chronicle* 47), a former political prisoner, also declared that the trial was unlawful and refused to take part in it. 'Did you really sign the declaration concerning Algimantas Žipre?' (*Chronicles* 32, 34 and 37).

'Yes, I did sign the declaration concerning Žipre, who was illegally placed in a camp psychiatric block. This is the first and last question I shall answer.'

Jadviga Petkevičiene, a nurse from the town of Šiauliai (*Chronicles* 44 and 47), declared, as the two preceding witnesses had done, that the trial was unlawful, and refused to testify. While returning to her place she took a rose from her corsage and handed it to Petkus, but the guard took the flower from him and gave it back to Jadviga.

Birute Pašiliene said that she did not know Petkus and could not testify.

'During a search of your flat documents of the so-called Es-La-Li Committee were confiscated, similar to those found at Petkus's flat. Furthermore, both sets were typed on the same typewriter, the one belonging to you. What have you to say to this?'

'I can say nothing. Some strangers brought the typewriter to my flat while I was not there. The dates on the documents are days when I was away, so I could not have typed them.'

'Was somebody home when the strangers brought the typewriter?'

'Yes, my mother. She died in April.'

'Did you sign the document about Algimantas Žipre?'

'Yes, and I was glad to hear he had been let out of the psychiatric block. This means that I acted correctly. It was necessary to defend Žipre.'

Romas Ragaišis, an optical technician and former political prisoner from Vilnius, refused to testify at the trial. He was called in connection with his declaration to the Lithuanian Helsinki Group concerning the placing of certain people in psychiatric hospitals. The wife and daughter of Genrikas Jaškunas (*Chronicles* 44 and 48) were also questioned about the declarations they had written in his defence. They both testified that they did not know the accused. **Ina Jaškunaite** testified that she had written the declaration.

'Who advised you to act in this way?'

'Some men I did not know came and said I should.'

'Have a look, was the accused one of them?'

'No, the accused was not one of them.'

'Why did you think that your father might be placed in a psychiatric hospital?'

'I had heard that many political prisoners were put there.'

On 12 July the witnesses of the preceding day were not admitted to the courtroom. On this day a film was being shot and photographs were taken in the hall, the foyer and around the court-building. The questioning of witnesses continued.

The sisters **Marija** and **Ona Poškute,** from whom Petkus had rented his flat, testified. (When they entered the hall a man with a red armband asked them: 'What testimony are you going to give?' They replied: 'We will answer the questions asked.'

Marija Poškute said that everyone loved Petkus and many young people used to go to see him.

'Did Petkus and his guests often drink alcohol?'

'Heaven forbid, I cleaned his flat every day and never found a single cork there, let alone a bottle.' (At these words Procurator Bakučionis clasped his hands together and exclaimed in Russian: 'Well, how d'you like that!')

Ona Poškute, like her sister, refused to sign the warning about responsibility for false testimony: 'I am a believer and therefore will not tell lies to anybody.'

'If only there were a few more sons like Viktoras in Lithuania!'

'Did your lodger drink alcohol with young people?'

'He lived with us for more than ten years and nothing of the sort ever happened.'

Česlovas Kavaliauskas, who worked with Petkus for two years on

his translation of the Bible, gave a favourable description of him.

'Used you to drink with the accused?'

'On holidays we might have a drink.'

'Did boys drink with you?'

'No, they didn't.'

'Did any of the schoolchildren spend the night at Petkus's flat?'

'During holidays two or three of them might stay the night.'

Eitan Finkelshtein, a member of the Lithuanian Helsinki Group, was also called to appear as a witness, but did not go to the trial. In the declaration he submitted to the court he stated:

> I, like V. Petkus, am a member of the Lithuanian Group to Assist the Implementation of the Helsinki Agreements. Like V. Petkus, I bear responsibility for the Group's activities and for all the documents it issues. In refusing to give testimony as a witness in the Petkus case, I declare that I can take part in the trial only as a defendant.

On 13 July at the entrance to the court-building (on this day almost everyone was removed from the foyer) there was a crowd of about 100 people. Young people were handing out red carnations to all the sympathizers. About 40 people, mainly youngsters, stood at the wide porch reading prayers together. As on the previous day, a film was being shot inside and outside. **Mečislovas Jurevičius** (*Chronicles* 36, 40 and 44) was approached by several K G B officers who tried to take him away, but Petkus's friends surrounded him and they went away.

At approximately three o'clock K. Garuckas, O. Lukauskaite-Poškiene, the Poškute sisters and **Antanas Terleckas** (*Chronicles* 37, 40, 43 and 47-49) were allowed into the hall for the reading of the verdict. However, Baltinas, a K G B Lieutenant-Colonel, stopped **T. Velikanova,** who had come from Moscow: 'You have no business here!' In reply to her objection — 'The verdict must always be heard with the doors open' — he threw her to the ground. In a declaration addressed to the Procurator of the Lithuanian S S R, Velikanova writes:

> I can evaluate the actions of Lieutenant-Colonel Baltinas either as exceeding his authority and as hooliganism, or as a conscious device to provoke a corresponding reaction and thus create disorder in the building of the Supreme Court.

In the verdict it was stated that Petkus, 'under the pretext of working for the Helsinki Group, was engaged in anti-Soviet agitation'; that T. Venclova had been authorized to represent the Group abroad (*Chronicle* 44) and had used its documents for libellous articles in the émigré press'.

The episodes relating to the Es-La-Li Committee were substantiated in the verdict by the testimonies of Kalninš, Calitis (the court ignored

Calitis's retraction of the testimony he gave at the pre-trial investigation) and, in part, of Ziemelis, and also by referring to a 'Radio Liberty' programme of 25 August 1977. In the verdict it was stated that Petkus agitated for the creation of the Es-La-Li Committee 'with the aim of restoring bourgeois power' in the Baltic republics.

The sentence was as follows: under article 241, 3 years in camps; under article 122 — 4 years; under articles 68 and 70 — 10 years in special-regime camps, the first 3 years to be spent in prison, plus 5 years of exile. The total sentence coincided with the sentence under articles 68 and 70. The court ruled Petkus to be a particularly dangerous recidivist. The court also made separate decisions concerning the institution of criminal proceedings against **R. Ragaišis** for his refusal to testify (on 5 September he was sentenced to 6 months' corrective labour), and the fact that the command of a military unit had not ensured that R. Čivilis appeared in court at the correct time.

On 16 July the newspapers *Soviet Lithuania* (in Russian) and *Tiesa* (in Lithuanian) published an article by B. Baltrunas entitled 'On the Road of Lies and Crime' about Petkus and his trial.

The Trial of Lukyanenko

From 17 to 20 July in the town of Gorodnya, the Chernigov Regional Court examined the case of Levko Lukyanenko, charged under article 62, part 2, of the Ukrainian Criminal Code (equivalent to article 70 of the Russian Code).

Lev Grigorevich Lukyanenko was born in 1928 in the village of Khripovka in Gorodnya District, Chernigov Region (where his parents still live). (In *Chronicle* 48 the year of his birth is given as 1927. This is also the case in his official documents.)

From 1944 to 1953 he served in the army and at that time he entered the party. In 1958 he graduated from the Faculty of Law at Moscow University. He worked in the Vinnitsa and Lvov regions, at first in the Soviet and party apparatus, then as a lawyer. In 1960 he drafted a programme for a Marxist party, the 'Ukrainian Worker-Peasant Union', containing, in particular, proposals for a referendum on the question of the separation of the Ukraine and for socio-political reforms (the legalization of private initiative in light industry and agriculture). In January 1961 a group of seven people (including the lawyer Ivan Kandyba) were arrested for discussing the draft. In April 1961 a closed court sentenced Lukyanenko to death for 'betrayal of the Motherland'; two months later the sentence was commuted to 15 years in camps.[7] Lukyanenko served his sentence in Mordovia and in Vladimir Prison.

After his release in 1976 he lived in Chernigov under surveillance (*Chronicles* 43 and 46). L. Lukyanenko corresponded with numerous former and current prisoners and exiles and wrote declarations and publicist works in defence of the persecuted. He was one of the founders of the Ukrainian Helsinki Group (*Chronicle* 43).

On 12 December 1977 Lukyanenko was arrested. The Chernigov office of the K G B carried out the investigation. *Chronicles* 48 and 49 give accounts of the searches and questioning conducted in connection with his case.

Lukyanenko's relatives and friends did not find out about the trial until the end of the first day, when several of them (in particular, his wife and brother) were served a court-summons to appear as witnesses on 18 July.

In accordance with tradition, the hall was filled beforehand with a 'special public'. Measures were taken against those wanting to attend the trial even at the entrance to the town: suddenly there was an epidemic of foot-and-mouth disease in the locality and the entrance to Gorodnya was, therefore, blocked as being a disinfection point. Passengers on public buses were told to get out and were escorted across a strip of sawdust. Officials of the State Car Inspectorate told the car carrying **Oksana Meshko,** a member of the Ukrainian Helsinki Group, to return to Kiev. Meshko got out of the car and despite attempts to get her back in by force, she struggled free and continued on foot. She managed to hire a private car and got past two more posts, each of which was guarded by a couple of plain-clothes men as well as uniformed police. But at the entrance to the town officials of the next post detained Meshko: 'You are someone we want.' Three men drove her back to Kiev in the car they had stopped and put her out when they got there.

Before being questioned the witness **Zvenislava Vivchar** asked the Judge whether the trial was open or closed. The Judge did not answer her question and the Procurator expressed displeasure. After an adjournment Vivchar was not readmitted to the hall. She wanted to wait in the corridor, but was ordered to go home to Kiev. Vivchar found a compromise solution: she went out into the street and sat down on a bench. This proved insufficient. A couple of plain-clothes officers dragged her to a car and drove her to a bus station in Chernigov.

Lukyanenko refused to answer the court's questions and declared a hunger-strike. He petitioned several times for his case to be examined in his absence, but this was rejected. His petition of 19 July pointed out that his cold cell and the bare planks (in place of a bed) had prevented him from sleeping.

