

A Chronicle of Current Events

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CONTENTS

The trial of Amalrik and Ubozhko. Andrei Amalrik's final address. The trial of Valentin Moroz. Solzhenitsyn's letter to the Nobel Foundation. The Committee for Human Rights in the USSR. Public statements regarding the trial of Pimenov, Vail and Zinoveva. The Leningrad trial of the "hi-jackers". Trials of recent years: the case of the UNF [Ukrainian National Front]. Persecution of Jews wishing to emigrate to Israel. Rigerman, American citizenship and the Soviet police. The fate of Fritz Mender. Political prisoners in the Mordovian camps. News in brief. *Samizdat* news. [Index.]

Amnesty International Publications

ДВИЖЕНИЕ ЗАЩИТЫ ЧЕЛОВЕЧЕСКИХ
ПРАВ В СССР
И ПОДЪЕМ МЛЧ

The Movement in Defense of Human Rights in the
Soviet Union
Continues

A Chronicle of Current Events

*Translation of the Russian text
by the author, with the assistance
of the author's wife, who also
checked the English text for
accuracy and readability. The
author is responsible for the
accuracy of the translation.*

Issue No. 17

31 December 1970
(Moscow)

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CONTENTS

The trial of Andriy and Ulybys. Andriy Andriy's final address. The trial of Viktor Moscow. Nicholson's letter to the Nobel Foundation. The Committee for Human Rights in the USSR. Public statement regarding the trial of Pavlov, Van and Zaslavskiy. The Lenin trial of the "hipsters". Trial of recent years: the case of the U.N. Ukrainian National Front. Persecution of Jews: witness testimony to Israel. Rejection of American citizenship and the Soviet police. The trial of Fritz Mendel. Political prisoners in the Mauthausen camp. News on the "samizdat" new. [Index.]

1

[This is a rather literal translation of the typewritten Russian original produced in Moscow and circulated in *samizdat*. Only the words in square brackets have been added by the translators. The Russian text is due to appear in *Possev: Vosmoi spetsialnyi vypusk*, Frankfurt.]



ДВИЖЕНИЕ В ЗАЩИТУ ПРАВ ЧЕЛОВЕКА
В СОВЕТСКОМ СОЮЗЕ
ПРОДОЛЖАЕТСЯ

The Movement in Defence of Human Rights in the
Soviet Union
Continues

A Chronicle of Current Events

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

Universal Declaration of
Human Rights, Article 19

Issue No. 17

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Third year of publication

CONTENTS

The trial of Amalrik and Ubozhko. Andrei Amalrik's final address. The trial of Valentin Moroz. Solzhenitsyn's letter to the Nobel Foundation. The Committee for Human Rights in the USSR. Public statements regarding the trial of Pimenov, Vail and Zinoveva. The Leningrad trial of the "hi-jackers". Trials of recent years: the case of the UNF [Ukrainian National Front]. Persecution of Jews wishing to emigrate to Israel. Rigerman. American citizenship and the Soviet police. The fate of Fritz Mender. Political prisoners in the Mordovian camps. News in brief. *Samizdat* news. [index.]

The Trial of Amalrik and Ubozhko

The trial of Andrei Amalrik and Lev Ubozhko (see *Chronicle* Nos. 13, 14, 15, 16) was held in Sverdlovsk [in W. Siberia] on 11-12 November 1970. The Judge was A. Shalayev, the people's assessors--Korobeinikova and Orlov. The defence counsels were V. Shveisky (for A. Amalrik) and Khardin (for L. Ubozhko). The prosecutor was Procurator Zyryanov.

The charge was under article 190-1 of the Russian Criminal Code.

Of the relatives and friends of the accused, only L. Ubozhko's mother was admitted to the first session.

A. Amalrik was accused of writing and circulating the works *Will the Soviet Union Survive Until 1984?*, *Involuntary Journey to Siberia*, *A Letter to A. Kuznetsov*¹ and *Russian Painting of the Last Ten Years*, and also of giving an interview to foreign correspondents.

A. Amalrik refused to take part in the trial, submitting the following note addressed to the chairman of the court:

"An answer to the question whether I plead guilty.

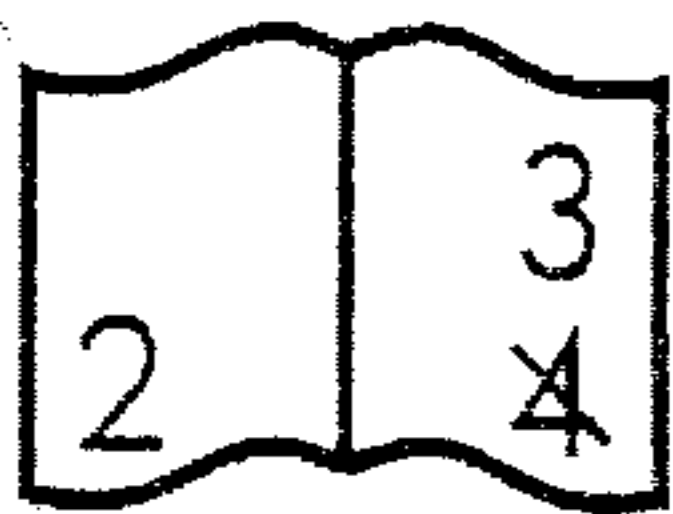
"The charges brought against me concern the dissemination by me, verbally and in print, of views which are here called false and slanderous. I do not consider either the interview given by me or my articles and books to be slanderous.

"I also think that the truth or falseness of publicly-expressed views can be ascertained by free and open discussion, but not by a judicial investigation. No criminal court has the moral right to try anyone for the views he has expressed. To oppose ideas--irrespective of whether they are true or false--with a judicial criminal penalty seems to me to be a crime in itself.

"This point of view is not only natural for everyone who has his own opinions and who needs creative freedom; it also finds legal expression both in the Constitution of the USSR (article 125) and in the Universal Declaration of Human Rights, which all the signatory-nations have promised to put into effect.

"Thus as a man to whom creative freedom is essential,

[1. Printed in *Survey*, London, No. 74-75, 1970, and in the British edition of *Will the Soviet Union...*]



and as the citizen of a country which has signed the Universal Declaration of Human Rights, I consider that this court is not entitled to try me, and therefore I shall not enter into any discussion of my views with the court, I shall not give any evidence and I shall not answer any of the court's questions. I do not plead guilty to circulating 'falsehood and slanderous fabrications', and I shall not attempt to prove my innocence here, since the very principle of freedom of speech excludes the possibility of my guilt.

"If during the trial I wish to add anything to what I have said, I shall avail myself of my right to make a final address."

Two persons gave evidence in Amalrik's case: his wife Cyuzel Makudinova and a customs official from [Moscow's] Sheremetev airport. Makudinova stated that she considered the prosecution of her husband for his works and his interview to be unlawful. The customs official confirmed the fact that a tape-recording of the interview given by Amalrik, together with films of the interview,² had been confiscated from a foreign correspondent. Part of the tape-recording was played in court.

The case against L. Ubozhko had been instituted after a statement to the organs of State Security by a Mr. and Mrs. Ustinov (Ustinov is a literary correspondent of the newspaper *Evening Sverdlovsk*, his wife is a geologist) and by Khodakov, a doctor. On the basis of their testimony L. Ubozhko was accused of circulating the following documents: issues 5 and 6 of the *Chronicle of Current Events*,³ the article "To hope or to act?",⁴ academician A. D. Sakharov's booklet *Reflections on Progress and Intellectual Freedom*,⁵ A. Amalrik's letter to the writer A. Kuznetsov and A. Solzhenitsyn's novel *The First Circle*. Three other witnesses confirmed that they had received *samizdat* literature from L. Ubozhko. Ubozhko's superior at his

[2. Parts of the interview not confiscated were shown on U.S. TV on 28 July 1970 and in Britain on 28 August. See text in *Survey* No. 77, 1970.]

[3. Russian text published in *Possev: Pervyi spetsialnyi vypusk*, August 1969.]

[4. Russian text in *Possev* No. 1, 1969. English in *Frontier*, London, Vol. 12, No. 2, May 1969.]

[5. *Progress, Coexistence and Intellectual Freedom*, London, 1968.]

place of work limited his evidence to a negative testimonial.

In relation to the accused L. Ubozhko, the Procurator, repeated the items in the charge and referred to the witnesses' testimony.

Dealing with the works mentioned in the charge against A. Amalrik, the State Prosecutor attempted to prove their slanderous nature by alluding to the achievements of our country, acknowledged even abroad (he gave examples from the broadcasts of Radio Liberty,⁶ from President Pompidou of France and from an Iranian left-wing newspaper).

The Procurator demanded for the accused sentences of three years of ordinary-regime corrective-labour camps.

In his address defence counsel Khardin tried to direct the attention of the court to L. Ubozhko's mental instability, to his almost pathological striving for justice, although he did not throw doubt on Ubozhko's soundness of mind, which had been confirmed by psychiatric examination. Indirectly admitting the guilt of his client, defence counsel asked the court to take into account the complex and difficult circumstances of L. Ubozhko's personal and social life. Defence counsel asked that the period spent by Ubozhko in preliminary detention (three months) be regarded as sufficient punishment for him.

Defence counsel V. Shveisky attempted to demonstrate the absence of deliberate falsehood in Amalrik's works, and asked the court for an acquittal on the grounds that there was no case to answer.

In his final address, which lasted two and a half hours, L. Ubozhko talked in detail of the difficulties and complexities of his life.

A. Amalrik's final address was as follows:

"The criminal prosecution of people for their statements or opinions reminds me of the middle ages with their 'witch trials' and indexes of forbidden books. But if the mediaeval struggle against heretical ideas could be partially explained by religious fanaticism, everything that is happening now is due only to the cowardice of a regime which perceives danger in the dissemination of any thought or any idea alien to the upper strata of the bureaucracy.

"These people understand that the collapse of any regime

[6. This station broadcasts to the Soviet Union from Munich.]

is first preceded by its ideological capitulation. But, while holding forth about an ideological struggle, they can in reality oppose ideas only with the threat of criminal prosecution. Conscious of their ideological helplessness, they clutch fearfully at the criminal code, prisons, camps and psychiatric hospitals.

"It is precisely this fear of the thoughts I have expressed, and of the facts I adduce in my books, which forces these people to put me in the dock like a criminal. This fear has reached such proportions that they were even afraid to try me in Moscow and brought me here, calculating that here my trial would attract less attention.

"But it is just these manifestations of fear which prove best of all the strength and correctness of my opinions. My books will be none the worse for the abusive epithets with which they have here been described. The opinions I have expressed will not become less correct if I am imprisoned for a few years because of them. On the contrary, this can only impart greater strength to my convictions. The trick which says that people are tried not for their convictions but for circulating them seems to me to be empty sophistry, since convictions which do not manifest themselves in any way are not genuine convictions.

"As I have already said, I shall not here enter into a discussion of my opinions, since a court is not the place for that, I wish only to answer the assertion that several of my statements are directed against my people and my country. It seems to me that my country's principal task at present is to throw off the burden of its hard past, for which, above all, it needs criticism and not eulogies. I think I am a better patriot than those who loudly hold forth about love for their country, meaning by that—love for their own privileges.

"Neither the 'witch-hunt' conducted by the regime nor this trial—an individual example of it—produces in me the slightest respect, nor even fear. I understand, of course, that trials like this are calculated to intimidate many, and many will be intimidated—but I still think that the process of ideological liberation which has now begun is irreversible.

"I have no requests to make of the court."

