A CHRONICLE OF CURRENT EVENTS

Nr 50

Journal of the Human Rights Movement in the USSR

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A Chronicle of Current Events

Number 50

Amnesty International Publications
10 Southampton Street London WC2E 7HF
1979
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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 judgments which may appear or be implied in its contents. Yet Amnesty
The Struggle for Human Rights in the Soviet Union Continues

A Chronicle of Current Events

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.

K o m s o m o l  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.

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


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 Pravda; 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 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. Gudoboyev (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. Stepak, 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 USSR 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. Zoppellli.

Orlov asked for inclusion in the case of additional documents.

Lawyer Shalman petitioned for the inclusion of Orlov's scientific articles, published in the USSR 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.

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 BBC 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 USSR 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 dissidents 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 summed 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 Pravda 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 addresses and to the editors of Pravda and Izvestia. He also showed the letter to the director of IZMIRA N, 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 IZMIRA N, 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 [S P H], 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 30 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 Kotelov, 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 Yu. Sustensky (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 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 fulfillment of its obligations in the field of human rights as regards the citizens of the USSR, and who has fought against the violation of these rights in the USSR.

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 MVD: quantitative and qualitative shortcomings in the prisoners’ diet, the compulsory eight hours of hard labour a day, six days a week, and 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 KGB in their places of imprisonment. These people are, as a rule,
entitled as informers by KGB 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. 1917?) — is a criminal recidivist, imprisoned for vagrancy, hooliganism, robbery, armed robbery, escape, 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 KGB 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 KGB 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.

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. Safonov, 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 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.

Volyn 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 (Chronic/es D, 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 ITEF, 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 ITEF (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 USSR Academy of Sciences and a Candidate of Economic Sciences, B. Shleyn, 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 USSR, 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 Alekunyan, 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 Sniznevsky and the Medical Administration of the MVD 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 TASS report in which Orlov was described as an NTS 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 IZMIRAN, and Kurdymov, 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
The Trial of Orlov

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 KGB 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 'further approaches' to the court building (the 'primary', basic 'screening' took place here: a 'pile of bricks' did not allow journalists' ears 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. Valtov (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 Yuri Golland emerged with a group of friends through the 'second corridor', 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 purposes 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 KGB 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 'toriers'.

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 hoiligan'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 RSFSR 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 analyzed; 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 woolen 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-
mediated 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 Helsinki 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 G. 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 Irakli. 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 'Mashketian 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 Sakharvelos 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 USSR 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.

J: Which foreign radio broadcasts did you listen to?

Gamsakhurdia: 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 CIA.

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: 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 Sakarvelos Moambe.

Judge: Which human rights did you defend?

G: I was mistaken.

Prosecutor: You repent?

G: Yes.

J: When did you realize your mistakes?

G: With the allegation that I was employed by Western intelligence.

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.
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. 'I, Ile had trans-'I 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: 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 exile.

On 24 May in the Tbilisi KGB 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 USSR 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 USSR, made the following statement for the press:

I, Father Gleb Yakunin, testify that Manana, wife of my friend...
Zviad Gamsakhurdia also said that he had made a compromise with the KGB and as a result brought about the arrest of Bishop Gareja (Chronicle 34), the cessation of the bombardment of the David-Gareja 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 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 ASSR. 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 KGB, would have suffered; thirdly, all the positive results which he and his friends had achieved would have been wasted.
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 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 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.

### 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. Davydoovich (a woman friend of Podobailov);
- S. Khanzhenkov (a former political prisoner living in Minsk — *Chronicle 46*);
- 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. Kalnišč (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. Davydoovich, A. Shemetov and P. Novikova testified that they had not received their books from Ginzburg; moreover, the first two were not acquaintances with Ginzburg. V. Pestov and V. Kalnišč 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 Kalnišč, in a letter sent to the Kaluga KGB 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 KGB 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 U S S R]’ and ‘Christmas Repressions’, the collection Go out of Her, My People (about the Pentecostalists), and also three letters sent to the Presidium of the U S S R Supreme Soviet and the U N 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 M V D 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 the supplement to 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. Fyodorov (Chronicles 42, 44, 45), D. Demidov (Chronicles 33, 46) and Kranov — all former political prisoners;

the political prisoners Tyndyk (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 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.) Tyndyk 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 USSR.)