* * *

The indictment stated that on regaining his freedom in 1976 Lukyanenko did not set out on the road of reform, but continued his involvement in anti-Soviet activities by corresponding with prisoners, both released and still in prison, and spreading in letters deliberate fabrications which defamed ... and he had systematically contravened the rules of the surveillance he had been under till the day of his arrest, and because of this he had been fined on several occasions. At work he took no part in public life and went to neither the First of May nor the October demonstrations.

The indictment stated that 'under the guise of taking part in the so-called Helsinki Group, Lukyanenko was engaged in anti-Soviet activity'. He was charged with writing Ukrainian Helsinki Group documents (a declaration and eight memoranda), the articles 'Stop this Crooked Justice' (in defence of the artist Pyotr Ruban — *Chronicles* 44 and 45), 'A Year of Freedom' (about the year of his life following his release), 'A Christmas Appeal to Inveterate Atheists' and 'Problems of Dissent', an open letter to Professor Vladimir Ruban (*Chronicle* 45), an appeal to the Kiev Exarch (requesting him to speak out about the 'religious' article in the draft of the new Constitution), two declarations about his desire to emigrate (regarding one of these see *Chronicle* 47), and letters to friends; and also with making oral statements. It was mentioned that Lukyanenko sent his articles to the editors of Soviet newspapers and journals and to his friends in letters. It was said that the article 'A Year of Freedom' found its way abroad and was used by various radio stations as a propagandistic document to discredit the Soviet system.

* * *

25 witnesses were called to appear in court and 20 of them actually appeared: Nadezhda Lukyanenko, Lev Lukyanenko's wife, and his brother Alexander, A. Berdnik, a member of the Ukrainian Helsinki Group, Evgeny Obertas (*Chronicles* 45, 46, 48 and 49), the wife of Pyotr Ruban, Lydia Ruban (*Chronicle* 48), Zvenislava Vivchar, the wife of Alexander Sergienko, the former political prisoners Igor Kichak (imprisoned in Mordovia with Lukyanenko; served 15 or 20 years), Vladimir Zatvorsky (*Chronicle* 49), Ivan Pokrovsky and Igor Kravtsov (*Chronicle* 48), Lukyanenko's work-mates (he worked as an electrician in a children's hospital) — the chief doctor, engineer Kalchenko, the former administrator Kozyr, and the section head and Chairman of the Trade Union Committee, Lisovaya, and also five members of the family of Pyotr Svitailo (*Chronicle* 48), with whom Lukyanenko stayed and held 'anti-Soviet conversations'.

In the questioning of the first 10 witnesses, particular attention was given to the article 'Stop this Crooked Justice'. Despite Lukyanenko's request, the article was not read out in court.

V. Zatvorsky testified in such a way that he earned the retort from the hall 'He ought to be locked up as well!' (as well as Lukyanenko — *Chronicle*).

I. Pokrovsky said that he had read the declaration of the Ukrainian Helsinki Group and had found nothing anti-Soviet in it. Similar statements about the declaration and the article 'Stop this Crooked Justice' were made by **N. Lukyanenko, Lydia Ruban** explained to the court that she had possessed eight copies of the article 'Stop this Crooked Justice', because Lukyanenko had asked her to send it to various Kiev journals. **A. Berdnik** said, when questioned, that all those who signed the memoranda of the Ukrainian Helsinki Group were their authors. He also said that he had suggested writing minutes of the discussion and the signing of the memoranda, but Lukyanenko had said that this was not necessary. **N. Lukyanenko** said that she had heard the article 'A Year of Freedom' on the radio:

'What I heard is exactly what is written there.'

'Did you ask him how he sent the article to the West?'

'Do you really think it was he who sent it?'

Lukyanenko's colleagues spoke about him warmly; the only thing was — he did not sign the Stockholm [peace] appeal (some said 'Helsinki') and did not go to a demonstration. (In her testimony N. Lukyanenko recalled that her husband used to be compelled to be on duty every public holiday.)

The members of **P. Svitailo's** family recounted that while he was staying in their house Lev Lukyanenko praised Petlyura and insulted Bogdan Khmelnitsky.

On 19 July the Procurator gave the prosecution speech. It resembled a political lecture.

The four-hour defence speech made by Lukyanenko himself (he refused to engage a barrister) was constantly interrupted by the Judge, who demanded that he speak without using notes. In his final speech the accused said that he did not expect an easier fate than what had befallen Rudenko and Tikhy.

He was sentenced to 10 years in special-regime camps and 5 years' exile. The court ruled Lukyanenko to be an especially dangerous recidivist. The special public greeted the sentence with applause.

On 12 September, after examining the appeal against Lukyanenko's sentence, the Ukrainian Supreme Court left the sentence as it was.

On 20 October Lukyanenko arrived at Mordovian Camp No. 1.

The Trial of Alexander Podrabinek

This section has been compiled largely from the *Information Bulletin* of the Working Commission to Investigate the Use of Psychiatry for Political Purposes, Nos. 9 (9 June 1978), 10 (10 August) and 11 (special edition on the trial).[8]

Arrest and Investigation

Alexander Podrabinek was arrested at the flat of some friends on 14 May 1978, the day before the beginning of the trial of Yury Orlov. At the time of the arrest a search was also conducted. Podrabinek was placed in the M V D investigation prison on Matrosskaya Tishina Street.

* * *

Alexander Podrabinek was born in 1953 in Elektrostal, Moscow Region. In 1970, after leaving secondary school, he enrolled at a medical institute, but left after a year. In 1974 Podrabinek enrolled at a college to train as a doctor's assistant. From 1974 to 1977 he worked in the ambulance service and before his arrest he worked for several months as a nurse in a hospital. A. Podrabinek was one of the organizers of the Working Commission to Investigate the Use of Psychiatry for Political Purposes (*Chronicles* 44, 45, 47-49). *Chronicles* 44 to 48 give information on the persecution of Alexander Podrabinek.

On the day after his arrest another four searches were carried out at the homes of **Tatyana Velikanova,** a member of the Moscow Helsinki Group, of **Tatyana Osipova,** a member of the Working Commission **Vyacheslav Bakhmin** and of **Leonid Ternovsky** (on 24 May L. Ternovsky became a member of the Working Commission).

The case against Alexander Podrabinek, as became evident after his arrest, had been opened by the Moscow Regional Procuracy under article 190-1 of the Russian Criminal Code at the end of December 1977. (Kirill Podrabinek was arrested at this time — *Chronicle* 48). The investigator was V. M. Guzhenkov. Soon after his arrest Guzhenkov said that the charge against A. Podrabinek was connected only with his book *Punitive Medicine*[9] (*Chronicles* 44-46).

On 20 May an open letter was issued, addressed 'To Compatriots and the World Public' (127 signatures), protesting against the arrest of Alexander Podrabinek and calling for support in fighting for his release. A similar document (document No. 51) was published by the Moscow Helsinki Group and on 24 May another one by the Working Commission (signed by V. Bakhmin and L. Ternovsky). On 24 May Pinkhos Abramovich Podrabinek, the father of Alexander and Kirill,

issued an appeal 'To all People of Goodwill'.

On 29 May **V. Bakhmin** was summoned for interrogation. He refused to answer questions concerning A. Podrabinek and his book, and stated that the charge against Podrabinek was absurd and he considered it immoral to take part in an investigation of his case.

As early as 2 June Guzhenkov informed V. Bakhmin, A. Podrabinek's legal representative, that the investigation was coming to a close and it was necessary to engage a barrister. Knowing Podrabinek's wishes in this matter, Bakhmin invited the barrister **E. S. Shalman,** who agreed to conduct Podrabinek's defence. But at that time he was on holiday. The administration of the legal consultation office refused to call him back from holiday, despite Shalman's consent to act, and Guzhenkov did not want to postpone the closing of the case.

On 13 June the investigation of the case of A. Podrabinek closed. On 19 June the investigative organs proposed a barrister. Podrabinek refused to engage him.

In this situation V. Bakhmin, in accordance with A. Podrabinek's wish, invited the British barrister **Blom-Cooper** to defend him at the trial. At the same time **L. G. Machkovsky** was engaged to help A. Podrabinek study the case materials.

On 21 June Machkovsky began reading the case materials (four volumes in all, one of which was *Punitive Medicine*).

On 30 June the document certifying the completion of the study of the case was signed. The case was transferred to a court.

In mid-June **Professor Rees** (*Chronicle* 49), President of the British Royal College of Psychiatrists, sent a letter to Brezhnev:

> Dear President Brezhnev,
> I have been asked by the Council of my College to write to you to express our members' concern at reports of the arrest of Mr. A. Podrabinek ...
>
> We hope that you might take a personal interest in this case and ensure that if Mr. Podrabinek is brought to trial the trial is conducted openly.
>
> The circumstances of this case puzzle us. We realize that the laws of our two countries are different, but it is difficult for us, on the reports we have heard, to understand what Mr. Podrabinek has done that is in any way criminal.

In June the College set up a Committee to deal with questions of the abuse of psychiatry. An international committee to defend A. Podrabinek was also founded. Its members included, in particular, the British historian P. Reddaway and the British psychiatrist G. Low-Beer (*Chronicle* 49).

Yury Belov (*Chronicle* 48) and **Mikhail Kukobaka** (*Chronicle* 43), former political prisoners in psychiatric hospitals whose notes were used in A. Podrabinek's book, wrote to the Moscow Regional Procuracy, asking to be questioned as witnesses in the Podrabinek case; but they were refused.

Yu. Belov was told (not in writing) that A. Podrabinek's guilt was already proven and that the investigation had no use for his testimony.

On 13 July a hearing of witnesses' testimony in the case of A. Podrabinek, presided over by Blom-Cooper, took place in London. Nine[10] witnesses spoke (in particular, a former official of the Serbsky Institute, psychiatrist **Yu. Novikov**[11] — see *Chronicle* 46) and written testimonies and tape-recordings were reviewed.[12]

On 15 July M. Kukobaka proposed to Blom-Cooper that his notes on the Sychyovka Special Psychiatric Hospital [S P H] be added to the file of testimony. On 20 July **Viktor Nekipelov,** a member of the Moscow Helsinki Group, sent Blom-Cooper excerpts from Kukobaka's four letters on the Vladimir and Mogilev Psychiatric Hospitals. He also requested that his book *The Institute of Fools*[13] (*Chronicle* 42) be used as testimonial evidence.