The court sentenced A. Amalrik to three years of hard-regime [*usilennogo rezhima*] corrective-labour camps, and

L. Ubozhko to three years of ordinary-regime camps.

A. Amalrik is at present being held in the prison at Kamyshlov (Sverdlovsk Region).

The Trial of Valentin Moroz

Valentin Moroz was arrested at his home in Ivano-Frankovsk (in the Ukraine [60 miles SE of Lvov]) on 1 June 1970 (see Chronicle No. 14⁷). The charge was brought under article 62 of the Ukrainian Criminal Code (equivalent to article 70 of the Russian Code⁸). Investigations were conducted by officials of the Ivano-Frankovsk Region KGB under the direction of Major Baranov and Captain Prigornitsky. Baranov has been known since 1949, when he conducted investigations into cases of juveniles (in the Zolochivsky District of the Lvov Region) and of students at the Lvov Polytechnic Institute (the creation of a nationalist organisation), who received sentences of 25 years' imprisonment. In 1965 he was in charge of the case of the artist Panas Zalivakha (article 62 of the Ukrainian Criminal Code), who was released in 1970 after five years in the camps and now lives in Ivano-Frankovsk.⁹

At the beginning of May 1970 V. Moroz was in the village of Kosmach (in the Carpathians [SW Ukraine]). There, while he was tape-recording a mass in church, an attempt was made to apprehend him—but the local inhabitants prevented this.

In connection with the arrest of Moroz, searches were carried out at the homes of the priest Romanyuk in Kosmach (when church books were confiscated), of V. Chornovil in Lvov, and of five other people. About 30 people were questioned as witnesses.

V. Moroz was charged with writing and circulating the works "Datan and Moses", "Among the Snows", "A

[7. Russian text in *Possev: Pyatyi spetsialnyi vypusk*, November 1970.]

[8. Anti-Soviet agitation and propaganda.]

[9. On his case see V. Chornovil, *The Chornovil Papers*, London, 1968, pp. 117-30.]

Chronicle of Resistance"¹⁰. "I have seen Mahomet" and, for the second time, "A Report from the Beria Game Reserve"¹¹. An investigation about the "Report" had already been conducted in 1968-9 (when Moroz was in a Mordovian camp) and had been terminated, since there was no proof of authorship.

The case of V. Moroz was heard behind closed doors on 17-18 November 1970 by the Ivano-Frankovsk Regional Court. The prosecutor was the Regional Assistant Procurator Gorodko, defence counsel was E. M. Kogan (Moscow).

A few days before the trial twelve inhabitants of Lvov asked the chairman of the court to admit them to the trial. Two days later many of them were warned at their place of work that if they went to the trial they would be dismissed. P. Zalivakha was reminded by the police that he was under surveillance, and was forbidden to attend the trial. Nevertheless people came to the trial from various towns. They were not admitted to the court-room.

I. Dzyuba (Kiev), B. D. Antonenko-Davidovich (Kiev), V. Chornovil (Lvov) and [v.v.] Bobyak (Kosov) (the latter had not previously known Moroz), were summoned by the court as witnesses.

The witnesses and the accused refused to give evidence at a trial held behind closed doors, which they regarded as unlawful. Antonenko-Davidovich, citing the works of Lenin, declared that the trial was anti-Soviet. He added that he himself had twice been tried behind closed doors, that both sentences had much later been annulled by the Supreme Court as unlawful, and that he, Antonenko-Davidovich, had no wish to take part in a case for which he might later be convicted.

Witnesses Dzyuba, Chornovil and Antonenko-Davidovich stated that they would give evidence only at a public trial, if such a trial were to be held. Despite a protest by the defence counsel, the court resolved to hear the evidence given by the witnesses during the pre-trial investigation.

[10. A Ukrainian text is in *Ukrains'ky samostiynk*, Munich, No. 158, October 1970. "Among the Snows" is due to be published in Ukrainian in *Suchasnist*, Munich.]

[11. English text in Michael Browne, ed., *Ferment in the Ukraine*, London, 1971 (doc. 11).]

During the pre-trial investigation the writer B. D. Antonenko-Davidovich had testified that the discovery at his home of a draft of an article by Moroz proved only that he (Moroz) had gone to an older, more experienced writer for advice, but not that the documents mentioned in the charge had been circulated. **Neither did the discovery in Dzyuba's possession of the article "Among the Snows" prove that it had been circulated, since it was addressed to him. In addition Dzyuba insisted that "Among the Snows" was the personal affair of two people—the author and the addressee. (Moroz's article "Among the Snows" was written à propos of I. Dzyuba's statement in the newspaper *Literaturnaya Ukraina* of 6 January 1970¹².**

The Procurator demanded for Moroz ten years' imprisonment and five years' exile. Defence counsel asked the court to change the basis of the charge to article 187-1 of the Ukrainian Criminal Code (equivalent to article 190-1 of the Russian Code).

The court sentenced V. Moroz to nine years' confinement (six years in prison and three years in special-regime camps) and to five years' exile (V. Moroz was judged to be an especially dangerous recidivist).

During the delivery of the sentence, party secretaries, directors of local establishments and officials of the KGB were present in court; of all the relatives and friends of the accused only his wife and father were admitted.

The witnesses submitted a protest to the appeal court.

Solzhenitsyn's Letters to the Nobel Foundation

To the Royal Swedish Academy
and the Nobel Foundation

Dear Sirs,

In my telegram to the secretary of the Academy I have already expressed—and now express again—my gratitude for the honour you have done me in awarding me the Nobel Prize. In my thoughts I share it with those of my predecessors in Russian literature who, by reason of the harsh

[12. For English text of the statement, and an analysis of the circumstances surrounding it, see I. Dzyuba, *Internationalism or Russification?*, 2nd ed., London, 1970, pp. 247-9.]

conditions of the last decades, have not lived to be awarded such a prize, or who were little known to readers in translation or even to their compatriots in the original.

In the same telegram I expressed the intention to accept your invitation to come to Stockholm, although I well imagined the humiliating procedure in store for me—customary in our country for any journey abroad—of filling in special forms, obtaining testimonials from party organisations—even for non-party people—and receiving instructions on how to behave.

During recent weeks, however, the hostile attitude to my prize of the press in my fatherland, and the fact that my books are as before being suppressed (for reading them people are dismissed from their jobs and expelled from institutes) forces me to assume that my journey to Stockholm will be used to cut me off from my native land, in fact quite simply to bar me from returning home.

On the other hand I have discovered from the documents you have sent me about the agenda for the presentation of the prize that the Nobel festivities involve much pomp and ceremony, which would be exhausting for me and unfamiliar to my character and way of life. But the ceremony does not include the central item—the Nobel lecture. Later, in your telegram and letter, you expressed similar misgivings about the fuss which might surround my stay in Stockholm.

Having weighed all these facts, with the benefit of your kind clarification that a personal appearance at the ceremony is not an obligatory condition of receiving the prize, I prefer at present not to submit an application for a journey to Stockholm.

If it is acceptable to you, I could receive the Nobel diploma and medal in Moscow from your representatives at a mutually convenient time. As stipulated by the constitution of the Nobel Foundation, I am prepared, within six months from 10 December 1970, to deliver the Nobel lecture or to present it in writing.

This is an open letter, and I shall have no objection to your publishing it.

With best wishes,

A. Solzhenitsyn

27 November 1970

44

(In lieu of a salutation address at the banquet on 10 December 1970. Despatched to Stockholm.)

“Your Majesty! Ladies and gentlemen!

“I hope that my involuntary absence will not cast a shadow on the completeness of today’s ceremony. Among the brief salutation addresses you will also be expecting mine. Even less should I wish my address to darken the festivities. But I cannot ignore the remarkable coincidence that the day of presentation of the Nobel prizes happens to coincide with Human Rights Day. The Nobel prize-winners cannot fail to be aware of a sense of responsibility in view of this coincidence. None of those present in the Stockholm city hall can fail to notice here a symbol. Thus, while sitting at the banqueting table, may people not forget the political prisoners who are today holding hunger-strikes in defence of their infringed or completely annihilated rights.”

The Committee for Human Rights in the USSR

The Committee for Human Rights, consisting of Academician A. D. Sakharov and physicists A. N. Tvyordokhlebov and V. N. Chalidze, was formed in Moscow on 4 November 1970.

The committee formulated five principles underlying its activities:

“1. The Committee for Human Rights is a creative association acting in accordance with the laws of the land, with the Principles presented here, and with the Committee Statutes.

“2. **Membership of the Committee** is open to persons who, when acting as members, conform to these Principles and Statutes:

who are recognised in this capacity by the Committee in accordance with the procedure laid down in the Statutes:

who are not members of political parties or other

45

organisations laying claim to participation in the government of the state, or of organisations whose principles permit participation in orthodox or oppositional political activities;

who do not intend to exploit their membership of the Committee for political ends.

"3. The aims of the Committee's activities are as follows:

consultative assistance to the organs of government in the establishment and application of guarantees of Human Rights, carried out on the initiative of the Committee or of interested organs of government;

creative assistance to persons engaged in constructive research into the theoretical aspects of the Human Rights question and in the study of the specific nature of this question in a socialist society;

legal enlightenment, in particular the propaganda of international and Soviet legal documents on Human Rights.

"4. In its theoretical research into, and constructive criticism of, the present position of the system of legal guarantees of personal freedom in Soviet law, the Committee:

takes as a guide the humanitarian principles of the Universal Declaration of Human Rights;

bases its activity on a recognition of the special characteristics of Soviet law;

takes into account the traditions which have developed and the real difficulties faced by the state in this sphere.

"5. The Committee is prepared to enter into contact with public and scientific organisations and with international non-governmental organisations, as long as their activities are based on the principles of the United Nations and are not aimed at harming the Soviet Union."

The Statutes of the Committee for Human Rights lay down the structure of the Committee; the status of a "member", an "expert" (a person who is not a member of the Committee but is acknowledged to be qualified in the field of Human Rights) and a "correspondent" (a person who is not a member of the Committee or an expert),

and also the procedure for the formal recording of the Committee's *resolutions* and *opinions*.

In accordance with the Statutes, A. S. Volpin and B. I. Tsukerman were elected as experts of the Committee. In addition the Committee expressed its high regard for the contribution to the publicizing of Human Rights questions made by A. A. Galich¹³ and A. I. Solzhenitsyn, and elected them as correspondents of the Committee.

In December the Committee studied V. N. Chalidze's report "Important aspects of the Human Rights situation in the Soviet Union", a propos of which it adopted an "Opinion on the fundamental aspects of Human Rights in the Soviet Union".

On 21 December 1970 the journal *Newsweek* published Chalidze's replies to questions put by its Moscow correspondent about the Committee's aims and the prospects for its activities.

Public Statements Regarding the Trial of Pimenov, Vail and Zinoveva (see *Chronicle* No. 16)

As soon as it became known that the pre-trial investigation into the case of Pimenov et al. had been concluded, Evgeny Smirnov's pamphlet "Bravo, comrade Tolstikov!" appeared in *samizdat*¹⁴. It names the documents mentioned in the charge against Pimenov, which includes "2000 words"¹⁵. In connection with this item in the charge V. N. Chalidze sent a statement to the Leningrad City Procurator informing him that the document "2000 words" had been distributed by TASS and by Soyuzpechat [the official Soviet agency]. That the pre-trial investigation had overlooked this circumstance was highly negligent.

[13. A popular unofficial singer. See his collection of songs and poems, *Pesni*, Frankfurt, 1969.]

[14. Russian text in *Novoye Russkoye Slovo*, New York, 7 January, 1971.]

[15. The well-known Czechoslovak liberal manifesto of 1968. See Z. Zeman, *Prague Spring*, 1969, pp. 61-65.]

On 4 October 1970 a group of scientists (A. D. Sakharov, V. F. Turchin, V. N. Chalidze and others) sent to the Kaluga Regional Court a statement of their intention to be present at the trial (see *Chronicle* No. 16).

At the first session of the Kaluga Regional Court on 14 October the principle of legal proceedings being held in public was in effect violated, to which the defence made no objection. In connection with this Chalidze wrote an Open Letter to Pimenov's defence counsel S. A. Kheifits on October 17. He pointed out that it was a procedural right of the defendant to have legal proceedings held in public, and that the obligations of his defence counsel included the defence of that right.

After the sentence of exile on Vail and Pimenov, Chalidze sent a complaint to the Russian Supreme Court that the Kaluga Regional Court had violated article 319 of the Russian Code of Criminal Procedure, in that Pimenov had not been released from custody and Vail had been taken into custody in the court-room.