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, Fyodorov, Dileev 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 and Dileev 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 KGB'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 his 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. Lysekov 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 USSR.

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 KGB 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. Roskin 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. Kerbelov, A. Sergienko, A. Safronov, L. Khnokh, Z. Antonyuk and G. Superlin 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 KGB 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. Kuvshinov 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 Lerev — 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. Shecheglov, 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 RSFSR Supreme Court examined A. Ginzburg’s case sent for retrial, for the following reasons:

1. I consider that my sentence is unjust, that it should be revoked and the appeal [whose text follows] and left the sentence unchanged.

The Appeal of A. Ginzburg

(b) Documents with a direct bearing on the case were not called for.

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 SS 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?

(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 application 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 committed 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, pro-
       viding 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 Poli-
tical 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 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 coun-
try the people who burn books are almost all members of the Writers' Un-
on (Onlin, Shuretov). 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 respon-
sibility 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 investiga-
tion, 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
(Sheraransky'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
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 (Serebryanske-
skaya Embankment 15/17). The composition of the court was as fol-
lowes. Chairman — P. Lukanov of the Russian Supreme Court; People's Assessors — L. Petrov and G. Samsonov. The Procurator was
P. Solonin, Senior Assistant to the RSFSR Procurator. Two experts
— Bulgakov and Burazov — 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 Aleksejeva, Shcharansky continued to work inten-sively 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 KG B 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 collec-
tive 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 sum-
momed 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 pro-
ceedings 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 rela-
tives 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, Shcharan-
sky stated that during the year and a half which had passed since his
Sheharansky shouted to his brother that their mother was standing regards a lawyer. 

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 defend-ant'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 KGB. (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 USSR'; 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 sub-ordination 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 USSR 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 40), who worked in Moscow 'in the guise of a journalist'. Toth used them against the interests of the USSR, 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 USSR in June 1976 (Chronicle 41). According to the indictment, Rubin had long been a CIA 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 estab-lish 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 publica-tion 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 USSR 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, Tsytin, Ryabsky, Adamsky, Raslin, Rukhadze, Igolnikov, Zamyat'eva, Panchenko, Doronina, Smirnova, Petukhov, Toth, Popova (Toth's Moscow secretary) and Zakharov, janitor of the apart-ment house where Toth lived.

Material evidence took the form of: lists of people refused exit visas, presented by Zamyat'eva; 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 KGB by Lipavsky.

'Helping a foreign government to carry out actions hostile to the USSR' 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 USSR. Having estab-lished illegal contacts with foreigners living in the USSR, 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. Freidel, 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 CPSU 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, Ryzhsky, Rastin 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
USSR 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 activi-
ties 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 CPSU
Congress, the appeal 'To the USSR Supreme Soviet and US Congress',
the letter 'To Jewish Communities in America' (concerning the organ-
ization HIAS*) 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 Tele-
vision 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, YMCA 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 Mos-
Went Too Far', made by an English television team after his arrest,
was 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.]
consent), he spent most of his time among Jewish activists. In 1976 it was discovered that Tsypin was cooperating with the KGB. Sensing that reactions towards him had changed, Tsypin made several unsuccessful attempts to explain himself. After this he disappeared from refusenik circles.


In June 1977, a week before his departure from the USSR, 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 KGB in connection with the Shcharansky case (Chronicle 46). Some time later, TASS and the Literary Gazette (31 August 1977) announced that Toth was a spy. After his return to the USA Toth on several occasions publicly denied these accusations.

Valery Petukhov has been described in M. Popovskiy's samizdat report Materials on the 'Case' of R. Toth (Chronicle 46). Popovskiy 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 Tarasov State Drug Testing Institute. Petukhov insisted on claiming his interest in parapsychology and in this connection he asked Shcharansky to introduce him to Toth. R. Toth was detained by the KGB 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 Popovskiy, Petukhov is a KGB 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 1973 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 USA. 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 — Onos, 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 CIA 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 OVIR 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 USSR. 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 USSR.