Blom-Cooper announced in London that the Soviet Embassy had promised to issue him a visa for a trip to the U S S R. He did not, however, receive the visa in time for the trial of A. Podrabinek.

On 18 July an agreement was concluded with E. S. Shalman for the conduct of A. Podrabinek's defence.

The Trial

On 15 August the Moscow Regional Court, in an Assizes session presided over by R. V. Nazarov, Deputy Chairman of the Regional Court, examined in Elektrostal (Noginsk District, Moscow Region) the case of Alexander Podrabinek, charged under article 190-1 of the Russian Criminal Code. The prosecution counsel was Suvorov, Deputy Procurator of the Moscow Region, and the defence counsel was barrister Shalman.

The trial began at 9 am, but at 6 am the part of the building in which the trial was to take place was already ringed by a cordon of uniformed and plain-clothes police. A. Podrabinek's friends, who had arrived half-an-hour before the trial was due to begin, were told that there were no places left. 'We have already filled the hall in order to maintain order,' declared a young policeman, with provincial naïvety. The day before, **V. Bakhmin** had appealed to judge Nazarov, requesting to be admitted to the trial as the legal representative of the accused. Nazarov had expressed bewilderment at this: it was a normal criminal case, anyone who wanted could be present. However, the following day Nazarov himself had to stand in the rain and rummage in his briefcase for his pass until a plain-clothes man ran out and

conducted him through the cordon. Several minutes before the trial began, **P. A. Podrabinek,** the accused's father, and his wife (she left half-way through the day in order to feed her child and was not re-admitted to the courtroom) were admitted. No other relatives or friends of A. Podrabinek were admitted. At 10.30 am some friends of A. Podrabinek phoned from the post office located in the same building as the courtroom, to Moscow, after which the connection with Moscow was cut off.

At the beginning of the session A. Podrabinek appealed to the court with a series of petitions.

The petitions were as follows: to attach to the case file the 'Statutes on Psychiatric Hospitals', the directives of the Ministry of Health concerning food in hospitals, the international classification of illnesses, the indictments and psychiatric reports on 30 political prisoners formerly held in psychiatric hospitals, the reports on the examinations carried out by G. Low-Beer on P. Starchik and Yu. Belov, the medical history of Radchenko and the medical report on his death, and the post-mortem report on Dekhnich.

He also petitioned to call as witnesses the psychiatrist Fyodorov, Yu. Belov, M. Kukobaka, P. G. Grigorenko and N. Ya. Shatunovskaya (the mother of Olga Iofe — *Chronicles* 11 and 15 — who was compulsorily hospitalized in the Kazan S P H); to procure the two-volume edition of Mashkovsky's *Medicinal Remedies*, several copies of *A Chronicle of Current Events* and the *Information Bulletin* of the Working Commission, the book by Bloch and Reddaway on psychiatric hospitals in the Soviet Union, copies of the *S. S. Korsakov Journal of Neurology and Psychiatry* containing information on the International Congress of Psychiatrists in Honolulu (*Chronicle* 47); to engage an Italian-Russian interpreter, as the case materials included documents written in Italian (materials of the Sakharov Hearings); to allow him (Podrabinek) to hear the tape-recordings of his interrogations; to call the British barrister Blom-Cooper to the trial as defence counsel; to arrange that the trial be relayed to all those interested.

A. Podrabinek gave reasons justifying each petition, almost all of which were supported by his barrister. The court rejected all the petitions.

A. Podrabinek then said that he was dispensing with barrister Shalman and would conduct his own defence. After several altercations among themselves the court complied with this petition.

A. Podrabinek further stated that articles 18 ('The openness of the court examination') and 20 ('The comprehensive, full and objective investigation of the circumstances of the case') had not been observed by the court: the procurator and the members of the court adhered to communist ideology and were obliged to fulfil the tasks set by the party in order to keep their jobs. In this sense they were interested parties. On this basis A. Podrabinek challenged the whole composition of the court. The court rejected the challenge.

Then A. Podrabinek made the following declaration:

> I do not want an illusion of justice. My barrister is not, in actual fact, in a position to conduct my defence, and for this reason I have dispensed with him as my defence counsel at the trial. Moreover, henceforth I shall also take no further part in the trial. I do not participate in stage shows of this kind. I have no artistic talent and therefore shall not take part in this show, even as an extra.
>
> I demand to be taken from the courtroom.

The court tried to ignore A. Podrabinek's demand, but he behaved in such a demonstrative manner (smoking and whistling) that when the questioning of witnesses began, the court was obliged to take him out of the courtroom in accordance with article 263 of the Russian Code of Criminal Procedure. Regarding this, the Judge warned that A. Podrabinek could submit a petition at any time and thus return to the courtroom. Podrabinek immediately stated that he wanted to return when the time came to make his final speech.

According to the indictment:

> Podrabinek A. P. ... is charged with preparing several copies of, and circulating, a document entitled *Punitive Medicine* when he was living in Elektrostal, Moscow Region, and working in Moscow from 1975 to 1977. In it Podrabinek libels Soviet democracy and the country's internal policies, identifies the authority in the U S S R with totalitarian fascism, makes assertions about the use in our country of 'repressive psychiatric measures', and about the premeditated placing in psychiatric hospitals, for their beliefs, of people known to be sane, and states that they were tortured in psychiatric institutions. Podrabinek addressed this document to international organizations and circulated it among his friends in Moscow. The document was used by imperialist propaganda to stir up a campaign of slander against the Soviet Union.

The indictment cites assertions in the book *Punitive Medicine* which allegedly bear no relation to reality.

In the book Podrabinek writes that in July 1975 Anatoly Ivanovich Levitin, a patient in Sychyovka S P H, was killed on the command of doctor N. P. Smirnov, after he was seized during an escape bid. The indictment says in relation to this: 'The case materials, however, have established that there never was a patient of this name in the Sychyovka S P H.'

M. M. Fyodorov, chief doctor of the S P H, appearing as a witness at the trial, declared that there had been no instances of murder in the

Sychyovka S P H and there had not been a patient called Levitin there. Speaking immediately after him, a junior doctor of Sychyovka S P H, **V. V. Moskalkov,** said that in 1975 a patient had been killed while attempting to escape, but he could not remember his name.

The book cites a letter written by M. Kukobaka in which he relates that in Sychyovka S P H the orderly Sasha Dvorenkov sadistically beat the patients. The indictment says in connection with this: 'On page 141 mention is made of a certain Sasha Dvornikov, who allegedly beat the patients. From the information received from Sychyovka S P H it can be concluded that such a person never worked in the hospital.

Other witnesses questioned in court were: **V. D. Steshkin,** the chief doctor of Leningrad S P H (he said that 'normal methods of treatment were used in the hospital; other methods were not used if there was no need for them'), **Abrosimov,** head of the Smolensk S P H, **T. A. Kotova,** a section head of the Oryol S P H, **F. Svyatsky,** former chief doctor of the Chernyakhovsk S P H, **A. G. Semiryazhko,** chief doctor of the Dnepropetrovsk S P H, and also **V. G. Vvedensky** and his wife **G. I. Zhabina.** Following a denunciation made by the latter two, on 14 March 1977 a search was carried out at the flat of E. V. Bobrovich (*Chronicle* 44 — where the surname is misspelt) and the manuscript of *Punitive Medicine* first fell into the hands of the K G B.

In the absence of defence counsel and the accused the court questioned the witnesses very quickly.

The Procurator concluded his speech in the following way:

> The heaviest sentence possible under article 190-1 of the Russian Criminal Code should be imposed on him. Of course, he would very much like the article to be a political one. This was why he played out the spectacle we have watched. He thought he would receive 7 years under article 70, but even the degree of the punishment has let him down. The maximum is not 7, but 3 years. However, taking into account the fact that this is his first criminal offence and that he is only 25 years old, I request that a sentence of five years of exile be imposed, in order that he can be re-educated in a labour collective.

After an adjournment of two hours the sentence was announced: with the application of article 43 of the Russian Criminal Code — 5 years' exile.[14]

* * *

A detailed description of the trial of Alexander Podrabinek is given in the 11th issue of the *Information Bulletin* of the Working Commission. This also contains S. V. Kalistratova's 'Defence Speech not Delivered at the R S F S R Supreme Court during the Review on Appeal of the Case of A. Podrabinek', Yu. Belov's 'Testimony', which he wanted to give at the trial, V. Nekipelov's declaration and passages from the four letters written by M. Kukobaka (see above).

At the beginning of her undelivered speech S. V. Kalistratova states:

> The materials to which I have access on the case of Podrabinek give grounds to assert that the laws operating in our country have been violated (and are constantly and relentlessly being violated) from the moment criminal proceedings were instituted against Podrabinek until this day. This assertion is not an empty one, and as far as my strength and resources allow I will try to prove it.

The manuscript of Podrabinek's book was confiscated by the K G B in March 1977 (*Chronicle* 44). The investigative organs, regarding it as criminal, were obliged, in accordance with article 3 of the Russian Code of Criminal Procedure, to institute criminal proceedings at once. However, 'acting outside any procedural norms laid down by law', the authorities put a tail on Podrabinek, and threatened and blackmailed him in an attempt to force him to leave the U S S R.

Having crudely contravened article 276 of the Code of Criminal Procedure, according to which 'all petitions concerning the demanding and verification of evidence relevant to the case should be met without exception, the court rejects all his petitions and, by this token, completely deprives Podrabinek of the chance to defend himself'.

In particular, the reference to the 'non-responsibility' of a number of witnesse whose appearance was requested by Podrabinek was unlawful. Kalistratova explains that neither a person's non-responsibility, as established by some court in the past, nor the fact of his having been treated in a psychiatric hospital pre-determines his mental incompetence as regards being a witness. In accordance with article 79 of the Code of Criminal Procedure, in cases where there is any doubt, the court must verify the competence of an individual to appear as a witness by means of an examination.

In the light of article 20 of the Code, the court must 'investigate the moral and ethical sides of the accused's character'.

'Had people who knew Sasha [ie Alexander] been questioned it would have become clear that Alexander and slander are incompatible.'

Despite the real meaning of article 43 of the Russian Criminal Code the court referred to this article in sentencing A. Podrabinek to exile. S. V. Kalistratova comments that such a violation, committed for the first time in 1968 at the 'demonstrators' ' trial (*Chronicle* 4 — Kalistratova was one of the defenders in this trial — *Chronicle*), is constantly being practised in political trials.