At the beginning of November ten scientists (M. A. Leontovich, A. D. Sakharov, V. F. Turchin, A. N. Tvyordokhlebov, V. N. Chalidze and others) expressed in a letter to the Russian Supreme Court their "concern at the severity of the sentence and at the very fact of judicial prosecution for actions which in a democratic society ought to be regarded as a normal phenomenon of civic life."¹⁶

The Leningrad Trial of the "Hi-jackers"

The trial of M. Yu. Dymshits, E. S. Kuznetsov, S. I. Zalmanson, J. M. Mendelevich, I. I. Zalmanson, Yu. P. Fyodorov, A. G. Murzhenko, A. A. Altman, L. G. Khnokh, B. S. Penson and M. A. Bodnya was held in the Leningrad City Court on 15-24 December 1970. The court consisted of N. A. Ermakov, chairman of the Leningrad City Court (presiding), S. E. Solovyov, Procurator of Leningrad, and N. Katukova (prosecutors), and Matanogov, a civil aviation

[16. Russian text in *Novoye Russkoye Slovo*, New York, 22 December 1970. English in *The Times* and *The New York Times*, 16 November 1970.]

pilot (citizen prosecutor). The defendants were accused of committing crimes which come under the following articles of the Russian Criminal Code:

64 a: Betrayal of the fatherland, i.e. actions deliberately committed by a citizen of the USSR to the detriment of its national independence, territorial integrity and military might . . .

15: Responsibility for the preparation of a crime and for attempting one.

70: Anti-Soviet agitation and propaganda, i.e. agitation and propaganda carried out with the aim of undermining or weakening Soviet authority, or the commission of especially dangerous state crimes . . .

93-1: Theft of state or public property on an especially large scale.

The trial took place in a room accommodating 300 people. Of these only 20 to 30 were relatives of the defendants, who were admitted in accordance with a list. The remainder entered with special passes. Outside the court-house there were many policemen, who moved on persons wishing to get in to the trial. The audience in the court-room was inimically disposed towards the defendants. During the recess the opinion was expressed that "they should all be hanged". In the issue of *Leningradskaya pravda* which appeared on the day after the beginning of the trial the defendants were already called criminals.

According to the charge the accused wished to use the twelve-seater passenger plane AN-2, flying the route Leningrad-Priozhorsk, to fly to Sweden.

Defendants M. Yu. Dymshits, S. I. Zalmanson, I. I. Zalmanson, B. S. Penson and M. A. Bodnya pleaded guilty. Defendants J. M. Mendelevich, E. S. Kuznetsov, A. A. Altman, A. G. Murzhenko and L. G. Khnokh pleaded guilty only in part. Defendant Yu. P. Fyodorov, in answer to the question "Do you plead guilty or not guilty?", replied: "Not to these charges."

Of the eleven defendants, nine (all except Murzhenko and Fyodorov) testified that the sole purpose of their intended seizure of the aeroplane was to get to Israel. S. I. Zalmanson and her husband E. S. Kuznetsov, J. M. Mendelevich, A. A. Altman, B. S. Penson and M. A. Bodnya had repeatedly tried through official channels to

emigrate to Israel, but either this was refused by OVIR [Department of Visas and Registrations] or they were refused testimonials at work, without which OVIR does not accept applications.

The following facts emerged from the questioning of the defendants:

Mark Dymshits was born in 1927. He was a member of the communist party until his arrest, after which he was expelled. After graduating from flying school he served in the Air Force. He was demobilised in 1960. Unable to find work in his speciality in Leningrad, where his family lived, he went to Bukhara [in Uzbekistan, 250 m. W of Tashkent], where he served in civil aviation for two years. On returning to Leningrad he entered the Agricultural Institute. After graduating he worked as an engineer. Mark Dymshits stated that he could not give his children a Jewish upbringing in the USSR.

Silva Zalmanson, born in 1943, lived in Riga and worked as an engineer. In January 1970 she married E. S. Kuznetsov. She confirmed that she had re-typed the first issue of the [*samizdat*] journal "Iton".

Eduard Samoilovich Kuznetsov was born in 1939. In 1960 he passed the entrance examination for the Philosophy Faculty of Moscow University with flying colours. He was arrested when in the second year of his studies, and in 1961 he was sentenced to seven years under article 70. In a Mordovian camp he was tried by the camp administration and spent half his term in a cell in Vladimir prison, together with [the young Leningrad orientalist] Igor Ogurtsov. After his release in 1968 he lived under open surveillance in Strunino in the Vladimir Region. After his marriage to S. Zalmanson he moved to Riga, where he worked in a hospital.

Izrail Zalmanson, brother of Silva Zalmanson, was born in 1949. He was the youngest of the defendants. A student of the Riga Polytechnic Institute, he passed all the fourth-year examinations in June 1970.

Joseph Mendeleovich is 23. He was a student at the Riga Polytechnic Institute, but left during his third year, regarding it as not quite moral to study on Soviet money when he had set himself the aim of getting to Israel. After leaving the Institute he worked as a watchman.

J. Mendeleovich taught himself Yiddish and Ivrit [Modern Hebrew] and studied Jewish history and religion. He and his family repeatedly applied to emigrate to Israel, but they were invariably refused. He sent petitions to the first secretary of the Latvian communist party, to the USSR Minister of Internal Affairs and to Brezhnev. Kaiya, head of the Riga OVIR, told him in one of their conversations: "You'll never be allowed to emigrate, you'll rot here, now get out!" When asked by the Procurator how he could exchange a socialist system for a capitalist one, Joseph replied that he was indifferent to social structure, as he was to his material circumstances. Mendeleovich admitted taking part in the publication of the historical and literary journal "Iton". He did not consider his literary activities to be criminal. When asked by the Procurator whether he regarded himself as a "Zionist" or as a "person of Jewish origin", J. Mendeleovich replied: "I'm not a person of Jewish origin, I'm a Jew."

Aleksei Murzhenko, born in 1942, lived and worked in Lozovaya [in the Kharkov Region] and had been studying for an external degree. As a reason for his participation [in the hi-jack plan] Murzhenko put forward the unsatisfactory state of his personal life (he had failed to get into an institute and had an unhappy family life).

Yury Fyodorov, a Muscovite, was born in 1943. He worked as a general labourer. As motives for his participation [in the hi-jack plan] his defence counsel Toropova indicated the deeply psychopathological state of his personality and his persecution complex. An out-patient psychiatric examination had given the following diagnosis of Yu. P. Fyodorov's state of health: "He is of sound mind, but has a psychopathic personality and a persecution complex; however the illness has not reached a sufficient stage to render him of unsound mind." Fyodorov and Murzhenko had previously been convicted (in 1962) under articles 70 and 72 of the Russian Criminal Code.

Anatoly Altman, aged 29, was born in Chernovtsy [W. Ukraine]. As a child he used to go to the synagogue and the Jewish theatre with his parents. He was interested in philosophy, Jewish history and Judaism. He studied geography, but left [before completing the course]. He worked as a joiner. He submitted his documents to OVIR

with a request for permission to emigrate to Israel, but this was refused.

Altman admitted typing the first and second issues of the journal "Iton". He considered the content of these journals to be aimed purely at national cultural enlightenment, but they were not at all anti-Soviet.

Ara (Leiba) Khnokh was born in 1944. He is a worker. The family in which A. Khnokh was brought up spoke Hebrew and observed all [Jewish] traditions and feasts. He considered that the future of the Jews as a nation lay only in Israel. He submitted an application to OVIR, but this was refused. One of the OVIR officials told him that he was too young and would not be allowed to emigrate. He considered that refusal to allow Jews to emigrate to Israel was a violation of the Universal Declaration of Human Rights. He was the co-author of letters to Kosygin, the secretaries of [foreign] communist parties and U Thant, but was certain that these letters contained nothing slanderous or anti-Soviet. His only work was "Our native tongue", which was written with the aim of showing the Soviet government that the number of Jews in the USSR had not diminished, and that it was time to recognise this fact and open Jewish schools and theatres. At this point the Procurator retorted in a jeering voice: "He thought schools and theatres would be opened for them." A. Khnokh stated that during the investigation his evidence had been distorted by the investigator, and that to uphold his evidence had required great strength. He had finally been unable to endure this and had signed a record of evidence which he had not given. He had not been permitted to write his evidence himself. Evidence given by the others had only been shown to him selectively. Khnokh stated that he regarded Israel as his fatherland, while in the USSR he had only the rights of a prisoner, since he was deprived of the right of a free man to choose his place of residence for himself. Khnokh did not reply to questions unconnected with the trial (e.g. about Ruta Alexandrovich [see *Chronicle* No. 16]). Defence counsel reminded the court of the regulation giving Khnokh this right (article 46 of the Russian Code of Criminal Procedure), but the Procurator insistently demanded answers to all his questions.

Boris Penson was born in 1947. He has close relatives in

Israel. He is an artist. He has one previous conviction (for being present at a multiple rape).

Mendel Bodnya was born in 1937. He lost contact with his mother and brother in the war, but learned during the fifties that they were in Israel. He was a metal-worker, but on becoming disabled he received a pension.

As the judicial investigation showed, the originator of the plan to hi-jack an aeroplane was M. Yu. Dymshits. In 1967 or 1968 Dymshits decided to leave the Soviet Union clandestinely and began to seek others similarly inclined. In March 1970 he was joined by S. I. Zalmanson and E. S. Kuznetsov. At the beginning of April, at his wife's request, Kuznetsov talked to her younger brother Izrail, who also agreed to escape. In May Silva discussed the plan with her other brother, Lieutenant Vulf Zalmanson, who had arrived from his military unit; he also agreed. In Moscow, in the middle of April, Kuznetsov invited Yu. P. Fyodorov to join them, and Fyodorov invited A. G. Murzhenko. In Lenin-grad and Riga several alternative plans for hi-jacking an aeroplane were discussed.

In the course of these discussions Izrail's views were sought. Izrail categorically opposed the hi-jacking of an aeroplane. Dymshits's friends began to try to talk him out of his plans. He continued to devise various alternative methods.

On June 5 Dymshits produced a plan for hi-jacking an AN-2 twelve-seater passenger aeroplane, flying from Lenin-grad to Priozyorsk, to Sweden. It was intended to pick up part of the group in Priozyorsk and leave the crew there tied up. The group awaiting the aeroplane in Priozyorsk took sleeping-bags for the crew; they were also to prepare awnings, under which the bound crew-men would have been placed. On June 8 Dymshits, Kuznetsov and Fyodorov flew along the selected route.

The weapons which the accused had with them consisted of one pistol and sixteen truncheons. The pistol was incapable of firing, as was shown by an expert examination. Dymshits, too, knew of this. During the flight on June 8 he told Fyodorov. Fyodorov had brought the pistol with him only to frighten the crew.

At the trial all the accused, without hesitation, related all the circumstances and all the factual aspects of the case.

They resolutely denied that they had intended to inflict harm on the USSR, and thus regarded the charge under article 64 as unjust. In addition all the accused categorically rejected the very idea that they wished to steal the aeroplane. They had intended to use it solely as a means of transport. Thus they regarded the charge under article 93-1 as entirely unjustified.

23 witnesses were called at the trial, including Gilel Butman, Mikhail Korenblit and Lev Korenblit (both accused in the second [forthcoming Jewish] Leningrad trial), Boris Maftser and Aron Shpilberg (both accused in the Riga trial now in preparation) and the pilot of the aeroplane, who said that in fact the aeroplane was worth 35,000 roubles, and not 64,000 as the prosecution had alleged.

Witness Butman stated that he and Dymshits had wished to direct the attention of world public opinion to the fact that many of the Jews in the USSR wished to emigrate to Israel, and that the Jews who spoke at the press-conference in Moscow on March 4 [1970] did not express the opinions of all Jews (at this point the Procurator cut the witness short).