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 refusenik 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 USSR immediately (Chronicles 48, 49). The involvement of Shcharansky, as of many other Jewish activists, in preparing the lists consisted of his occasionally waiting at OVIR offices or reading out the lists during telephone calls to England. Shcharansky 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 USA 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 USSR, and about American firms which traded with them. His
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 KGB 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: Malva Landa, Irina Zhalkovskaya-Ginzburg (wife), Yury Yarym-Agayev behind, Sergei Polikanov, Natalya Vladimova (wife of G. Vladimov, behind), Valery Prokhorov, Anatoly Shcharansky centre, mathematician, Jewish activist and member of Helsinki group, sentenced to 13 years. See pp. 41-69. With him, Nikolai Vilyams, Yury Minyukh r, and (standing) Lyudmila Alekseyeva and Valentin Turchin.
9 Two peasants from Ilieka, 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. Shchuransky was accused of distorting these Jews' position (p 56, 11). 10 Sonya Lipavsky, Moscow doctor and refusenik, who turned state's evidence against Shchuransky. 11 Sonya Gaskova 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 Shchuransky (p 60).

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.

15 The MVD 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 Joseph Begun, Moscow technologist, Jewish refusenik and Hebrew teacher, given 3 years' exile for alleged violation of residence regulations. See pp 104-108.

17 Alla Drugova, Begun's wife, with refuseniks Maria Slepak, 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 the 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).
At, 24

20, 21 Natalya and Grigory Rozanshtein, 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.

24 Ida Nudel, Moscow economist and refusenik since 1971, sentenced to 4 years’ exile for demonstrating (pp 89, 92-100), with Alexander Druk, I and Alexander Lerner. 25 Elena Chernobylyskaya, another refusenik demonstrator, with her husband Boris Chernobylysky, who was charged but not tried in 1978 (Chronicle 43), and their children.
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 Kalnink, Latvian national democrat whose alleged pre-trial testimony was used, after his emigration, against Petkus. See pp 72-3. 29 The Lithuanian Supreme Court building in Vilnius, where Petkus was tried, and, r, the Lukiski prison, where political prisoners are often held before trial.

28 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) Bardnik, science fiction writer and member of Ukrainian Helsinki group, witness at trial of Lukyanenko (p 80).
The Trial of Shcharansky

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 U.S.S.R, 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 U.S.S.R: 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 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 USSR, and the well-known Protocols of the Elders of Zion 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 USSR. 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 USSR was not offered more favourable trading
Speaking on behalf of all refuseniks, Shcharansky asserted that in would-be emigrants in the collective farm. 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 Unita and Humanité.

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 Unita 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. Plyuslicli 'suffers from the mania of reformism, needs further treatment'; Slvakh (Chronicle 43) "suffers from emigration mania", and, at the end of the medical report: 'No traces left of emigration mania. Suitable for discharge.'
Rubin. All that is known about him is that he has renounced his intention of emigrating to Israel.

The full details of Raisin's testimony are not known. (Raisin 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 Raisin 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.) Zaplyayeva 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 Zaplyayeva 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 Sherborne. 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 U.S.S.R. 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 U.S.S.R. 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, Suskindina and Shcherbakov appeared as witnesses in an open session. In response to a petition by Shcharanskiy, Lipavsky, Ryabsky and Tsypin also appeared. It was said that Raisin 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 Suskindina, 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, Suskindina confirmed the testimony she had given at the pre-trial investigation that Shcharansky was in the habit of leaving unwashed plates in the kitchen.

I. 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.

Platonov recounted events connected with 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 overtaken by the Judge and the rest she did not answer.

Shcharansky said the letter contained the views of Davidovich’s friends and had 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 nationalist 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 CPSU 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 cafe 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 Rosiya 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 CIA 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 disliked 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 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 RSFSR 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 CIA, and a statement of the Ministry of Foreign Affairs to the US 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 KGB. 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 confrontation 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 com-
posed 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 letters were of an anti-Semitic character, and the
statement with which he was charged said that the film was arousing
hated 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. Shcharan-
sky remarked 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 sound-
track: 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 be-
inning 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 in-
vestigators 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 pub-
lic's applause and cries of 'Quite right!' Solonin declared that the pro-
secution considered Shcharansky guilty. His guilt flowed from all the
factual evidence examined in the court sessions. Furthermore, Shcharan-
sky's attitudes were subjective and hostile, a fact to which Tsypin,
Lipavsky and Ryabinsky 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. Shcharan-
sky 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 de-
fire 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 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-human.'