S. V. Kalistratova notes that the court involuntarily demonstrated the high degree of reliability of the materials gathered by Podrabinek:

out of 300 factual episodes cited in his book only 13 figure in the indictment. In view of the procedural infringements committed by the court, 'and with regard to these 13 episodes, a lack of correspondence with reality of the facts set out in Podrabinek's manuscript cannot be judged to have been established'.

The infringements of the law continued after the sentence had been imposed:

> In accordance with article 319 of the Code of Criminal Procedure, an individual sentenced to a punishment not involving loss of freedom should be quickly released from custody in the courtroom. But Sasha Podrabinek was taken to prison under escort ... Moreover, before the period for appealing was over Sasha had already been transferred to No. 3 *Transit* Prison at Krasnaya Presnya.
>
> Article 320 of the Code of Criminal Procedure states that a convicted person held in custody must be given a copy of the verdict no later than three days after it has been read out.
>
> As of 30 August there is reliable information that Podrabinek had not yet been given a copy of the verdict.

S. V. Kalistratova concludes:

> Alexander Podrabinek is a dissenter. In accordance with his convictions he fought for the rights of the mentally disturbed and those of sane people declared insane for political ends. But he is not a slanderer. He acted within the boundaries of the law and did not commit a crime.
>
> The above are the legal grounds on which I base my assertion that the sentence in the case of Podrabinek should be annulled and the criminal case against him closed due to the absence of a corpus delicti.

On 17 August, at a meeting with his father, A. Podrabinek said that during the pre-trial investigation he did not sign a single record of interrogation, and that Investigator Guzhenkov had tried by using threats to make him take part in the investigation.

On the same day Podrabinek was transferred to Krasnaya Presnya Transit Prison.

* * *

On 16 August the following two documents were presented to a press conference for foreign correspondents: an 'Appeal to Foreign Psychiatric Associations' by V. Bakhmin and L. Ternovsky, members of the Working Commission, and an 'Appeal to Psychiatrists Throughout the World' by S. M. Polikanov (*Chronicle* 47), a corresponding member of the Academy of Sciences. At the same press conference the previously anonymous consultant psychiatrist of the Working Commission, **Alexander Alexandrovich Voloshanovich** (who works in a psychiatric hospital in the Moscow suburbs), came out into the open. Voloshanovich related that at the request of the Working Commission he had carried out 27 examinations (some of his conclusions are quoted in the *Chronicle* — see *Chronicles* 48 and 49). Not in a single case could he find grounds for compulsory hospitalization.[15]

* * *

It was not until the beginning of September that Alexander Podrabinek was given a copy of the verdict. He was not allowed to study the record of the court session until 17 October (according to articles 264 and 265 of the Code of Criminal Procedure, this should take place no later than six days after the trial). The R S F S R Supreme Court examined A. Podrabinek's appeal on 23 November.[16] The sentence was left as it was. (As had previously happened in May, V. Bakhmin was dispatched on an urgent business trip at this time.)

Trials of Jewish Activists

Demonstrations

The women refuseniks of Moscow are continuing their struggle (*Chronicles* 47-49).

On the morning of 23 May **Ida Nudel, Natalya Khasina, Faina Kogan, Elena Chernobylskaya, Galina Nizhnikova** and **Natalya Zhulei** sent a telegram to Brezhnev and Kosygin, saying:

> For many years we have been trying to obtain permission to emigrate to Israel. Our appeals to you personally and to various Soviet organizations which deal with questions of the emigration of Jews have not produced any results. From 10 to 12 May we tried to gain admittance to the Presidium of the Supreme Soviet and to the Council of Ministers. As a result some of us were beaten up in the reception-room of the Supreme Soviet Presidium. Seeing no other means of expressing our protest, we have decided to hold a demonstration demanding an immediate and objective examination of our petitions to emigrate to Israel, and insisting that visas be issued to us without delay, as there are no legitimate reasons for refusing us permission to emigrate.

That afternoon they stood for seven minutes by the Kremlin wall, near the Borovitsky gates, with placards saying: 'Visas for Israel!' and 'Let us go to Israel!'

* * *

On 25 May, 24 women refuseniks sent a statement to the Presidium of the U S S R Supreme Soviet and to the Moscow Soviet, saying that on 1 June, International Day for the Defence of Children, as a protest against their being forced to remain in the U S S R, they intended to hold a demonstration, together with their children, at 4 pm by the Presidium of the U S S R Supreme Soviet. As their children would be with them, they requested that their safety be assured.

On 30 May the women who had signed the statement were warned through their district Soviet Executive Committees (some of them were visited at home) not to hold the demonstration.

On 31 May the women began to assemble in the flats of Natalya Rozenshtein and Galina Tsyrlina.

* * *

Towards the evening of 31 May **Gyuzel Khait** and her daughter Dina (3 years old), **Irina Gildengorn** and her daughter Marina (12), **Roza Ioffe** and her daughter Anya (5), **Galina Kremen** and her son Sasha (13), **Olga Serova** and her son Anatoly (6), **Galina Nizhnikova, Lydia Likhterova, Khana Elinson** and **Lyudmila Cherkasskaya** assembled in **Natalya Rozenshtein's** home.

Immediately police sentries and men in plain clothes came and stood by the door of the flat and on the street.

On the morning of 1 June **Maia Rebkina** and her daughter Alla (13) managed to push their way into the flat.

From 1 pm Butlerova Street was closed to traffic, except for scheduled buses and police cars. Nobody was allowed to leave the 16-storey hostels across the street from No. 2. The documents of passers-by were checked. Everybody was driven away.

Seeing that the flat was blockaded, the people gathered inside decided to hold the demonstration without leaving the flat. They opened the windows and displayed placards saying: 'Visas to Israel!' 'Let my people go!' 'Give our children their homeland!' 'We've had enough insults!' The children waved cut-out paper Stars of David and poplar branches. At that very moment sticks with hooks rained blows through the windows, tearing down the placards, Stars and poplar branches. Then the women began to shout rhythmically: 'Visas to Israel!' and 'Give our children their homeland!' The 'flat demonstration' continued for 20 minutes. During all this time people kept ringing the doorbell and knocking on the door of the flat.

At 7 pm the women opened the door to go to their homes. Immediately a crowd of policemen and men in plain clothes burst into the flat without letting anybody out. At 8.40 pm Natalya Rozenshtein stated that if her guests were not permitted to leave, they would put the children to bed and declare a hunger-strike. At 9 pm the chief of the local police station gave the order to allow the people gathered there to leave. He added that 'the public were infuriated' and therefore they must 'go quietly'. The women and children were escorted to the Metro station by policemen and men in plain clothes — about a hundred of them altogether.

On the evening of 2 June Natalya Rozenshtein was visited by correspondents of four foreign newspapers. Some of the women who had taken part in the events of the previous day also came. An hour later, when the group wished to disperse, the police allowed only the correspondents to leave. The others were kept in the flat for another hour and a half.

On the morning of 3 June an inscription appeared on the pavement in front of the windows of the flat, saying in black half-metre letters: 'Death to the Jews!' Natalya Rozenshtein and her husband Grigory Rozenshtein went out, stood on either side of the inscription and began to recite Psalms and the Torah. Other refuseniks who lived nearby joined them. Five minutes later cars drove up, containing men in plain clothes and policemen, but they did not interfere. When the Jews had dispersed, the policemen painted over the inscription.

The next day the inscription showed through the paint. Natalya Rozenshtein sent a telegram to the chief of the police station, demanding that the section of pavement with the inscription be broken up and removed immediately. On 6 June she sent similar telegrams to the U V D and the Moscow Soviet, stating that otherwise the Jews would organize self-defence in expectation of a pogrom. On the same morning the inscription was broken up.

* * *

Towards the evening of 31 May **Elena Chernobylskaya, Batsheva Elistratova** and **Vinya Belkina** gathered in **Galina Tsyrlina's** home. The building was surrounded by men in plain clothes and several cars. The next day the building was blockaded. Then the women hung a Star of David in one window and a placard saying 'Visas to Israel!' in another. Men in plain clothes, who had prepared themselves beforehand on the neighbouring balcony, immediately tore down the Star and the placard. The women made new placards and displayed them behind the window-panes. The men in plain clothes first attempted to break down the door of the flat, then poured whitewash over the window-pane from the floor above. After about two and a half hours, when it was already getting dark, the women removed the placards and were allowed to leave.

* * *

On the afternoon of 31 May a car containing four plain-clothes men began to guard the entrance of the building where **Mikhail Kremen** lives. That day Mikhail's wife Galina and their eldest son Sasha went

to N. Rozenshtein's flat (see above). Mikhail stayed at home with their youngest son Zhenya (seven years old).

On the morning of 1 June, Mikhail Kremen tried to go out with his son for their morning exercise, but a policeman and two other men prevented them. Later the boy was not even permitted to go out to buy food. At 12.50 M. Kremen hung out a placard saying 'Long live Israel!' on his balcony and switched on a tape-recorder playing recordings of the songs 'Pharaoh, Let My People Go' and 'Israel, Israel'. After the songs, M. Kremen recorded his own appeal on tape:

> Citizens! Today, 1 June, International Day for the Defence of Children, my family is undergoing preventive house arrest without any order or decision of a judge. My children are also under house arrest: they are forbidden to go out to play in the yard. They're hungry. There is no food in the house and we are not permitted to go out to the shops. My children are being starved.
>
> And this is happening in the U S S R, which has the most democratic constitution in the world, and in peace time. Look the K G B officials in the face again and ask them the reason for this oppression of my family, which has been going on now for four years. Long live Soviet Law and Freedom!

At 3 pm the electricity was cut off in the flat (the telephone had been cut off since 8 am). Then Mikhail recorded the same appeal on a battery-powered tape-recorder and played it again from the balcony. At 4 pm the placard was knocked down with a five-metre pole from the balcony above. The 'concert' from the balcony continued until 7 pm. The blockade of the flat continued until late that evening.

On 5 June the acting head of the police station No. 139, Kudinov, summoned M. Kremen and read him a statement by neighbours expressing their indignation at his behaviour. Then Kremen was taken to the people's court in the Perovsky district of Moscow; there he was examined by four judges in succession, but not one of them wished to pronounce judgment on his case.