In his address the prosecutor devoted much attention to the "machinations of international Zionism", and said that in the USSR there was no Jewish problem and could never be one. "There are those who say that this trial is against the Jews, but that is untrue. This trial is not about Jews. It is a criminal trial in which the majority of the criminals are Jews. But I do not consider Kuznetsov to be a Jew. I consider that Kuznetsov is a Russian. I consider that this is a trial of a group, and that the court must base its decision not on the charges brought against each person individually, but on their totality." Procurator Solovyov indicated that the defendant Bodnya had shown genuine remorse. In his opinion Bodnya, unlike the other defendants, had no anti-Soviet beliefs. In conclusion the prosecutor said: "I regard the motives for the actions of all the accused except Bodnya as anti-Soviet. I ask that all the accused except Bodnya be found guilty under articles 64 via 15, 93-1 via 15, 70 and 72. As for Bodnya—taking into consideration his honest remorse, his sincerity and frankness, and also his personal motives for the crime, I ask that he be found guilty under article 83

(illegally crossing the frontier) and 93-1. I request the court to apply article 43 of the Russian Criminal Code (fixing a more lenient penalty than is prescribed by law) in Bodnya's case." Procurator Solovyov demanded that Kuznetsov, Fyodorov and Murzhenko be judged to be especially dangerous recidivists; that Kuznetsov and Dymshits be sentenced to the supreme penalty—death, that Fyodorov be sentenced to fifteen years of special-regime [camps], Murzhenko to fourteen years of special-regime, Mendelevich to fifteen years of strict-regime, Khnokh to thirteen years of strict-regime, I. Zalmanson, Altman and Penson to twelve years of strict-regime, S. Zalmanson to ten years of strict-regime and Bodnya to five years of hard-regime.

All the defence counsels stated that article 93-1 was completely inapplicable to the actions of their clients, since the accused had clearly not intended to steal the aeroplane. Drozdov, S. Zalmanson's defence counsel, asked that the charge under article 93-1 be deleted, while all the other defence counsels asked that article 93-1 be changed to article 91 (a raid aimed at the seizure of state or public property).

Defence counsels [S.L.] Ariya, Ilina, Lesko, Toropova, Sarri and Svistunov (defending Mendelevich, I. Zalmanson, Altman, Fyodorov, Murzhenko, Khnokh and Bodnya) pointed out that their clients had had no direct intention of undermining the might of the Soviet Union or damaging its external security, and that without such direct intention there could be no question of applying article 64. Mendelevich's defence counsel Ariya said: "Since 1968 my client has had the clear-cut desire to emigrate to Israel, which he mistakenly regards as his fatherland . . . And if Mendelevich had escaped to Israel to pray to his God, and possibly even to revile the USSR, that could not have damaged our external security."

Defence counsels for S. Zalmanson, Mendelevich, I. Zalmanson, Altman and Khnokh considered that the actions of their clients, for which they had been charged under article 70, had been incorrectly assessed. Defence counsel Sarri, for Khnokh, said: "It is absurd to think that the Soviet political system could be weakened by the circu-

[17. A reference to Nehama Lifshits, a popular Jewish singer allowed to emigrate in 1969.]

lation of such documents as 'Nehama has arrived'¹⁷ and 'Our native tongue', and even less so by their possession." The motives leading Altman to take part in the publication of the journal "Iton" (the journal was about life in Israel and its history—only two issues appeared) were not regarded by his defence counsel Lesko as anti-Soviet. For all these reasons defence counsels for S. Zalmanson, Mendelevich, I. Zalmanson, Altman and Khnokh asked that article 70 in the charge be changed to article 190-1. Murzhenko's defence counsel Ilina drew the attention of the court to the fact that the prosecution had not given any evidence that her client held anti-Soviet beliefs, apart from his previous conviction. Fyodorov's defence counsel Toropova said the same thing.

Defence counsels asked that extenuating circumstances be taken into consideration.

Defence counsel Luri, for Kuznetsov, drew the attention of the court to the words spoken by his client to Bodnya: they must try to avoid violence, not a hair of the crew's heads must be harmed. "Therefore," stated Luri, "the charge that they intended to jeopardize the lives of the crew must be deleted." On the subject of the exceptional penalty demanded by the prosecutor, Luri said: "Is it necessary to impose this penalty if the crime has not been committed, if thanks to the organs of state security the aeroplane is still here and the crew in good health? I think that such an exceptional penalty cannot be imposed."

The defendants delivered their final addresses:

M. Yu. Dymshits: "Obviously any criminal will regard his punishment as too severe. Yet I still wish to express my opinion about the penalty which is being proposed. I consider the Procurator's demands to be excessively cruel. The Procurator has often used the word 'if'. He has, I think, exhausted his entire stock of the most frightful hypotheses. If we had landed in Finland and been handed over [back to the USSR], what then? . . . If there had been passengers? I am not a liberal, and I well understand the meaning of the word 'struggle'. You need such severe penalties as a deterrent. I myself put forward the first plan, but we ourselves rejected it. The citizen prosecutor spoke on behalf of the crew. It is unfortunate that he was not accompanied by the people from the personnel department to whom I

unsuccessfully applied for work. *They* could have stopped me—until the autumn of 1969, but after that only the KGB could have stopped me. We, the group of defendants, are people with differing characters. Many of us made each other's acquaintance only in the last days. It is gratifying that even here we have not lost our humanity and started to eat each other like spiders in a jam-jar. I thank the [security] organs for the humanity they have shown towards my wife and daughter. I ask the court to treat me justly and humanely."

Silva Zalmanson: "I cannot seem to come to my senses . . . I am stunned by the sentences demanded for us by the Procurator. He has just proposed execution for a crime that has not been committed. If the court agrees, then two such remarkable people as Dymshits and Kuznetsov will die. I consider that Soviet law should not regard someone's intention to live in another country as treason, and I am convinced that it is those who unlawfully trample on our right to live where we wish who should have been put on trial. Let the court at least take account of the fact that if we had been allowed to emigrate, there would never have been this 'criminal conspiracy', which has brought such agony to us . . . and even more to our relatives. Israel is a country with which we, the Jews, are linked spiritually and historically. I hope the government of the USSR will soon resolve this question in a positive way. We shall never lose the dream of joining our ancient motherland. Several of us did not believe our enterprise would succeed, or hardly believed it. We noticed we were being followed at the Finland Station [the Leningrad railway station from which they left for the airport], but we could no longer turn back. We could not return to the past, to the waiting, to living out of suitcases. Our fear of the suffering which might be inflicted on us was nothing in comparison with our dream of living in Israel. We were doing no-one any harm by leaving. I wanted to live there as a family and to work. I would not have indulged in politics. My interest in politics extends only as far as my desire to emigrate. Even now I do not doubt for a minute that one day I shall live in Israel. This dream, sanctified by two thousand years of hope, will never leave me. *Next year in Jerusalem!* Even now I repeat:

If I forget thee, Jerusalem,
Let my right hand wither!

(She repeats these words in Hebrew. The Procurator cuts her off.) I have nothing more to say."

Joseph Mendeleovich: "I should like to tell you that I regard my actions, aimed at seizing an aeroplane and violating the state frontier, as criminal. But I am also guilty of allowing myself to be indiscriminate in selecting a method of realising my dream. These last six months have taught me that the emotions must be subordinated to reason. I understand that I must be punished, and I urge the court to be magnanimous towards my comrades."

Eduard Kuznetsov: "The state prosecutor assumes from the outset that once abroad I would have engaged in activities hostile to the Soviet Union. He bases this on what he claims to be my anti-Soviet beliefs, which I have never in fact expressed. I had no intention of harming the Soviet Union. I wished only to live in Israel. I did not regard a possible request for political asylum as a hostile political act. Incorrect statements are made about this in the charge. I have not expressed the wish to speak at any press-conference, neither have I discussed this question with anyone. Without going into the various reasons why I had no such intentions, I shall say only that my ironical cast of mind has insured me against political speeches of any kind. I sincerely regret that I agreed to take part in this business, and consider myself only partially guilty under article 64-a (via 15) and article 72 of the Russian Criminal Code. I ask the court to be lenient towards my wife Silva Zalmanson. I also ask for justice for myself. After all, you only live once."

Izrail Zalmanson: "The only thing that led me to do this was the desire to live and work in the state of Israel—my spiritual motherland. This desire had become my main aim in life. During the investigation I have understood the mistakenness of my act. I wish to assure you that in future nothing will make me break the law."

Aleksei Murzhenko: "Before talking of myself, I ask the court to be lenient towards Kuznetsov and Dymshits.

"I am in complete agreement with my defence counsel. The Procurator claims that I am anti-Soviet, and that this is why I took part in this act. But that is untrue. My first conviction caused my life to be utterly ruined. The fact that

I took part in this enterprise was the result of my lack of experience of life. My life has been eight years at the Suvorov [military] Academy, six years in camps for political prisoners, and only *two* years' freedom. Living in a remote area I had no opportunity of applying my knowledge, and I had to bury it. You are deciding my fate, my life. The fourteen years' imprisonment demanded by the prosecutor mean that I am regarded as incorrigible, that it has been decided to write me off. I have never pursued criminal ends. I ask the court to set a term of imprisonment which would leave me the hope of happiness, a hope for my future and that of my family."

Yury Fyodorov: "Reflecting on what we have done, I have become convinced that we had only one purpose—to leave the USSR. None of us wished to harm the USSR. I consider that we took all precautions to protect the lives of the crew. I plead guilty only to an attempt to violate the state frontier and I am ready to answer for that, but my conscience does not make me feel guilty—I actually performed nothing. The prosecutor has not been stingy with the sentences, but does he know what even three years in a camp mean . . . ? The public prosecutor's address was directed against the seizure of the aeroplane, and one can agree with that. As for the revolver, it was taken in case we had to use the Finland plan. I parted company with my anti-Soviet views when I was in the camp . . . In planning to seize the aeroplane we did not suspect that some of us were more guilty and some less. Each one did what he could. Suddenly it turns out that Dymshits and Kuznetsov are guiltiest of all of the act. At least Dymshits was going to pilot the aeroplane, but I cannot understand why Kuznetsov suddenly turns out to be more guilty than the rest of us. As for the possible consequences, I can say that if the act was not carried out, then it is futile to surmise about the course it would have taken. I ask the court to show mercy towards Kuznetsov and Dymshits. I wish to emphasise that I myself insisted on taking part, while Murzhenko was drawn into it by me even against Kuznetsov's wishes."

Anatoly Altman: "Citizen Judges, I appeal to you to spare the lives of Kuznetsov and Dymshits and to assign the minimum penalty for the only woman among us—Silva

Zalmanson. I express deep regret, I am sincerely sorry that I and my comrades are here in the dock. I hope the court will find it possible not to punish us too severely. It is impossible for me to avoid my punishment for taking part in a crime, but there is one circumstance I find hard to understand. In 1969 I submitted an application to emigrate to Israel, i.e. I wanted to betray the fatherland. On that occasion my desire brought nothing more than contempt upon me, but on this occasion I am being tried. This is not idle bewilderment, as confinement, imprisonment and the agony of our near ones are involved. I was born in Soviet times and have spent all my life in the Soviet land. I have not had time to make a thorough study of the class-basis of Zionism, but I well know that peoples and nations pass at various times through various political states, for which they are none the worse and none the better. Today, when my fate is being decided, I feel both exalted and down-cast. I express the hope that Israel will be visited by peace. Today, my country, I send you greetings for this, Sholom-Aleikhem! Peace be with you, O land of Israel!"

Leib Khnokh: "Citizen Judges, I ask you to show mercy to our two comrades and leniency to the only woman among us. I can only say again that our actions were not directed against the security of the USSR. My sole aim was to live in the state of Israel, which I have long since regarded as my native country, the country where my people once arose as a nation, where the Jewish state and Jewish culture have always been and are now developing, where my native tongue is spoken, where my relatives and near ones live. I have absolutely no anti-Soviet views. Two witnesses have incorrectly interpreted my views. Clearly they live in those areas of the USSR where Jews do not apply to OVIR. Both of them told the court that I had not perceived the essence of the socialist system. My only aim was to live in Israel—the true home of the Jews."