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 out that there were 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, Orlow 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 assim's 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

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!'

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Nothing of the sort happened either in October 1968, when the
With regard to the charge under article 122 it was stated in the verdict that on 15 March 1973, having made Rimantas Civilis drunk, 'he cruelly 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 Civilis and his mother were questioned regarding article 122. While they were being questioned the court was announced closed. R. Civilis 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 Civilis'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 Seputis 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.'

Seputis 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 Seputis 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 Seputis 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. Burašas, 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...
The trial of Petkus

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 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 KGB 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 USA.'

(Not long before the trial Kalninš emigrated from the USSR; 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 Ivars Zokovskis (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
T visas. 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 Reinaus, Father Andrulkas and other martyrs who perished in the camps.

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

I know member myself of the Lithuanian Helsinki Group Viktora 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 Volungevicius (Chronicles 44), 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 Zipre?’

(Chronicles 32, 34 and 37). ‘Yes, I did sign the declaration concerning Zipre, who was illegally placed in a camp psychiatric block. This is the first and last question I shall answer.’

Jadviga Petkeviciene, a nurse from the town of Siauliai (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.

Biruté Paeiliene 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 Zipre?’

‘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 Zipre.’

Romas Ragalis, 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. His wife and daughter of Genrikas Jakunas (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 Julkuunaitė 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 Polkute, from whom Petkus had rented his flat, testified. (When they entered the hall a man with a red arm-band asked them: ‘What testimony are you going to give?’ They replied: ‘We will answer the questions asked.’

Marija Polkute 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 Bakuočionis clasped his hands together and exclaimed in Russian: ‘Well, how do you like that!’)

Ona Polkute, 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 Viktora 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 Kavuliuskas, who worked with Petkus for two years on
Venclova had been authorized to represent the Group abroad in the émigré press.

"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."

Elian 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. Melisovas Jurėvičius (Chronicle 26, 40 and 44) was approached by several KGB 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-Patkienė, the Pogkute 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 KGB 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 SSR, 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 Kahnt, Calitis (the court ignored Kalning, Calitis (the court ignored (Chronicle 44) and had used its documents for libellous articles in the émigré press.

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. Ragaigis 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. Civilišius 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. Balčiunas entitled 'On the Road of Lies and Crime' about Petkus and his trial.

The Trial of Lukyanenko

Lev Grigorevich Lukyanenko was born in 1928 in the village of Khrepovka 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 the party. In 1958 he was arrested for discussing the draft. In April 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. 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 KGB 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 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 re-admitted 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.

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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 — Chronicle 44 and 45), 'A Year of Freedom' (about the year of his life following his release), 'A Christmas Appeal to Invertate 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 13 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.
The Trial of Alexander Podrabinek

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 MVD 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).

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 25 May Pinkhos Abravnoy 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 wish 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. LowBeer (Chronicle 49).

Yury Below (Chronicle 48) and Mikhail Kukobaka (Chronicle 43).

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 naivety. 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. Sarchik 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. Grigorev and N. Ya. Shatunovskaya (the mother of Olga Ioffe — Chronicle 11 and 15 — who was compulsorily hospitalized in the Kazan S P H); to procure the two-volume edition of Mashkovsky's Medical Reminiscences, 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. Korshakov 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 alterations 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 in the trial, declared that there had been no instances of murder in the Soviet Union, copies of the Information Bulletin and 15 — who was compulsorily hospitalized in the Kazan S P H); to procure the two-volume edition of Mashkovsky's Medical Reminiscences, 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. Korshakov 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.

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A detailed description of the trial of Alexander Podrabinek is given of the Case of A. Podrabinek, Yu. Elelov's 'Testimony', which heion. This also contains S. V. Kalistratova's 'Defence Speech delivered at the RSFSR Supreme Court during the Review on Appeal in the Ilth issue of the Information Bulletin.

The book cites a letter written by M. Kukobaka in which he relates that in Sychvyovka SPH the orderly Sasha Dvoreneik 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 Sychvyovka SPH it can be concluded that such a person never worked in the hospital.