On 8 June Kudinov summoned Kremen again. Kudinov announced to Kremen's wife and friends who had come with him that M. Kremen would be taken to the district office of the U V D, where 'the authorities would have a talk with him'. Instead, Kremen was taken to the Perovsky district People's Court, where some Judge sentenced him in 30 seconds to 15 days' arrest 'for petty hooliganism'.

* * *

On 23 May **Ida Nudel** took part in the demonstration by the Kremlin Wall (see above). From that day the K G B had her followed constantly. From 30 May she was followed quite openly: a car containing four K G B officials was constantly parked by the entrance of the building where she lived, and followed her everywhere.

From the morning of 1 June Ida Nudel was blockaded in her flat. From 11 am a tractor was placed under her windows and the engine kept running continually until 10 pm. At 6 pm Ida displayed a placard on her balcony saying 'K G B! Give me a visa!' Some people who had posted themselves on the next balcony knocked down the placard with a metal rod, and started throwing stones at Ida. In return she began to sprinkle them with water she had got ready beforehand, and they left. Ida made new placards and set them up on the balcony and in the kitchen window. The placard on the balcony was torn down by means of a long stick with a nail on it, wielded from the window of the adjacent flat. A rope with a spanner tied to it was lowered from a window above. The rope was swung back and forth until the window was broken and the placard fell down. Ida filled the broken window with a piece of cardboard with a yellow Star of David drawn on it, and hung another placard on the balcony. At 7.30 pm the 'battle' ended; the attackers left and the placards were left hanging. When it was dark, Ida removed them herself.

* * *

On the morning of 1 June the **Slepaks'** flat was also blockaded. At 4 pm Maria and Vladimir Slepak hung placards on the balcony of their flat, which faces Gorky Street, saying 'Let us go to our son in Israel!' and 'Give our son a visa!' (their eldest son had been allowed to leave the U S S R — *Chronicle* 47; the youngest — *Chronicle* 47 — has not been allowed to leave). Two minutes later the placards were torn down with boat-hooks from the seventh-floor balcony (the Slepaks' flat is on the eighth floor). The Slepaks made some more of the same placards and took them out on to the balcony. Ten minutes later some men in plain clothes on the next balcony began to beat the Slepaks with poles. At the same time, from a ninth-floor window, technical supervisor Maksimova began to pour boiling water on them. V. Slepak was badly scalded. At about 3 pm men in plain clothes broke down the door of the flat and the door of the room and burst out onto the balcony. The Slepaks were allowed to change into dry clothes, then they were taken to a police station.

On the evening of 2 June **Ida Nudel, Iosif Begun's** wife **Alla Drugova** (see below), **Leonid Shcharansky, Natalya Khasina, Vinya Belkina, Elena Dubyanskaya, Victor Elistratov, Oscar Mendeleyev, Yakov Rakhlenko, Evgeny Tsyrlin, Boris Chernobylsky** (*Chronicle* 43) and **Yakov Shmayevich** gathered on Pushkin Square to go to the police station and find out where Maria and Vladimir Slepak were. The square turned out to be surrounded by men in plain clothes who seized the people gathered there and pushed them into a bus. The Jews were

driven to the nearest auxiliary police office, where they were held for several hours, after which all of them except Ida Nudel were allowed to leave one by one.

Ida Nudel was taken to a police station. There the deputy chief of the investigation department of the Volgograd district U V D, First Lieutenant V. P. Ivanov, announced to her that criminal proceedings were being instituted against her under article 206, part 2, of the Russian Criminal Code ('malicious hooliganism'). Ida Nudel was taken home, where a search was made in her presence. Some placards, a paint-brush and a paper loudspeaker were taken, as well as some books in Hebrew, literature about Israel, photographs, visiting cards of friends and other papers.

After the search, First Lieutenant Ivanov wrote a report, saying:

> ... During the search, I. Ya. Nudel's accomplices threw bricks and stones through the windows of her flat with the intention of obstructing the search of citizen Nudel's home. As a result of the acts of hooliganism by citizen Nudel's accomplices, the windows of the kitchen of her flat were broken.
>
> The group of hooligans was driven away by action on the part of officers of the 72nd police station; during the search the building was surrounded by a police detail.

* * *

On the evening of 4 June a demonstration was held on Trubnaya Square by **Ida Nudel, Natalya Khasina, Elena Chernobylskaya, Galina Nizhnikova, Natalya Rozenshtein, Gyuzel Khait, Galina Kremen, Galina Tsyrlina** and **Boris Katz** and his wife **Natalya Zhulei** with their eight-month-old daughter Jessica (the Katz family have been trying for half a year to obtain permission to go to the U S A, where Boris's mother lives, to get treatment for their daughter, who is seriously ill; see also the *Literary Gazette* of 24 May 1978). The demonstrators put up placards saying 'Visas to Israel!' 'Let us go to Israel or send us to our graves!' 'Let our children go!' 'The Jews will survive!' Five minutes later K G B officials and policemen tore down the placards and took the demonstrators to the 18th police station. There they were told to give a written explanation of their actions; they refused. After three hours they were all released.

* * *

On 9 June, at 2 pm, **Ida Nudel, Natalya Khasina, Elena Chernobylskaya, Galina Nizhnikova, Natalya Rozenshtein, Galina Kremen** and her 13-year-old son Sasha, and the **Katz** couple with their daughter, stood on Dzerzhinsky Square with placards saying 'Let us go to Israel!' and 'Let our children go!' Sasha Kremen held a placard saying 'Let my father out of prison!' (see above). The demonstrators barely had

time to hold up their placards, when men in plain clothes came running, took away the placards and surrounded the demonstrators in a tight circle, shouting 'You've had it too good eating Soviet bread!' 'Traitors!' 'Zionists!' 'Stinking Yids!' 'Hitler didn't kill enough of you!' 'Stalin didn't slaughter enough of you!' A police microbus drove up. Policemen threw the demonstrators into it (including Boris Katz, holding his baby in his arms) and again drove them to the 18th police station. There the demonstrators refused to sign a record about their having 'beaten up ten men'. Ida Nudel was told that the demonstrators had caused a crowd of 150 people to gather, which 'could have blocked the pavement and caused an accident in the street'. That evening policemen took her home. During the evening everybody was allowed to leave the police station.

The Trial of Ida Nudel

Ida Yakovlevna Nudel (born 1931) has been a refusenik since December 1971. During all this time she has been actively involved in the Jewish emigration movement. In 1972 she was twice imprisoned for 15 days.

Her case file contains a statement to the chief of the 72nd police station of Moscow, signed by Novikov, Kurguzova and Fomichev, who live in the same building as Ida Nudel. It reads:

> In flat No. 28 of our building lives citizen Nudel, whose behaviour is a disgrace to the name of Soviet citizen. She hangs out anti-Soviet banners and slogans on her balcony and shouts slander about the Soviet system. As a result, living conditions in the building have become abnormal.
>
> We ask that decisive measures be taken to protect us from citizen Nudel.

Attached are instructions dated 2 June: 'Comrade N. G. Vlasenko. Institute criminal proceedings under article 206, part 2, of the Russian Criminal Code and investigate the case.'

On the evening of the same day, Ida Nudel was notified that proceedings had been instituted, and her flat was searched (see above).

On 12 June investigator Vlasenko issued Ida Nudel a 'Resolution on Your Prosecution as an Accused Person':

> ... I. Ya. Nudel has committed acts of malicious hooliganism rudely disrupting the public order, showing open disregard of the public and of a particularly impertinent content involving resistance to authorities fulfilling their duty to preserve the public order, and to the citizens who interrupted her acts of hooliganism.
>
> Thus on 1 June 1978 at approximately 11 am, at her place of residence — Moscow, Yunykh Lenintsev Street 79-6-28 — I. Ya.

Nudel prepared and hung out on the balcony of her flat, situated on the fourth floor of the building, placards slandering government institutions, and by means of a home-made paper loudspeaker shouted from her balcony insults directed at government institutions and citizens, disturbing the peace and rest of the inhabitants of the building during a prolonged period. She did not respond to the admonitions of citizens and of local Inspector V. V. Tokarev to cease her acts of hooliganism, she behaved extremely provocatively, and when the above-mentioned attempted to remove the placards from the window and balcony of her flat, she put up resistance, acting with extreme impertinence, and, motivated by hooliganism, obstructed the removal of the placards by pouring hot water on the above-mentioned persons. I. Ya. Nudel continued her acts of hooliganism until 10 pm on 1 June 1978, disrupting public order in the yard and hindering the inhabitants of the building from resting normally; i.e. she committed the crime stipulated in article 206, part 2, of the Russian Criminal Code.

Moreover, the same I. Ya. Nudel, on 4 June 1978, at approximately 6 pm went to Trubnaya Square, Moscow, not having come to the right conclusions, and, disrupting public order, held up placards slandering and insulting government institutions, behaved extremely provocatively, and paid no attention to the demands to cease her hooliganism made by citizens indignant at her hooliganism and by police officers. Having been taken to the 18th police station, Moscow, she continued her acts of hooliganism, behaved provocatively, showed open disrespect towards police officers, refused to go into the office to give an explanation, and hindered the normal work of police officers; i.e. she committed the crime stipulated in article 206, part 2, of the Russian Criminal Code.

I. Nudel was made to sign an undertaking not to leave Moscow.

On 14 June I. Nudel made the following statement:

> In 1971 I applied to the Soviet government for permission to emigrate to Israel. My decision was dictated by the conditions of extreme anti-Semitism which I began to sense especially acutely after 1948. Throughout my conscious life, and most of all after I left the Institute, I have been confronted at work, in the street, in newspapers and books, with open hatred, contempt, slander and refined forms of degradation of my national dignity.
>
> As a sensitive person, with an understanding, gained through suffering, of the destiny of my people and of my own duty vis-à-vis my people, as soon as I had handed in my documents for an exit visa I began to participate actively in the life of the Moscow Jews who shared my feelings and convictions.
>
> I was singled out by the K G B organs and in December 1971 received a refusal of my petition to emigrate.
>
> On 12 June I was told that the investigation was over, that there was enough material to corroborate the charges, and that my case would be handed over for a court hearing. I was permitted to study the investigation material. Since all the testimonies were written by Investigator Vlasenko himself, they are fairly uniform, and I have copied out only some of them or parts of them. I would like to point out in particular the report of V. P. Ivanov, who searched my flat and used his official position for criminal purposes, which show in the fact that he knowingly gave false testimonies with the intention of concealing the hooliganism of the K G B and their inflicting of material damage on me. In the place of the broken pane in a window of my flat, a yellow Star has hung since 7 June of this year, as a symbol of my suffering and persecution.