Boris Penson: "Throughout the pre-trial investigation I gave evidence of my intentions, and it is useless for the Procurator to claim that I changed it—that is not so. It is just that during the first few days I gave no evidence at all, but once I had given it I did not change it. All the time I doubted whether we would succeed and whether it was worth doing at all. But the desire to bring happiness to my

family was great, and although I did not appreciate the extent of the risk I still went ahead. Once in the wood, however, I decided to withdraw, but before I could do so we were arrested. I ask the court to take into consideration my remorse for my actions—I should have tried to emigrate legally, although the organisation dealing with this leaves no hope of emigrating to Israel. I am ready to answer for a crime I did not commit. I ask the court to take into account the fact that I have aged parents. I ask the court for leniency towards Silva Zalmanson and mercy for Kuznetsov and Dymshits."

Mendel Bodnya: "I ask the court for mercy and leniency. I only wanted to see my mother. I ask the court to take into account the fact that I have promised never to break the law again."

The judicial board of the Leningrad City Court delivered the following sentences:

M. Yu. Dymshits: the supreme penalty—death—with confiscation of property.

E. S. Kuznetsov: the supreme penalty—death—without confiscation of property owing to lack of the same. Judged to be an especially dangerous recidivist.

J. M. Mendelevich: fifteen years of strict-regime [camps] without confiscation of property owing to lack of the same.

Yu. P. Fyodorov: fifteen years of special-regime without confiscation of property owing to lack of the same. Judged to be an especially dangerous recidivist.

A. G. Murzhenko: fourteen years of special-regime without confiscation of property owing to lack of the same. Judged to be an especially dangerous recidivist.

L. G. Khnokh: thirteen years of strict-regime without confiscation of property owing to lack of the same.

A. A. Altman: twelve years of strict-regime without confiscation of property owing to lack of the same.

S. I. Zalmanson: ten years of strict-regime without confiscation of property owing to lack of the same.

B. S. Penson: ten years of strict-regime with confiscation of property (at the very beginning of the pre-trial investigation all his pictures, studies and drawings were confiscated as part of his personal property).

I. I. Zalmanson: eight years of strict-regime without confiscation of property owing to lack of the same.

M. A. Bodnya: four years of hard-regime without confiscation of property owing to lack of the same.

After the sentences had been delivered the "public" applauded, and the relatives of the accused cried out: "Fascists! How dare you applaud death sentences!", "Well done!", "Keep it up!", "We're with you!", "We'll wait for you!", "We'll make it to Israel!", after which the applause ceased.

Public Statements After The Trial

On December 27 V. N. Chalidze, A. S. Volpin, A. N. Tvyordokhlebov, B. I. Tsukerman and L. G. Rigerman sent a letter to the President of the Presidium of the USSR Supreme Soviet N. V. Podgorny. They asked him not to allow the murder of Kuznetsov and Dymshits; to allow all those wishing to emigrate to do so; to recognise the right of Jews to repatriation.

On December 28 Academician A. D. Sakharov sent a letter to R. Nixon, President of the United States, and to N. V. Podgorny, President of the Presidium of the USSR Supreme Soviet, in defence of Angela Davis and of Dymshits and Kuznetsov, convicted in Leningrad.

On 30 December 1970 a group of citizens of the USSR appealed to General Franco and to Podgorny, President of the Presidium of the USSR Supreme Soviet; they were "deeply perturbed and shocked by the wave of cruelty manifested by the death sentences imposed in Burgos and in Leningrad". They urge that the lives of those sentenced should be spared.

* * *

The hearing of the appeals of the defendants and their defence counsels was unexpectedly fixed for December 30, in violation of article 328 of the Code of Criminal Procedure. Since copies of the sentence had been handed to the defendants on December 26, the appeal hearing should have begun no earlier than January 5, according to articles 328 and 103 of the Code of Criminal Procedure.

About twenty "members of the public" gathered in the small courtroom, among them the few relatives of the accused who had managed to come to Moscow. The session on December 30 lasted until 2.30 p.m. It was then

unexpectedly interrupted for an hour and a half. After the recess the session lasted another twenty minutes. It was then adjourned until the following day. (It must be remembered that on that day, December 30, General Franco set aside the death sentences imposed at Burgos.) The sessions on December 30 included the presentation of the case and the defence counsels' addresses.

On December 31 the session lasted only half an hour. Procurator Pokhlebin (of the Procuracy of the USSR) spoke in favour of reducing the sentences. The appeal board then withdrew for an hour-long deliberation. At about 11 a.m. the judicial board for criminal affairs of the Russian Supreme Court, consisting of L. N. Smirnov (chairman of the Russian Supreme Court), M. A. Gavrilin and V. M. Timofeyev (members of the Supreme Court), delivered the following verdict:

"Considering that the criminal activity of Dymshits and Kuznetsov was interrupted before it had reached the stage of execution, and that the death penalty is an exceptional punishment, the board of the Supreme Court regards it as possible not to apply the death penalty to Dymshits and Kuznetsov."

The board of the Supreme Court pronounced the following sentences:

1. M. Yu. Dymshits: Fifteen years of strict-regime with confiscation of property.
2. E. S. Kuznetsov: Fifteen years of special-regime without confiscation of property owing to lack of the same. Judged to be an especially dangerous recidivist.

In addition the board pronounced the following sentences:

3. J. M. Mendelevich: Twelve years of strict-regime without confiscation of property owing to lack of the same.
4. L. G. Khnokh: Ten years of strict-regime without confiscation of property owing to lack of the same.
5. A. A. Altman: Ten years of strict-regime without confiscation of property owing to lack of the same.

The sentences imposed by the court of first instance on the remainder of the accused were left unaltered. However, in a telegram from the Russian Supreme Court to the Leningrad City Court I. I. Zalmanson's sentence was given as seven years of strict-regime (instead of eight).

Trials of Recent Years

Perhaps the Ukrainian KGB's most important case in 1967 was that of the "Ukrainian National Front" (UNF).¹⁸

In July 1966 the Ivano-Frankovsk Region KGB arrested the Donetsk [SE Ukraine] miner Nikolai Kachur on a charge of circulating the illegal journal *Liberty and the Motherland* (the journal of the UNF). In March 1967 the following were arrested: Dmitry Nikolayevich Kvetsko (born 1935)—a graduate of the History Faculty of Lvov University, he was a school-teacher of history; Zinovy Mikhailovich Krasivsky (born 1930, a writer, author of *Baida*, a historical novel about Dmitry Vishnevetsky, the founder [in the 16th century] of the Zaporozhskaya Sesch [a fortress Cossack community on the Dnieper]; the novel was prepared for the press under the editorship of [the well-known Ukrainian writer] M. Stelmakh, but did not appear owing to the arrest of its author. In 1947, in one of the deportations, Krasivsky and his family were exiled from the Western Ukraine, but he escaped on his way to exile and then spent five years in a camp, after which he lived in Karaganda, where a subsidence in a mine made him a second-category invalid. Before his arrest he was living in Morshin [in the Lvov-Region]); Mikhail Dmitriyevich Dyak (born 1935, a lieutenant of police and divisional police-chief of the Dolinsky District of the Ivano-Frankovsk Region); Vasily Ivanovich Kulynin (born 1943, after army service worked as a lathe operator in a factory in the town of Stry in the Lvov Region); Yaroslav Vasilevich Lesiv (born 1945, a school-teacher of physical culture in the Kirovograd Region [140 m. SE of Kiev]); Grigory Prokopovich, a history teacher; Ivan Gubka, a Lvov engineer; Miroslav Melen, a choir-director in Morshin (the last three, as well as Kachur, are about 40. All four had been previously convicted for aiding the nationalist resistance movement).

The investigation was conducted by the head of the investigation division of the Ivano-Frankovsk KGB, Lieutenant-Colonel Dolgikh.

In September 1967 the Lvov Regional Court sentenced Prokopovich, Gubka and Melen to six years of corrective-

labour camps plus five years' exile under article 62-1 of the Ukrainian Criminal Code (equivalent to article 70 of the Russian Code). In October 1967 the Ivano-Frankovsk Regional Court sentenced Kachur to five years of corrective-labour camps. In 1969, for his assistance in the investigation, he was released before the expiry of his sentence. All the accused were charged with the circulating of the journal *Liberty and the Motherland* and other UNF material.

In the second half of November 1967 an assize session of the Ukrainian Supreme Court, under the chairmanship of Stolyarchuk, tried the five ring-leaders in Ivano-Frankovsk. Chumak, Deputy Procurator of the Ivano-Frankovsk Region, led the prosecution on charges under articles 56 (betrayal of the fatherland, equivalent to article 64 of the Russian Code) and 64 (creation of an organisation, equivalent to article 72 of the Russian Code).

The defence counsels, who had been selected by the investigating authorities, hardly differed from the Procurator. The accused were charged in connection with the journal *Liberty and the Motherland* (of which about fifteen issues appeared between 1964 and 1966, though not all of them figured in the investigation). The first issue of the journal included the programme-document "The demands of the UNF", the second—"The tactics of the UNF", in which all possible emphasis is laid on propaganda—there is not a word about terrorism or about any seizure of power, armed or otherwise. Three issues include verses by Krasivsky. The principle publicist and theoretician of the journal and the group was Kvetsko. Besides the journal the charges also involved Open Letters, a "Memorandum from the UNF to the XXIIIrd Party Congress" (sent in March 1966 to the party leaders and to central press organs), and a "Statement by the UNF" regarding the press-conference of summer or autumn 1966¹⁹ given in Kiev by S. Dzhugalo, a former member of the OUN [Organisation of Ukrainian Nationalists] (sent to [Ukrainian party leaders] Shelest, Kirichenko and others). The accused were also charged with circulating OUN pamphlets and leaflets dating from 1947-1949, about 7,000 copies of which Krasivsky had found in three crates in the Carpathians. The most active and imaginative circulator was Dyak.

[18. On this case see a translated *Samizdat* document in *The Ukrainian Review*, London, No. 2, 1969, pp. 9-11.]

[19. In fact 19 April 1966. See *Pravda*, 20 April.]

The court found three of them deserving of the "supreme penalty" [death], but, considering various circumstances, sentenced Kvetsko to fifteen years (of which five in prison) and five years' exile, Krasivsky and Dyak to twelve years (of which five in prison) and five years' exile, and Kulynin and Lesiv to six years of corrective-labour camps.

Kvetsko and Krasivsky are in Vladimir [100 m. E of Moscow]²⁰, Dyak, Lesiv, Kulynin and Melen in Dubrovlag [Mordovia] camp No. 19, Prokopovich and Gubka in Dubrovlag camp No. 3.

**Persecution of Jews Wishing to Emigrate to Israel
(based on material from the "Chronicle" section of
Exodus [no. 3?]²¹)**

The Shmurak case. On 28 September 1970 Semyon Shulimovich Shmurak, a resident of Kiev, was sentenced to fifteen days for "petty hooliganism".

On 26 September he submitted an application to OVIR requesting permission to emigrate to Israel. In the evening of the same day he was stopped outside his home. With cries of: "Stop that! I know you! Don't try it on! I'll show you!" an unknown man began waving his fists at Shmurak. Two policemen immediately appeared, took Shmurak by the arm and led him to the police-station. There it turned out that Shmurak had "used obscene language and attempted to assault citizen Yampolsky". He was then taken to a preliminary-detention cell, and on September 28 tried "for petty hooliganism". The only witness was a man whom Shmurak had never seen before. He told the court, however, that Shmurak had done everything of which he was accused. The sentence—fifteen days' imprisonment—"is not subject to appeal".

"And so," Shmurak writes in his letter to Israel, "I was not at the rally at Baby Yar on 29 September 1970²², and

[20. In December 1969 *Chronicle*, it reported Kvetsko, Krasivsky and Dyak as being in Vladimir.]

[21. A *samizdat* Zionist journal, partially modelled on the *Chronicle*.]

I celebrated Rosh Ha Shannah [the Jewish New Year] in a cell."

* * *

The Trial of Jonah Kolchinsky. On 14 October 1970 a double police-squad and a "witness" armed with a heavy object burst into the flat of D. Volkov, who was a senior lecturer at the Kharkov Institute of Arts until he was demoted to being leader of an orchestra for wishing to emigrate to Israel.