Other witnesses questioned in court were: V. D. Stekhlin, the chief doctor of Leningrad SPH (he said that 'normal methods of treatment were used in the hospital; other methods were not used if there was no need for them'). A. A. Groshkov, head of the Smolensk SPH, T. A. Kotova, a section head of the Oryol SPH, F. Svyatsky, former chief doctor of the Chernyakhovsk SPH, A. G. Semiryatkov, chief doctor of the Dnepropetrovsk SPH, and also V. G. Vedensky and his wife G. I. Zhabin. 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 KGB.

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 not been taken 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 — 3 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 RSFSR Supreme Court during the Review on Appeal of the Case of A. Podrabinek', Yu. Elelov'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 KGB 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 USSR.

Having cruelly contravened article 276 of the Code of Criminal Procedure, according to which 'all petitions concerning the demand,ing 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 witnesses 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 — Information, is constantly being practised in political trials. 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 Khusain, Raina Kogan, Elena Chornobyuskaya, Galina Nishnikova 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 USSR 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 USSR, they intended to hold a demonstration, together with their children, at 4 pm by the Presidium of the USSR 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 Committee (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 Tayrina.

* * *

Towards the evening of 31 May Gyuze 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 Anatoli (6), Galina Nizhnikova, Lydia Likhterova, Khana Elinson and Lyudmila Cherkasova 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 Rekhina 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. The women made new placards and displayed them behind the window-pane. Immediately police sentries with hooks on their shoulders invaded 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 Elissatova and Vinya Belkina gathered in Galina Tayrina'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-pane. 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. Rutenstein'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 12.30 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 USSR, which has the most democratic constitution in the world, and in peace time. Look the KGB 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 6 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 UVD, 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 KGB had her followed constantly. From 30 May she was followed quite openly: a car containing four KGB 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 'KGB! 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 USSR — 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, Isaif Begun's wife Alla Drugova (see below), Leonid Shcharansky, Natalya Khanina, Vinya Belkina, Elena Dubysanskaya, Victor Elistratov, Oscar Mendelev, Yakov Rokhblit, 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
trials of Jewish activists

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-a-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 KGB 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 KGB 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 USSR Supreme Soviet, to the Volgograd District Party Committee and to the Volgograd District People's Court.

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

... As a citizen of Israel since 1972 (the document confirming my citizenship is in the possession of the KGB; the certificate number is 642, dated June 1972), I ask the consul representing the interests of Israel in the USSR 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 USSR, 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 KGB 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 CPSU 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 ferment 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.

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 People's Court of Frunze District, Moscow, examined Vladimir Slepak's case. The chairman of the court was E. M. Kiselev.

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 reunite 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 Tsoktokh-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 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:

On 23 June Maria Slepak was transferred from a detention in Moscow, and was taken home.

On 6 June criminal Case No. 2598 (M. Slepak and V. 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 Semenovich 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, 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 USSR M V D.

On 11 April Begun sent an appeal for help to Western trade unionists; 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 USSR 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 USSR 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 USSR 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 petitioned 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, 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. His 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.
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. Michal Reinsky (1884-1953), Archbishop of Vilnius, died in Vladimir Prison.
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.
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.
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 RSFSR 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 tekstuchikh 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 Movement 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, 503 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 612, San Mateo, California 94403, USA, monthly, is also a useful source, as are, for Ukrainian Helsinki Group documents, several booklets published in English by Smolokskiy Publishers, P.O. Box 561, Pittsburgh City, Maryland 21043, USA. 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, Gesellschaft für Menschenrechte, Kaiserstr. 46, 6000 Frankfurt/M, Germany, bimonthly; in Italian: Russia Cristiana, via Martinengo 16, 20139 Milan, Italy, bimonthly; and in Dutch: Rusland Bulletin, Fijnve van Salverdastraat 4, Amsterdam-W, Netherlands, bimonthly.

For many religious texts, see Religion in Communist Lands, Keston College, Heathfield Road, Keston, Kent BR2 6BA, England, quarterly.

For Lithuanian texts see translated issues of The Chronicle of the Lithuanian Catholic Church (published as booklets), 351 Highland Boulevard, Brooklyn, New York 11207, USA; also translations of this and other Lithuanian samizdat in E.L.T.A., 29 West 57th Street, New York, NY 10019.


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York, N.Y. 10019, USA.

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. Kronid Lubarsky and available from Cahiers du Samizdat, 105 drive 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.)

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