Ida Nudel sent telegrams recounting First Lieutenant Ivanov's false testimony to Brezhnev, to the Ministers of Justice and of Internal Affairs, to the Plenum of the U S S R Supreme Soviet, to the Volgograd District Party Committee and to the Volgograd District People's Court.

On 15 June a Judge of this court, A. A. Anashkin, set the date of Ida Nudel's hearing for 21 June.

On 16 June I. Nudel sent a telegram to the Dutch Embassy, saying:

> ... As a citizen of Israel since 1972 (the document confirming my citizenship is in the possession of the K G B; the certificate number is 642, dated June 1972), I ask the consul representing the interests of Israel in the U S S R to petition the Soviet government to allow him to be present in court during the hearing.

On the same day she sent telegrams to Brezhnev, the Procurator-General of the U S S R, the Editor-in-Chief of the newspaper *Pravda* and to the Reuter agency in Moscow:

> ... As a sign of protest against the use of terror on me I hung a yellow Star of David in my window. Today I received an ultimatum from the K G B ordering me to remove the Star. For over two hours now my windows have been under attack and are being broken. I demand immediate intervention.

At the same time Ida Nudel sent the following telegram to the Central Committee of the C P S U and to the Council on Religious Affairs:

> I would like to be informed immediately whether hanging out a Jewish religious symbol — the Star of David — constitutes grounds for persecution and eviction from one's flat.

24 activists of the Jewish emigration movement sent a telegram to Brezhnev, Andropov and Shchelokov demanding that the terror against Ida Nudel be stopped.

* * *

On 17 June V. G. Kurguzova (see above) handed in the following statement to the chairman of the Housing Construction Cooperative:

> For a week in June 1978, every day at nightfall, stones were thrown at the placard hung in the window of flat 28, that of citizen Nudel, and once the words 'Show your face, Jewish carrion!' were shouted. On 16 June 1978 at 11 pm my window-pane was broken with a stone. I ask you to take necessary measures and replace my broken window-pane.

* * *

On 17 June I. Nudel asked the Volgograd District Procurator to recall her case from the court. On 18 June she addressed a similar request to the Moscow Procurator.

On 20 June I. Nudel sent the Volgograd District People's Court several petitions (asking for a number of persons to be summoned as witnesses and for an investigation to be made in order to establish whether the slogan 'K G B! Give me a visa!' constitutes slander 'of government institutions', etc.):

> Only after the court has satisfied all these petitions can it establish the truth, which has been deliberately misrepresented by the investigation.

On the same day, Ida Nudel made the following statement:

> I have been trying to obtain permission to emigrate for seven years already. During these seven years I have not once been able to meet the people who decide my fate.
>
> Several times I gave an account of the work I was involved in to the K G B. This work consisted in choosing sites for the future construction of microbiological industrial plants, for the production of either pesticides or ferments to be used in food production.
>
> I have never been involved in the production of secret preparations, neither have I been told that anybody working in the same Institute was involved in such work.
>
> A refusal for no reason and without any indication of how long it will last makes a person's life continual suffering. Many people cannot bear this torture of uncertainty. They are ready to take the most drastic steps in order to find out just when their waiting will end.
>
> For seven years I have been awaiting permission. I cannot say that I have waited quietly and obediently for my exit visa. No; rather, I have been a nuisance to the authorities.
>
> They put me in prison three times for short periods; in 1973 they fabricated a medical diagnosis that I was an alcoholic, intending to shut me up in a lunatic asylum. Since 1972 the ceiling of my flat has had a hole drilled in it and my every word, sigh and groan is transmitted to the K G B. All my correspondence, both foreign and local, passes through rigorous censorship. I am almost constantly followed, either secretly or openly, by K G B agents.
>
> During these seven years of waiting for permission to emigrate, I have become known to a wide circle of people, due to the fact that for all these years I have actively opposed the oppression of the authorities ... I am deeply and sincerely grateful to all my friends, both near and far away.

On 21 June the trial was held. None of Ida Nudel's friends or acquaintances was allowed into the courtroom. Ida Nudel stated that as long as they were not allowed in, she would not enter the courtroom. Then the court changed the degree of restraint imposed on her and she was taken into custody. The persons whom Ida Nudel had requested were not summoned to the court as witnesses; neither were those who had sent a request to the court in advance (for example, **Abram Nizhnikov**). Ida Nudel gave no evidence, neither during the pre-trial inquiry nor at the trial. She refused the lawyer assigned to her, but the court did not accept her refusal. The lawyer, Gavin, asked that the defendant be acquitted as there was no corpus delicti in her actions. In her final speech Ida Nudel said:

> So I must sum up my activities. The final speech — this phrase has a very solemn sound, almost as if it already belonged to the next world; then, there will be no more words, or words will no longer have any meaning.
>
> On 1 June of this year I did the following: in desperation I affirmed my right to public expression of protest. But I am not being tried for this, although I have been formally charged with a demonstration on my balcony on 1 June and a demonstration on 4 June on Trubnaya Square. I am being tried for the past seven years, the most glorious years of my life. And if, many years from now, I must make another final speech, I am absolutely certain that I will again repeat that these seven years of my life, for which I am sitting today on the bench of the accused, have been the most difficult and the most glorious of my life.
>
> During these seven years I have learned to walk with my head proudly held high — as a person and as a Jew. These seven years of my life have been filled with struggle, for myself as well as for others. And each time I managed to save the life of another victim,

my heart was filled with an extraordinary feeling, one that has no equal. Perhaps it is akin to what a woman feels after giving birth to a new life. Even if the rest of my life is grey and monotonous, none of you, my judges, can think up a retribution which will gain you revenge for my victorious triumph of these seven years.

These seven years will make me conscious of the fact that my life was not lived in vain, and they will warm my heart.

The court applied article 43 of the Russian Criminal Code and sentenced Ida Nudel to 4 years' exile. I. Nudel refused to appeal.

Ida Nudel was sent under escort to the village of Krivosheino, Tomsk region, to serve her exile. She was released from escort on 1 August. (Thus her term of exile ends on 1 April 1982). She is working as a cleaner.

The Trial of Vladimir Slepak

Vladimir Semyonovich Slepak (born 1927) has been a refusenik since April 1970. He has been actively involved in the Jewish emigration movement, and is a member of the Moscow Helsinki Group.

On 1 June he was arrested in his flat and taken to the police station (see above). Criminal proceedings were instituted against him under article 206, part 2, of the Russian Criminal Code. On the evening of 2 June he was taken from a detention cell to the Butyrka Prison.

On 6 June Maria Slepak (who had been released from custody on the night of 2-3 June: see below) sent a telegram to the Presidium of the U S S R Supreme Soviet, saying:

> In accordance with article 58 of the Constitution of the U S S R I am appealing to the highest organ of government authority concerning the patently illegal actions of officials who have begun to fabricate a false case which threatens Vladimir Slepak and myself with unjust punishment, as well as harming the prestige of the Soviet Union in the eyes of the world public. I appeal to you to give Vladimir Slepak back his freedom, and to prevent my unjust punishment.

On 7 June she sent the following statement to the Procurator of the Frunze district of Moscow:

> I ask you to change the degree of restraint imposed on my husband, Vladimir Semyonovich Slepak, who is in Butyrka Prison, on the grounds of his bad state of health (chronic choleocystitis, varicose veins in the lower limbs, hernia of the diaphragm).

Frunze District Deputy Procurator M. I. Chernov replied, refusing her request.

On 8 June M. Slepak publicized an 'Appeal to the Public' which ended with the words: 'Save us! Demand the release of Vladimir Slepak! Help us to leave this country!' On 10 June she sent a plea for help to the President of the U S A, J. Carter.

18 Jews in Leningrad appealed to the Procurator-General of the U S S R:

> ... We express our solidarity with Vladimir Slepak and his wife Maria, who are courageously fighting for their right to emigrate to Israel.
>
> We urge you to intervene immediately in order to put an end to the criminal actions of the K G B against this family. Freedom to Vladimir Slepak!

On 21 June the Peoples' Court of Frunze District, Moscow, examined Vladimir Slepak's case. The chairman of the court was E. M. Kiselev. The prosecutor was Procurator N. V. Kholyavchenko. There was no defence counsel.

None of V. Slepak's relatives or acquaintances were allowed into the courtroom. Maria Slepak was in hospital at the time (her case was separated from their 'joint' case on 9 June). On the morning of 21 June an M V D official went to the hospital and Maria was taken round the doctors' offices all day long so that she would not run off to the trial.

The sentence reads in part:

> The accused, V. S. Slepak, on 1 June 1978, committed malicious hooliganism of a particularly impertinent content, in the following circumstances: on 1 June 1978, at approximately 4 pm, V. S. Slepak, together with M. I. Slepak, motivated by hooliganism, hung out on a balcony overlooking a street in the centre of Moscow — Gorky Street — on the balcony of his flat, No. 77, at No. 15 Gorky Street, several sheets with provocative inscriptions, and continued to display these sheets, holding them in his hands, notwithstanding repeated requests by police officers and officials of the Housing Allocation Bureau to cease these activities.
>
> When police officer V. S. Marinchenko attempted from the adjacent balcony to remove the sheet with the provocative inscription, using a pole, Slepak seized the pole and broke it, accompanying his actions, which were of a prolonged and persistent nature, with threatening gestures and impertinent and provocative shouts, showing open disregard for the public. By his actions Slepak caused a crowd to gather on both sides of the street and in the street itself, as well as causing a temporary interruption of the normal functioning of public transport, serious disruption of order in the street, and disturbance of citizens.

V. S. Slepak pleaded not guilty to the charges brought against him and explained that he had displayed the placards in order to attract as many people as possible, not out of motives of hooliganism, but wishing thus to obtain for himself and his wife specific results concerning the actions of administrative organs.