Jonah Kolchinsky, aged nineteen, who had also been trying to emigrate to Israel, was visiting him at the time. Having cut the telephone wire, the policeman beat up Kolchinsky and arrested him. Kolchinsky was again beaten up in the car on the way to the police-station. For 24 hours he was held there without food and subjected to anti-semitic insults. They shaved his head and shaved off his beard by force, and after a trial behind closed doors lasting two minutes (by one judge and a secretary) he was sent to prison for twenty days. There Kolchinsky was kept on the strict regime and developed pneumonia.

The grounds for Kolchinsky's arrest were his application of October 6 to the Kharkov Notary Office No. 1 requesting that his power of attorney be certified. Since the text contained the word "Israel", this request was judged to be an act of hooliganism. Previously, in September 1970, Kolchinsky had submitted to the Presidium of the Supreme Soviet a statement of renunciation of citizenship.

At the end of December, after being released from imprisonment, J. Kolchinsky was called up into the army.

* * *

The Arrest of Reiza Palatnik. Reiza Palatnik, born 1937, was arrested in Odessa on 1 December 1970 on a charge of circulating fabrications of a libellous nature slandering the Soviet political and social system (article 187-1 of the Ukrainian Criminal Code, equivalent to article 190-1 of the Russian Code).

After graduating from the extra-mural department of the Moscow Institute of Librarianship, R. Palatnik worked as

[22. Annual remembrance day for the victims of the 1941 massacre. See *Chronicle* 16, Amnesty, ed., p. 29.]

a librarian in Odessa. Recently she had been trying to locate her relatives in Israel, dreaming of emigrating there, and thus attracting the attention of the KGB. On 14 October a search of her home was carried out under the pretext of looking for property stolen from school No. 53, with which she had no connection whatever. A type-writer and verses by Korzhavin, Okudzhava, Galich, Mandelshtam, Akhmatova and other poets were confiscated. The confiscated items were described by Kuverzhin, head of the Odessa KGB, as "illegal literature". After being repeatedly summoned to the KGB, where she was interrogated about her friends, R. Palatnik was arrested on 1 December. After her arrest a second search of her home was carried out in her absence, with the object of discovering "slandorous, anti-Soviet and other documents having a bearing on the case". Items confiscated during the search included the works of David Bergelson, copies of the journals *Novy mir* and *Moskva*, J. Stalin's *Economic Problems of Socialism in the USSR*, R. Palatnik's school-leaving certificate and a packet of unused paper.

In a letter written shortly before her arrest, Reiza describes the KGB's conduct of the investigation: "They summon my relatives, friends and colleagues for questioning, intimidate them and demand confirmation of fabrications about my anti-Soviet activities" . . . "I am awaiting arrest, and when it happens I shall speak out in court against those who suppress the most natural and human desire: to live in one's motherland."

* * *

The Case of Igor Borisov. On 23-24 December 1970 the trial of Igor Borisovich Borisov, born 1942, on a charge of malicious hooliganism (article 206-2 of the Russian Criminal Code) was held in the small town of Toksovo in the Leningrad Region.

Borisov had openly stated that he regarded Israel as his motherland and desired to emigrate there. Immediately after that, on 1 and 2 September, Borisov and his wife Ratner were summoned to the KGB in connection with a report which they (i.e. the KGB) had received stating that Borisov intended to cross the state frontier with the object

of going to Israel. The couple was advised to apply to the Leningrad OVIR.

On 2 September, returning home after a "conversation" with the KGB, Borisov and Ratner became participants in an act of malicious hooliganism which took place in a carriage of an electric train. They were sitting next to a drunk, Kulagin, and his pals Shishkin and Mishchenko, who were drinking vodka and discussing the Jewish problem. Kulagin loudly announced that he "hated the Jews, I'd like to murder them all, slit their throats . . ." In answer Borisov said that he was a Jew and that he wished to live in Israel. At this the drunks became indignant: "Who ever heard of Yids opening their mouths in Russia? We've always bashed you and we always shall!" Five of the men in the carriage resolved to carry out their intention immediately. They threw themselves on Borisov, and one of them hung round his neck from behind and tried to throttle him. They tore his shirt, but got nowhere—they did not even manage to knock him down. The drunk Kulagin went on swearing and insulted Borisov's wife.

All this time (for about 45 to 50 minutes) a man had been advising Borisov to go to another carriage; when the train was already approaching Sosnovo he took a hand in the affair. He turned out to be Colonel Vodnev of the KGB, and he asked all of them to go with him to the police-station. The hooligans ran off. At the police-station the drunk Kulagin insulted Borisov in the presence of policemen and witnesses. Colonel Vodnev tried not to notice this. At Vodnev's insistence no report of the incident was drawn up at the police-station; he merely made a list of those who had taken part in the incident and took it with him.

On 30 September Borisov and Ratner gave evidence to the Procuracy as witnesses.

On 14 October Borisov was summoned to a confrontation with witness Shishkin. Questioning was conducted by investigator Petropavlovsky in the presence of Baikov, Procurator of the Vsevolod District Procuracy. I. Borisov was detained and charged under article 206-2. Kulagin, who after the incident in the carriage had been despatched to the sobering-up station, was adjudged to have been the victim of Borisov's hooliganism.

The court at Toksovo sentenced Igor Borisov to three years' imprisonment.

* * *

Rigerman, American Citizenship and the Soviet Police

On 23 July 1970 Leonid Rigerman, born 1940, visited the embassy of the USA in Moscow. He was born in the USA into an American family, which gives him and his mother Esther Rigerman grounds for taking American citizenship. On 8 September, after completing the documents necessary for the registration of their American citizenship and telephoning the consul to arrange a visit, L. Rigerman and his mother set off for the embassy. At the entrance they were stopped by three policemen and sent to police-station no. 11. There Leonid was searched and all the things he had with him confiscated: documents, money and his watch. Then 1st-Lieutenant Nikolai Andreyevich Balakirev conducted a conversation with him. Balakirev refused to explain why he had been apprehended, for the most part discussing with him the normalisation of the situation in the Middle East and the problem of emigration. Rigerman and his mother were released, having been told to collect their things and documents the following day.

On 14 September the Rigermans handed in their applications at the embassy.

On 9 November, again bound for the embassy, L. Rigerman was stopped about a hundred yards from the entrance by three policemen, who demanded his documents. The American consul then came up to them, greeted Rigerman and started to explain to the policemen that Rigerman was coming to the embassy at his invitation. A car then drove up, and Rigerman was dragged into it and taken to police-station no. 11. There he was again searched and subjected to a "conversation", this time with Nikolai Ivanovich Sokolov, an official of the KGB. When Rigerman was released he telephoned the consul and at the entrance to the embassy he was once more seized, the consul trying to explain to the policemen that Rigerman had a claim to American citizenship, and that under article twelve of the Consular Convention he had the right to enter the embassy.

Rigerman was taken to police-station no. 11 and held

there until 2 pm the following day, when a document was drawn up about his infringement of the Decree of the Presidium of the USSR Supreme Soviet "On liability for maliciously disobeying the lawful demands of the police or the people's vigilantes" of 15 February 1962.

On 12 November the Krasnaya presnya District Court (under Judge Gorovets) sentenced L. Rigerman to seven days' imprisonment.

On 19 December it was announced at a press-conference in the White House that the government of the USA regarded Leonid Rigerman and Esther Rigerman as American citizens. They had been officially informed of this by the embassy of the USA.

On 29 December the Rigermans submitted a request to OVIR for permission to leave for the USA.²³

The Fate of Fritz Mender

In November 1970 it was proposed to Fritz Mender, one of the founders of the Latvian Social-Democratic Workers' Party (LSDWP), and Klava Lorents, head of the Latvian co-operativists, that they should publicly dissociate themselves from Bruno Kalnins, the leader of the LSDWP, who is in emigration in Stockholm. Both refused.

The fate of Fritz Mender (in Latvian: F. Menders) was mentioned in *Chronicle* No. 11.²⁴

He was born in 1885 and received a legal education, studying in Vienna, Brussels and Berne. From 1904 onwards he took part in the socialist movement. In 1905 he joined the Bolsheviks (with the code-name of "Stepan"). In 1906 he was arrested and exiled to Siberia, but in the following year he escaped and until 1917 lived in Austria, Germany and Switzerland. While in emigration he wrote a dissertation and published articles in social-democratic publications (under the pseudonyms of Fritz Weiss and Zodkov).

In independent Latvia F. Mender was a member of the People's Council, of the Central Committee of the LSDWP and—from 1932 onwards—of the Executive Committee of

[23. They finally left the USSR in February 1971.]

[24. Russian text in *Possev: Tretii spetsialnyi vypusk*, Frankfurt, April 1970.]

the Second International. In his report to the 1929 Congress of the LSDWP Mender announced: "We are the children of the Russian Revolution . . ." He was chairman of the party from 1930 until 1934. At the last congress of the LSDWP in 1934 F. Mender spoke against fascism. During the war he took part in the democratic resistance movement.

After the formation of the Latvian SSR [in 1940] F. Mender shared the fate of all social-democrats who remained in the country: most of the party functionaries were exiled to Siberia, Vorkuta, Karaganda and Kolyma. F. Mender returned home in 1955 under an amnesty.

In 1969 Mender, then aged 84, was charged under article 65 of the Latvian Criminal Code (equivalent to article 70 of the Russian Code) for his appeals to various international organisations, including the UNO. The court sentenced F. Mender to five years' banishment, and he was placed in a home for the aged in Varaklyany (in E. Latvia).

In 1970, after a severe deterioration in his health, Mender was moved to Riga.

Political Prisoners in the Mordovian Camps

In 1969 Rashid Dinmukhamedov, born in 1929, was sentenced (for the second time) to thirteen years of special-regime corrective-labour camps (p/o Leplei, ZhKh-385/10). In December 1969 he was placed in hospital, where he opened his veins. For five hours he was given no medical attention—the duty officer did not call a doctor, referring to the lateness of the hour. Dinmukhamedov died from loss of blood.

* * *

Valery Illarionovich Zavertkin, a dentist born in 1914, was arrested on 10 January 1969 and sentenced by the Moscow City Court to fifteen years of special-regime corrective-labour camps for preparing an attempt on the lives of party and government leaders, possessing arms and living on forged documents.

His previous convictions were: in 1933 for taking part

in the terrorist organisation RROK ([the Russian initials for] the "Emancipation of Russia From the Communists"); he was sentenced to the supreme penalty, but this was commuted to ten years in view of his youth. He escaped from custody. He was caught in 1937 and served his sentence until 1947. In 1952 he was again convicted, this time for anti-Soviet propaganda under article 58-10, para. 1 of the Russian Criminal Code.

His address: p/o Leplei, ZhKh-385/10.

Boris Borisovich Zalivako, a priest born in 1940 in Leningrad, was sentenced in early 1970 by the Uzhgorod [W Ukraine, near the border with Czechoslovakia] Regional Court to eight years of strict-regime corrective-labour camps and five years' exile for attempting to cross the Soviet-Czechoslovak frontier. He is in camp No. 3 (ZhKh-385/3-1).

Yakov Vladimirovich Odobescu, a Moldavian born in 1900, a bee-keeper at the "Dubosary" state farm, was arrested in July 1967. Investigations were conducted by Captain Zelenyuk and the head of the Moldavian KGB, General Savchenko. The charge—under article 67 of the Moldavian Criminal Code, equivalent to article 70 of the Russian Code—was drawn up on the basis of a letter from Odobescu to Bodyul, first secretary of the Central Committee of the Moldavian Communist Party, [Ya. S.] Gros-ul, President of the Moldavian Academy of Sciences, the Moldavian Minister of Agriculture and others. The letter contained a demand to protect Moldavia from russification and a call for the re-unification of Moldavia [annexed from Rumania in 1940] with Socialist Rumania. In addition to this, poetry written by Odobescu which he had sent to [the singer Nikolai] Sulak, people's artist of the Moldavian republic, was judged to be criminal; and he was also charged with circulating hand-written leaflets ("Moldavia for the Moldavians, for the Russians—Russia"). The Moldavian Supreme Court sentenced Odobescu to seven years of strict-regime corrective-labour camps. He is at present in No. 17-1 (the "big")²⁵ camp.