The court applied article 43 of the Russian Criminal Code (without any explanation) and sentenced V. Slepak to 5 years' exile.

On 23 June Maria Slepak sent a telegram from hospital to the Presidium of the U S S R Supreme Soviet, saying:

... It goes against human conscience to keep silent when such monstrous tyranny is inflicted on an innocent man.

Therefore I again appeal to you publicly, from my hospital ward, to put an end to the undeserved persecution of my family, to show humaneness and permit us to leave the country in order to re-unite our separated family.

On 19 July the Moscow City Court rejected the appeals of V. Slepak and the lawyer **D. M. Akselbant,** leaving his sentence unchanged.

At the end of July V. Slepak was sent under escort into exile. On 28 August he was released from the escort (thus his term ends in December 1982). His address is: Chitinskaya obl., Aginsky raion, selo Tsokto-Khangil. He is working as a mechanic on a collective farm.

The Trial of Maria Slepak

Maria Isaakovna Slepak (born 1926) was arrested in her flat together with Vladimir Slepak on 1 June at about 5 pm. She was taken to the police station. At 10 pm she had an attack of pancreatitis with heart pains. The police called an ambulance.

On 2 June investigator N. A. Nasyko of the Frunze District U V D charged Maria Slepak under article 206, part 2, of the Russian Criminal Code, and interrogated her. Maria Slepak handed the investigator a request to change the degree of restraint in connection with her bad state of health (that day she had a second attack of pancreatitis and the police again called an ambulance). Two hours later Nasyko informed Maria Slepak that the district Procurator had rejected her request. That evening Maria Slepak was transferred from a detention cell to Butyrka Prison.

However, when it was already past midnight, she was taken back to the police station, where the things taken from her at her arrest were returned to her, she was made to sign an undertaking not to leave Moscow, and was taken home.

On 6 June Maria Slepak sent a telegram about the interrogation of 2 June to the Procurator of Frunze District, saying:

... I was not able to read the record of the interrogation, as I did not have my reading glasses with me in the detention cell and was seriously ill with an attack of pancreatitis (in connection with which police officers twice called an ambulance). I automatically signed the record read to me by the investigator, which I ask you to consider invalid.

On 9 June Criminal Case No. 2598a (M. Slepak) was separated from Criminal Case No. 2598 (V. Slepak and M. Slepak). On the same day Maria Slepak sent a telegram to the chief of the Frunze district investigation department, in which she wrote: 'I refuse to give evidence in a case illegally brought against me ...'

On 12 June Investigator Nasyko informed Maria Slepak that the investigation was over, and charged her as follows:

Maria Isaakovna Slepak committed malicious hooliganism, that is, premeditated actions rudely disrupting public order and showing open disregard for the public, of a particularly impertinent nature, namely: On 1 June 1978 at about 4 pm she and Vladimir Semyonovich Slepak, motivated by hooliganism, hung out on the balcony of their flat, No. 77 at No. 15 Gorky Street, overlooking a street in the centre of Moscow — Gorky Street — several sheets with the inscription 'Let us go to our son in Israel' and, notwithstanding repeated requests by policemen and officials of the Housing Allocation Bureau to cease her activities, she continued to demonstrate, holding in her hands a sheet with the inscription 'Let us go to our son in Israel', accompanying her actions of a prolonged and persistent nature with threatening gestures, shouts of anti-Soviet content and spitting, and by these actions attracted a large crowd on both sides of Gorky Street, as well as in the street itself, causing a temporary interruption of the normal functioning of public transport, serious disruption of order in the street and disturbance of citizens; i.e. she committed the crime stipulated in article 206, part 2, of the Russian Criminal Code.

In the middle of June M. Slepak was in hospital, where she spent about two weeks.

On 25 July a copy of the indictment and a summons to appear in court on 26 July were delivered to Maria Slepak at home (according to article 237 of the Russian Code of Criminal Procedure 'the court hearing may not be begun sooner than three days after the accused has been handed' a copy of the indictment).

On 26 July the Frunze District People's Court heard Maria Slepak's case. The chairman of the court was A. V. Kuzmin. The prosecutor was Procurator I. M. Demeshchuk. There was no defence counsel.

Only close relatives of the accused were allowed into the court-

room. At the beginning of the court session Maria Slepak drew the attention of the court to the fact that she had been handed a copy of the indictment only the day before. The court ignored this. Then Maria Slepak read out a statement she had prepared beforehand:

> In this court today I am about to be tried for 'premeditated acts of hooliganism' allegedly committed by my husband and myself. There were in fact no premeditated acts, least of all of hooliganism.
>
> In 1970 my family — my husband Vladimir Slepak and two of our children — in accordance with the established legal procedure, handed in an application to go to our relatives in Israel.
>
> We received a refusal. Since then we have applied to all the official Soviet departments for permission to emigrate to Israel, where my mother, my son and my sister live.
>
> Early in the morning of 1 June this year, some persons unknown to me, who had driven up to the entrance of our building at 12 pm the night before in a car with government number plates, fastened our door so that it was impossible for us to leave the building. Driven to despair, my husband Vladimir Slepak and I made a placard saying 'Let us go to our son in Israel' and went out onto the balcony of our flat.
>
> I have no doubt that the fate of our family has been decided in advance, and that those of you in this courtroom have only to formalize this decision in a sentence, thus adding new torments to our family's eight years of suffering.
>
> For the reasons just given I refuse to take part in this trial. I request that this statement be filed.

She took no further part in the trial. The sentence reads in part:

> In sentencing M. I. Slepak the court has taken into account the gravity of the acts she has committed as well as information about her person and all the concrete details of the case. M. I. Slepak has not been tried before; this is her first criminal offence; she does not deny her actions as a whole in her statement of 26 June 1978, given at the court session. With regard to this, the court finds it possible not to imprison M. I. Slepak, but to give her a suspended sentence.

The 'shouts of anti-Soviet content' and the 'spitting' invented by Investigator Nasyko (see above) are not mentioned in the sentence.

The court gave Maria Slepak a 3 years' suspended sentence with a probation period of 3 years.

M. Slepak decided not to appeal.

The Trial of Iosif Begun

Candidate of Technical Sciences Iosif Ziselevich Begun (born 1933) has been a refusenik since 1971. He is an activist of the Jewish emigration movement. In 1977 Begun was sentenced under article 209, part 1, of the Russian Criminal Code ('leading a parasitic way of life for a prolonged period') to 2 years' exile (*Chronicles* 44 and 46). He served his sentence in Magadan Region. In view of his having been held in custody for a long period, Iosif Begun's term of exile ended on 15 February 1978 (*Chronicle* 48).

On 5 March Iosif Begun returned to Moscow.

On 10 March **Alla (Etya) Drugova** applied to the 84th police station for Iosif Begun — her husband and the father of her two children (12 and 14 years old) — to be registered at her place of residence.

On 16 March I. Begun asked to be registered as residing with his wife, even if only temporarily, while the question of permanent registration was being decided. In reply, officers of the 84th police station drew up a record stating that Begun had infringed the residence regulations, and made him sign an undertaking to leave Moscow within 72 hours.

On the same day Begun also received a refusal from the 37th police station to his request to be registered at his former place of residence: 'No. 14 Melnikov Street has been vacated for major repairs. It is not possible to be registered there.'

On 17 March A. Drugova received a refusal 'on the basis of article 27 of the Statutes on Registration and De-registration of the Population in Moscow'. (Later in the police station I. Begun was told that, according to the new Statutes, since 27 May 1977 article 209 of the Russian Criminal Code is included in the list of those for which ex-convicts are 'forbidden' to register in Moscow.)

I. Begun sent a statement to the head of the Moscow City Soviet Executive Committee U V D, saying:

> ... My family lives in the area of the 84th police station, and I applied to the registration desk of the above-mentioned 84th police station to be registered in Moscow. I received an official reply on 17 March of this year. However on 16 March I was detained by police officers and in the same 84th police station was issued with an administrative penalty for breaking the registration regulations.
>
> I presume this is sheer nonsense, and I ask you to take necessary measures.

On 18 March I. Begun and A. Drugova were received by the Deputy Head of the Moscow City U V D, General Pashkovsky, who told them that the question of Begun's registration would be re-examined and promised that while it was being examined there would be no administrative sanctions against Begun.

On 21 March I. Begun went to the Registration Department of the Moscow City U V D, where Lieutenant Koroleva told him to be there

on 24 March with the documents necessary for his registration in Moscow. On 24 March, however, when I. Begun arrived, he was detained by officers of the 93rd police station, who made a second record stating that he had broken the residence regulations and again made him sign an undertaking to leave Moscow. Mentioning General Pashkovsky's promise and Lieutenant Koroleva's summons did not help.

The same day, on the instructions of the Deputy Head of Moscow O V I R, Zotov, the City O V I R accepted Begun's application to emigrate 'as an exception' (i.e. notwithstanding the fact that he was not registered).

On 26 March Begun wrote in a statement to General Pashkovsky that invoking his words had not spared him from having to sign a second undertaking to leave the city:

> You have the authority and, I hope, the sense of moral responsibility to annul these two groundless undertakings ... Don't make me a common criminal, don't make me a homeless tramp when I have a family and a home.

On 1 April Begun received a summons to attend a session of a Committee of Deputies of the Moscow Soviet on 6 April, where the question of his registration would be examined. He requested the Chairman of the Committee, General Shutov, to guarantee his safety when he came to Moscow. He received no reply and did not go to the session on 6 April.

During these days he sent statements protesting against the actions of the police to Brezhnev, Shchelokov, Shutov, and the Head of the Registration Department of the U S S R M V D.

On 11 April Begun sent an appeal for help to Western trade unions; on 15 April, to the U N Human Rights Commission.

On 20 April Begun and A. Drugova attended a session of the Committee of Deputies of the Moscow Soviet, where the question of Begun's registration was examined. The Committee postponed the question for further examination.

On 26 April Begun requested the Committee of Deputies for permission to register at his wife's flat, at least temporarily, in order to help her look after her sick mother.