* * *

[25. Probably "big" in relation to camp 17a.]

Nikolai Ruban, born in 1940, a resident of Konotop [124 m. NE of Kiev] (in the Sumy Region of the Ukraine), was arrested at the end of 1968 and sentenced in 1969 by the Kiev Regional Court to five years of special-regime corrective-labour camps for the creation of an organisation "of a nationalist character" (he was the only person to be tried) and for circulating leaflets. He is in camp No. 10.

* * *

Albinas Telkenis, a Lithuanian born in 1924, was educated as an agronomist. In 1940 he entered the Kom-somol, and after the war helped in the creation of the collective farms. Until his arrest he was a research officer at the Kaunas Botanic Institute. He is the author of a number of articles in the Lithuanian journal *Agriculture*; his arrest prevented him from defending his Master's dissertation.

He was arrested on 29 September 1969 and charged under article 68 of the Lithuanian Criminal Code (equivalent to article 70 of the Russian Code) with preparing a letter "containing fabrications slandering the policy of the party in the field of agriculture", with the aim of circulating it. The trial took place on 6 April 1970 behind closed doors (the chairman was Mezhenas, the assessors Adomaitis and Kokhanko, the Procurator Bakuchionis, defence counsel Karchatskas).

According to the defence, Telkenis had carried out the request of an aged neighbour, formerly the chairman of a collective farm, who was unable to write himself (because of his "trembling hands"), and written at his dictation an application requesting treatment. The response from the organisation to which the application was sent was feeble, in the old man's opinion. On one occasion he dictated to Telkenis a letter addressed to some high authorities or other, setting out his views on agriculture. That was in 1967. In 1969 the old man died. It turned out that he had not sent off his letter—his relatives found it and took it to the KGB, after which Telkenis was arrested.

The court sentenced Telkenis to three years of strict-regime corrective-labour camps. At present his address is: uchrezhdeniye ZhKh 385/17-1.

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Pyotr Nikolayevich Tokar, born in 1909, is a "Jehovah's witness". In 1947 he was sentenced under articles 54-10 and 54-11 (of the old Russian Criminal Code) to 25 years of corrective-labour camps. In 1970 he sent a complaint to the Procurator, drawing his attention to the fact that the present Code prescribes a maximum sentence of ten years' imprisonment for this article. The reply to his complaint was: "Explain to prisoner P. N. Tokar that since he was sentenced in 1947 his complaint cannot be accepted."

News in Brief

1. On 4 February 1970 Gunar Berzin (in Latvian: Berzins), born 1949, a filing clerk, Laimonis Markant (Markants), born 1951, an inspector of high-voltage equipment, and Valery Akk, a filing clerk, were convicted by the Latvian Supreme Court sitting behind closed doors (the Judge was [A.M.] Niedre, the Procurator Romanova). They were charged with anti-Soviet propaganda and with possessing arms.

During the night of 6-7 November 1969 they distributed in three Districts 8,000 leaflets on the internal and foreign policies of the USSR, on Czechoslovakia, Sino-Soviet relations and the nationalities question. An investigation recovered 3,000 leaflets.

Berzin was sentenced to three years, the others to one and a half years of strict-regime corrective-labour camps.

* * *

2. Algis Statkyavichus, born 1937, a former official of the Sociological Research Bureau in the Ministry of Finance, was arrested on 18 May 1970 in Vilnius. He was accused of being the author of the books *A Critique of the Communist Manifesto* and *Results of Sociological Research in Lithuania*. A. Statkyavichus was judged to be of unsound mind, and by the verdict of the court he was sent for forcible treatment in a psychiatric hospital in mid-November. In connection with his case searches were carried out at the homes of a number of people, among them Yuozas Tumyalis (the compiler of a collection of poetry by Jurgis Balt-rushaitis).

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3. In June 1970 S. F. Emelyanov, formerly Minister of Internal Affairs of the Azerbaïdzhani Republic, was pardoned by the Presidium of the USSR Supreme Soviet. He was sentenced to 25 years in the same case as [Beria's lieutenant] Bagirov. Emelyanov's case has twice been reconsidered by a court empowered to reduce sentences to fifteen years, but the court did not alter the sentence on either occasion "in view of the gravity of the crimes he committed".

Of all the "Beria men" sentenced in 1953-4, only [A. S.] Atakashiyeu (a lieutenant-general, Emelyanov's predecessor as Azerbaïdzhani Minister of Internal Affairs and his deputy until the summer of 1953), [Ya. M.] Broverman, Lanfir, Menshikov and Puchulia are still being held. They are in Dubrovlag camp no. 3, where they hold the posts of librarian, storekeeper, etc., and are members of the so-called "Council of the collective", which is headed by the war criminal Malykhin, whose sentence referred inter alia to his especially cruel method of murdering children (smashing their heads against a wall).

The remainder have been released or pardoned by the courts.

* * *

4. On 7-8 December the Rostov [-on-Don] Regional Court, sitting behind closed doors, heard the case of Pyotr Markovich Egides, Master of philosophical sciences and until the end of 1969 a lecturer at Rostov University.

His arrest and indictment under article 190-1 of the Russian Criminal Code was reported in *Chronicle* Nos. 13 and 14.²⁶

The chairman of the court was Alekseyev, the prosecutor Zaikin, and Egides was defended by Sarri. P. M. Egides was not himself present in court—a diagnosis commission at the Serbsky Institute had judged him to be of unsound mind. V. E. Davidovich (professor at Rostov University and deputy secretary of its party organisation), Kivenko (professor), A. V. Potyomkin (reader at Rostov University) and L. N. Dyamant were questioned by the court as witnesses.

[26. Russian texts in *Possev: Chetyvortyi spetsialnyi vypusk*, June 1970, and *Possev: Pyatyi s.v.*, November 1970.]

Potyomkin testified that in 1969 he went to Davidovich and told him that Egides had in his possession drafts of some Party Rules and of a Constitution. Davidovich informed the KGB, who replied that they would go into the matter.

It was established in court that Egides had prepared his manuscripts in the Leningrad Region and in Rostov (in Dyamant's flat). In early January 1970 the police arrested Dyamant, carried out a search and confiscated a suit-case containing Egides's manuscripts (among them the Rules).

Witness Kivenko described Egides's moral countenance.

Landau, an expert (from the Serbsky Institute), testified that Egides had a psychopathic personality with a cranial-cerebral trauma and arterio-sclerosis, and that he had broken the law "while in a state of paranoid reaction, in the grip of delusions of grandeur and reforming zeal". (The commission had taken into account testimony from Egides's relatives about the mental abnormalities they had noticed in him.) At present, concluded the commission, Egides has not completely emerged from the reaction, in view of which he requires forcible treatment in a psychiatric hospital of general type.

The court judged the manuscripts "Towards the fundamental trends of socialism" and "The only way out" to contain slanderous fabrications. It also judged Egides to be of unsound mind and delivered the verdict that he should be placed in a psychiatric hospital of general type for compulsory treatment.

At present P. M. Egides is in [Moscow's] Kashchenko hospital, in the section for violent patients.

* * *

5. Lidia Andreyevna Doronina, formerly an economist at the Latvian Ministry of Culture, was arrested in Riga on 3 August 1970. In the fifties Doronina served five years in the camps "for sheltering a functionary of the bourgeois republic".

She was charged under article 183-1 of the Latvian Criminal Code (equivalent to article 190-1 of the Russian Code). During a search *samizdat* documents were con-

fiscated. A. Amalrik's "Letter to A. Kuznetsov"²⁷ and A. I. Solzhenitsyn's "This is how we live" [about the arrest of J. Medvedev—see *Chronicle* No. 14] were judged to be criminal. During investigations Doronina also admitted circulating A. Amalrik's essay *Will the Soviet Union Survive until 1984?*, which had not been discovered. Investigations were conducted by the Procuracy and the KGB; the investigator was Kakitis. Approximately 60 witnesses were questioned.

L. A. Doronina's case was heard by the Latvian Supreme Court at the end of December. The chairman was [A. E.] Tsurulis, the prosecutor Puntulis, defence counsel I. Brigis. Entry was by special passes distributed by party committees.

Professor L. Kalnynya, Doctor of philological sciences, P. Komnar and Maiya Silmale, a translator, were witnesses [for the defence]. Kh. Skuya, Yu. Sturis, Mr. and Mrs. Adermanis, Z. Balde and I. Lass were witnesses for the prosecution.

Doronina pleaded guilty. On 29 December 1970 she was sentenced to two years of corrective-labour camps.

The court delivered a separate decision that criminal proceedings should be instituted against witness M. Silmale.

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6. On 25 September 1970 at the Voskresensky cemetery in Saratov [on the middle Volga] a memorial was erected to the biologist Academician N. I. Vavilov, who died of starvation in Saratov prison [in 1943]. His body had been thrown into one of the common graves with a metallic identification tag on one leg, and it was therefore not possible to locate his actual place of burial. The memorial was erected by N. I. Vavilov's son Yury; the money for it had been collected over a period of two years by the nation's biologists, the pupils, colleagues and friends of the deceased. The memorial was erected at the entrance to the cemetery, next to the N. G. Chernyshevsky [revolutionary populist, 1828-89] memorial.

The authorities are investigating who organised the collection for the memorial to Nikolai Ivanovich Vavilov. In

[27. The text is an appendix in Amalrik's *Will the Soviet Union Survive until 1984?*, London, 1970.]

this connection many eminent scientists in Saratov, Leningrad and Moscow have been questioned at their institutes. Several of them have been given intra-party reprimands.

* * *

7. On 8-9 September the court of the Moletai District of Lithuania sentenced Antanas Sheshkyavichus, a priest, to one year of strict-regime camps. He was charged under an article equivalent to article 142-1 of the Russian Criminal Code with teaching primary and secondary school-children the catechism at their parents' request. The sentence has been confirmed by the Lithuanian Supreme Court.

In protest at this the priests of Lithuania have sent a number of petitions with more than a hundred signatures to the Central Committees of the Latvian and Soviet communist parties.

The priest Antanas Sheshkyavichus is in a camp, the address of which is: Lit SSR, g. Alitus OCh 12/4.

* * *

8. Vladimir Dremlyuga, who is serving a three-year sentence in Yakutia for taking part in the demonstration in Red Square on 25 August 1968, has been placed until March in the PKT [the Russian initials for "cell-type premises"], formerly known as BUR [hard-regime barrack] by decision of the camp administration.

The PKT regime is identical to that in prison. Parcels and meetings with relatives are forbidden, and the prisoner's rations are reduced to a lower grade for part of his period of confinement. He is allowed half an hour's exercise per day.

V. Dremlyuga's address is: g. Lensk, p/ya YaD- 40/3.

* * *

9. On 28 October 1970 L. I. Borodin, N. V. Ivanov (both members of Ogurtsov's group—the "All-Russian [Vsyerossiiskiy] Social-Christian Union for the Liberation of the Peoples")²⁸ and Yu. T. Galanskov were despatched from Dubrovlag camp no. 17-a (near the village of Ozyorny) to Yavas for trial. The camp administration requested that

[28. On this group see M. Bourdeaux, *Patriarch and Prophets*, pp. 341-44, and *Possev* No. 1, 1971, pp. 38-43.]

they be sent to Vladimir prison. The court decided to transfer Leonid Borodin to Vladimir (for the remainder of his sentence); Ivanov and Galanskov were put in the BUR for two months. The most recent pretext for a trial was apparently a collective protest by the prisoners about the poor quality of the food.

At the same time as Borodin, A. A. Petrov-Agatov²⁹ and Boris Bykov were sent from camp 17-a to Vladimir.

On 4 December Yury Galanskov was transferred as an emergency case from the BUR to the camp hospital in the village of Barashevo.