On 28 April Begun received a notice from the Deputy Head of the Registration Department of the U S S R M V D, M. I. Gusev, stating that the question of his registration had been sent to be examined by the Moscow City U V D. On 17 May Begun received the next notice, saying that the U V D was examining his application and would inform him of their decision.

On 17 May I. Begun spent several hours by the building where **Yury Orlov** was being tried. When he left the building, officers of the 84th police station arrested him in the street. He was charged under

article 198 of the Russian Criminal Code ('infringement of the residence regulations'). Begun declared a hunger-strike.

On 19 May **V. Kuvakin** (*Chronicle* 48) sent a telegram to the U S S R Procurator-General and the Minister of Internal Affairs, saying:

> I categorically protest against the illegal arrest of Iosif Begun. There are no grounds whatsoever for selecting this type of restraint. I can perceive no corpus delicti, for his undertaking to leave Moscow has been rescinded until a decision is made on his registration in Moscow.
>
> On the basis of article 47 of the Russian Code of Criminal Procedure I ask you to decide whether I will be permitted to appear in court as Iosif Begun's defence counsel.

On the same day Begun was taken to the M V D investigation prison on Matrosskaya Tishina Street.

Several days later Begun's relatives received a postcard from the Registration Department of the Moscow City U V D, stating that he had been refused permission to register on the basis of the 'Decree on Registration and De-registration — in connection with his conviction'. The postcard was addressed to Begun himself and was dated 19 May.

On 22 May A. Drugova sent a statement to the Moscow Procuracy, giving an account of events.

On 29 May the Christian Committee for the Defence of Believers' Rights in the U S S R made a statement in defence of Begun.

On 18 June A. Drugova appealed to the President of the International Olympic Committee:

> Mr. President, when two years from now you admire the bright, colourful spectacle of the sports parades and competitions, perhaps you will remember the suffering of families forced to part, of those who have been removed from your sight to prisons and camps.
>
> We can only hope that you will raise your authoritative voice against the inhuman cruelty which shames and distorts the meaning and spirit of the Olympic movement.

On 28 June the People's Court of the Proletarsky District of Moscow heard Begun's case. The Chairman was R. A. Novitskaya. Begun refused the lawyer assigned to him but the court ignored his refusal. A. Drugova petition the court to allow **S. Alber** (Jewish activist, physicist, Doctor of Physics and Mathematics, and Professor) to act as Begun's defence counsel, but the court rejected her petition.

The only witnesses at the trial were police officers and the detectives who had followed Begun.

Iosif Begun was taken to the trial after a 42-day hunger-strike. He was in a semi-unconscious condition. The requests of Begun, his wife

and the lawyer assigned to him, to call a doctor and postpone the trial, were rejected. Judge Novitskaya stated that the trial would go on regardless of the condition of the accused. She made Begun stand, although he could only do so by propping himself up on his elbows or with his escort supporting him. When he fell, almost losing consciousness, he was handcuffed by order of the Judge. Afterwards he was lifted up by the handcuffs.

A. Drugova left the courtroom, unable to stand her husband's appearance. As a sign of protest S. Alber also left the room. There were no other relatives or friends of the accused in the courtroom.

At 1 pm the following telegram was sent to Brezhnev and Rudenko:

> In the People's Court of the Proletarsky District of Moscow Iosif Begun is being tried today, charged with breaking the residence regulations. The accused is in an extremely serious physical condition. The lawyer assigned by the court has demanded a medical examination and postponement of the trial. The Judge has stated that the trial will go on regardless of the condition of the accused.
>
> We ask you to intervene immediately.
>
> *S. Alber, V. Brailovsky, A. Drugova, V. Sorin, I. Tsitovsky, B. Chernobylsky.*

The sentence was learned only on the following day: 3 years' exile (with application of article 43 of the Russian Criminal Code).

On 25 July the Moscow City Court, having examined Begun's appeal, left the sentence in force.

On 27 July Begun ceased his hunger-strike.

On 10 August he was dispatched on his journey. At the beginning of September he arrived in his place of exile, the same place where he served his previous exile. This is the town of Susuman, Magadan Region. He exile ends in October 1980.

Endnotes

1. I.e., from having special-regime status to having ordinary status.
2. Dmitry Nikolayevich Kranov, b. 1946, arrested in Kuibyshev in 1969 and given 2 years under article 70. See the supplement to *Chronicle* 17, published in English in the same booklet as *Chronicle* 18.
3. Vladimir Tkachyov, who served 10 years from 1961 to 1971 for 'betrayal of the motherland'. See *Chronicle* 22.
4. A literary forgery written by anti-Semites in the early 20th century, which revealed a (non-existent) Jewish plan to control and dominate the world.
5. Mečislovas Reinys (1884-1953), Archbishop of Vilnius, died in Vladimir Prison.
6. Benediktas Andruška (1884-1951), Jesuit priest who died in a Verkhneuralsk concentration camp.
7. See documents on this case in Michael Browne, ed., *Ferment in the Ukraine,* London, 1971.
8. *Information Bulletin* No. 6 has been published in English by Amnesty International's International Secretariat, and No. 11 by its British Section. Nos. 1-5 and 6-9 have appeared in Russian in *Volnoe slovo,* Frankfurt, 1978, Nos. 31-32. Nos. 1-14 total some 400 pages.
9. Published in Russian by Khronika Press, New York: *Karatelnaya meditsina,* 1979. 25-page summary published in English by Amnesty International, International Secretariat, 1977.
10. Corrected from 'five'. The nine were: Yu. Novikov, V. Bukovsky, L. Alekseyeva, M. Voikhanskaya, G. Low-Beer, P. Sainsbury, N. Gorbanevskaya, I. Glezer, P. Reddaway. Written or tape-recorded testimony was submitted by P. Grigorenko, V. Turchin, L. Plyushch, A. Papiashvili, and S. Bloch.
11. Dr. Yury Novikov's testimony about Soviet psychiatry and its political abuse had appeared first in six articles in the weekly *Der Stern,* Hamburg, between 22 March and 26 April 1978.
12. Louis Blom-Cooper, Q.C., and his assistant, barrister Brian Wrobel, compiled the evidence and their own commentary into a 54-page dossier, which they sent to the Moscow judicial authorities on 23 July 1978 for inclusion in the case materials, as required by Soviet law.
13. Due to be published in English by Harcourt, Brace, Jovanovich, in New York in April 1979.
14. The sentence provoked protests from a number of medical and other groups, and also from the British government, whose Foreign Secretary, Dr. David Owen, deplored it. His spokesman was report-

ed as saying on August 16 that the case was 'particularly disturbing in view of the fact that the Soviet authorities' action appeared to relate to Mr. Podrabinek's investigation of the misuse of psychiatry for political ends. This was a subject which aroused very strong feelings in Britain, and about which Dr. Owen personally was very concerned'.

15. Copies of 23 of Voloshanovich's reports are in the possession of the British Royal College of Psychiatrists and other bodies. They are confidential documents, but extracts from them can be publicly quoted should the examinees in question be forcibly hospitalized or in danger of such hospitalization.
16. On 22 August 1978 Blom-Cooper and Wrobel sent a 14-page appeal to the R S F S R Supreme Court, detailing many of the violations of legal procedure also noted by Kalistratova.

Bibliographical Note

The original Russian text of *Chronicle* 50, of which this book is a translation, appeared as a booklet without annotations, *Khronika tekushchikh sobytii*, Khronika Press, New York, 1979.

Earlier issues of the *Chronicle* are available in English from two main sources. Numbers 16-49 have been published by Amnesty International Publications with annotations and indexes of names, all issues except number 16 still being in print (see inside back cover). Numbers 1-11 appeared in full, with annotations and 76 photographs, in Peter Reddaway's *Uncensored Russia: the Human Rights Movemen in the Soviet Union*, London and New York, 1972.

Future issues of *A Chronicle of Current Events* will be published in English by Amnesty International Publications as they become available.

Other books and periodicals in which readers can find more details about many of the people mentioned in the *Chronicle* are listed in the annotated bibliographies in the Amnesty International editions of numbers 22-23 and 27, and also appear in the endnotes in each volume.

Many texts referred to briefly in the *Chronicle* have appeared in full in *A Chronicle of Human Rights in the U S S R*, Khronika Press, 505 Eighth Avenue, New York, NY 10018, quarterly (separate Russian and English editions), and (documents of Helsinki groups) in the volumes listed in endnote 2 of *Chronicles* 43-5. *The Samizdat Bulletin*, P.O. Box 6128, San Mateo, California 94403, U S A, monthly, is also a useful source, as are, for Ukrainian Helsinki Group documents, several booklets published in English by Smoloskyp Publishers, P.O. Box 561, Ellicott City, Maryland 21043, U S A. In French the best source of samizdat texts is *Cahiers du Samizdat*, 105 drève du Duc, 1170 Brussels, Belgium, monthly; in German: *Menschenrechte-Schicksale-Dokumente*, Gelleschaft für Menschenrechte, Kaiserstr. 40, 6000 Frankfurt/M, Germany, bimonthly; in Italian: *Russia Cristiana*, via Martinengo 16, 20139 Milan, Italy, bimonthly; and in Dutch: *Rusland Bulletin*, Fijnje van Salverdastraat 4, Amsterdam-W, Netherlands, bimonthly.

For many religious texts, see *Religion in Communist Lands*, Keston College, Heathfield Road, Keston, Kent 2BR 6BA, England, quarterly. For Jewish texts see *Jews in the U S S R*, 31 Percy Street, London W1P 9FG, England, weekly.

For Lithuanian texts see translated issues of *The Chronicle of the Lithuanian Catholic Church* (published as booklets), 351 Highland Boulevard, Brooklyn, New York 11207, U S A; also translations of this and other Lithuanian samizdat in *E L T A*, 29 West 57th Street, New

York, N Y 10019, U S A.

The most comprehensive source of current, up-to-date information on the sort of events reported with some delay by the *Chronicle* is the fortnightly *News Brief* edited by Dr. Cronid Lubarsky and available from *Cahiers du Samizdat*, 105 drève du Duc, 1170 Brussels, Belgium. At present this appears only in Russian, but it is due soon to be published also in English, French and German editions. (Dr. Lubarsky has featured in many issues of the *Chronicle* since 1972, where his name is spelled Kronid Lyubarsky. He emigrated in 1977.)

Index of Names

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