10. In the autumn of 1970 MVD troops carried out manoeuvres entitled "The suppression of a revolt in a camp holding 1300 men" near Moscow. This is how it looked: in the camp compound people in pea-jackets are waving their arms and shouting. At a given signal armoured troop-carriers hurtle into the mob and divide it into three sections. Soldiers leap from the troop-carriers hurling tear-gas grenades (simulated); dogs are released. The dogs jump on the men in pea-jackets from behind and seize them round the neck, trying to knock them down. (According to an official statement the soldiers in pea-jackets were wearing special pads round their necks.)

The final stage is the "rounding-up of the ring-leaders". Metal cages have been moved towards the men in pea-jackets; when they reach them the doors close automatically. Each cage has trapped several men. Altogether "fifty ring-leaders have been apprehended".

About a hundred generals and other officers of the MVD and the KGB were present at the manoeuvres.

On completion of the manoeuvres the customary banquet took place.

11. Another attempt to seize an aeroplane with the object of crossing the frontier was made in Lithuania on November 16.

Vitautas Simokaitis (formerly the deputy director of the administrative section of the "Lietuive" ensemble) and his wife (formerly secretary of the Komsomol organisation of the same ensemble) tried to make an aeroplane flying from Palanga to Vilnius change course. Simokaitis entered the

[29. See his documents in *Possev* 6, 1970, and 3, 1971.]

cock-pit of the aeroplane with a pistol and was disarmed by the navigator; his wife, who had been threatening to set fire to the aeroplane with petrol, was also seized.³⁰

12. On the morning of 29 November 1970, following a long-established tradition, Riga Jews came to the Rumula cemetery in the suburbs of Riga to hold a rally in memory of the Jews shot there in November and December 1941. The local authorities hastily decided to hold an official remembrance rally at the same time. The speakers at this rally spoke about fascist atrocities, vigilance, and the Israeli chauvinists who, in league with the West-German revanchists, were defiling the memory of the murdered victims of fascism. After the official rally had ended the Riga Jews gathered around the only Jewish memorial in the Rumbula wood, lit candles and said prayers for the dead. Valery Portnoi told of the tragic fate of the Riga ghetto. The poet Nathan Lazovsky began to recite his verses, but was cut short by a colonel of police demanding that the speeches be ceased. Those present began to insist on their right to hold a rally, citing the Constitution of the USSR. In reply Colonel G. M. Dyagilev said that he had been "instructed" to stop "all this". But the rally continued, ending with the singing of "Buchenwald alarm". (This item is based on the *s.mizdat* essay "Rumbula 1970".)

13. At 6 pm on December 5—Constitution Day—the demonstration which has already become traditional took place in Pushkin Square: those assembled bared their heads and with one minute's silence expressed their protest at the violation of constitutional rights. This year several dozen people came to the square. Foreign correspondents were present. The square was full of KGB officials, police and vigilantes. This year, unlike previous years, there were cases of interference by police and vigilantes—several people were forcibly removed from the square.

14. After the demonstration in Pushkin Square several Moscow students were apprehended. They were stopped for a documents-check at the corner of Sovetskaya Square

[30. Simokaitis was sentenced to death, then reprieved and given 15 years, in January 1971.]

and asked to go to the central vigilante headquarters, which is situated nearby. There the case of one of the girls was opened and found to contain her mark-book and two *samizdat* documents: two issues of the *Chronicle* and A. D. Sakharov's essay "Reflections on progress..."³¹

The students were held at the head-quarters for four hours.

* * *

15. From 5 to 10 December the traditional hunger strike was held by a number of political prisoners in the Mordovian camps (Nos. 19, 3 and 17), by 27 people being held in Vladimir prison, and by Natalya Gorbanevskaya and Vladimir Gershuni in Butyrka prison (see *Chronicle* Nos. 11, 12, 13).

* * *

16. Vl. Gershuni continued his hunger strike until New Year's Eve, the day he was sent to a new special hospital in Oryol [170 m. S of Moscow] (g. Oryol, IZ-55/3).

* * *

17. Girsh Isakovich Feigin, born 1927, a resident of Riga, has been trying for many years to obtain permission to emigrate permanently to Israel to join his mother and sister. On 4 May 1970, as a protest against the groundless refusals, Major G. Feigin publicly renounced the government decorations he had received during the Second World War. On 30 July 1970 Feigin and seven friends of his sent a statement of their renunciation of Soviet citizenship to the Presidium of the USSR Supreme Soviet. After this G. Feigin was repeatedly subjected to didactic "conversations" by various Soviet organisations and threatened with being placed in a psychiatric hospital.

On 18 December 1970 Girsh Feigin was forcibly placed in the republican psychiatric hospital of Latvia at 1, Aptekas Street, Riga. The doctor who saw to his hospitalisation told his [Feigin's] friends that Feigin was abnormal, because "normal people do not renounce government decorations".³²

* * *

[31. Published as *Progress, Coexistence and Intellectual Freedom*, London, 1968.]

[32. Feigin was released in January 1971, and allowed to emigrate on 10 February.]

18. The appeals in the case of R. Pimenov, B. Vail and V. Zinoveva were heard on 22 December. The Russian Supreme Court left the sentences imposed by the Kaluga Regional Court unchanged: five years' exile for R. I. Pimenov and B. B. Vail, one year's suspended sentence for Zinoveva.

* * *

19. On 25 December 1970 a group of Jews awaiting permission to emigrate to Israel requested the chairman of the Leningrad City Court to allow their representatives to attend the trial of Mogilyover, Dreizner, Boguslavsky and others on charges of "anti-Soviet Zionist propaganda" and of "creating an anti-Soviet Zionist organisation". The authors of the request write: "The educative function of the trial will be almost entirely nullified if the only people present at it are those who are ready in advance to welcome 'with a deep sense of satisfaction' the verdict of 'guilty' on Zionism." Another reason for their request: "As long as we are compelled to stay in this country, we shall by all possible means argue our right to leave it." It is especially important for such people to know "where to draw the line", as the investigators put it. "When we learn where to draw the line we shall try not to cross it, but we cannot guarantee this, since the line keeps moving towards us".

* * *

20. On 25 December 1970 Konstantin Iosifovich Babitsky returned to Moscow after serving his term of exile in Syktyvkar in the Komi Republic, to which he was sentenced for taking part in the demonstration in Red Square on 25 August 1968 (see *Chronicle* No. 4).

* * *

21. At the end of May 1970 Boris Georgiyevich Men-shagin, born 1901, was released from Vladimir prison. From 1945 to 1951 he was held in the Lubyanka, the KGB investigation prison. After that—eighteen years in Vladimir.

In 1941 he was in Smolensk; according to unconfirmed reports he witnessed the "Katyn tragedy".

On his release he was placed in a home for the aged in

the village of Knyazhaya Guba in the Arkhangelsk [in fact Murmansk] Region.

* * *
22. In December the case of [Vladimir] Telnikov and [Julia] Vishnevskaya, who had been charged under article 192 of the Russian Criminal Code, was terminated. They were apprehended on July 7 outside the building of the Moscow City Court during the trial of Natalya Gorbanevskaya (see *Chronicle* Nos. 15, 16).

* * *
23. On 29 December 1970 the investigation of the case of A. E. Levitin-Krasnov was concluded (see *Chronicle* No. 15). He is being charged under articles 190-1 and 142 of the Russian Criminal Code (slandering Soviet reality and incitement to violate the laws on the separation of church and state). The case is being handed over to the Moscow City Court. Since August Levitin has been at liberty, having signed an undertaking not to leave his place of residence.

* * *
24. In response to many readers' requests, the *Chronicle* gives all known names, birthdays and addresses of the children of political prisoners and exiles³³:

Marina Aidova, 13 June 1962; g. Kishinyov, ul. Lenina 64 kv. 87.

Yasik Gorbanevsky, 5 September 1961; Olya Gorbanevsky, 14 May 1968; Moskva, Novopeschanaya ul. 13/3 kv. 34.

Alyosha Gabai, 13 February 1962; Moskva, Novolesnaya ul. 18 Korp. 2 kv. 83.

Krasin: Shurik, 15 June 1960; Petya, 20 October 1961; Alyosha, 10 October 1964; Moskva, ul. Godovikova, 12, kv. 11.

Marina Ronkina, 4 February 1964; Leningrad, Bolshoi pr., 56, kv. 16.

Yana Burmistrovich, 22 May 1967; Moskva, Kutuzovsky pr. 26, kv. 55.

[33. The parents concerned are: Vyacheslav Aidov, Natalya Gorbanevskaya, Ilya Gabai, Victor Krasin, Valery Ronkin, Ilya Burmistrovich, Pavel Litvinov, Genrikh Altunyan, Vladislav Nedobora, Vladimir Ponomaryov (Kharkov), Victor Kuznetsov, Vladlen Pavlenkov, Sergei Ponomaryov (Gorky), Revolt Pimenov and Boris Vail.]

Larissa Litvinova, 17 February 1970; Chitinskaya obl. Tungokochensky r-n, pos. Verkhniye Usugli, Tsentralnaya, 30.

Sasha Altunyan, 17 May 1958; Lena, 29 April 1962; Kharkov, ul. Kosmonavtov, 4, kv. 84.

Grisha Nedobora, 11 June 1965; Misha, 3 May 1970; Kharkov, ul. 23 avgusta, 49, kv. 45.

Andrei Ponomaryov, 7 August 1965; Kharkov, ul. 23 avgusta, 26, kv. 45.

Oleg Kuznetsov, 14 August 1959; Olya, 13 March 1963; Pushkino Moskovsk. obl., Nadsonovskaya ul. 22, kv. 54.

Vitya Pavlenkov, 15 November 1960; Gorky, ul. Ulyanova 12 kv. 12.

Vladya Ponomaryova, 17 February 1966; Gorky, ul. Ulyanova 4, kv. 4.

Revolt Pimenov, 20 August 1964.

Dima Vail, 11 August 1966.

Samizdat News

"He was sent by the God of wrath and grief..."

This line by Nekrasov has been taken as the title of a collection of materials on Solzhenitsyn. The foreword points out the profound contrast between the opinions expressed in our press of the writer's work and of his literary and social activity, and the Soviet reader's total lack of access to factual information about them. The compilers set themselves the object of providing material enabling the reader to form his own opinions on the whole "Solzhenitsyn affair": his struggle for the publication of his books in the Soviet Union, the history and development of his conflict with the leadership of the Writers' Union, which led to his expulsion from it, the positions of the two sides in this conflict. The collection includes A. I. Solzhenitsyn's letters and notes, as well as documents relating to his biography; and also articles and documents reflecting the positions both of the official circles of the Writers' Union and of writers, public figures and persons who have spoken in Solzhenitsyn's defence.

The collection consists of 59 letters, articles and docu-

ments divided into seven chapters. Beginning with the Supreme Court's decision on A. I. Solzhenitsyn's rehabilitation (1957), the collection includes in its final chapter documents about his award of the Nobel Prize.

This collection differs from *The Word Forces its Way Through* (see *Chronicle* No. 16) in the principle on which the material has been selected. For example, a large number of reviews by literary critics of those works of Solzhenitsyn which have been published in the USSR (mainly of *One Day in the Life of Ivan Denisovich*) are represented in *The Word* but not in this second collection, which is devoted above all to the literary and social fortunes of A. I. Solzhenitsyn himself. *Samizdat* material defending Solzhenitsyn is represented in it, and it also contains a few documents of foreign origin.

The almost simultaneous appearance in *samizdat* of these complementary collections is evidence of active public interest in the fortunes and work of A. I. Solzhenitsyn.

An Anonymous Appeal³⁴ to Organisations for the Defence of Human Rights (July 1970). (The *Chronicle* has supplied the title.)

Compiled by a political prisoner in a psychiatric hospital-prison (Leningrad, 9 Arsenalnaya Street), this document contains a detailed description of the practices which exist there. The author argues that the very existence of this sort of institution is illegal and immoral, and describes the totally helpless and hopeless position and the utter lack of rights of the prisoners, especially the political prisoners, whose only possible release is death, physical or moral (recantation). Many examples are given of the humiliation and torment to which the prisoners are subjected by the hospital's prison staff (mostly orderlies recruited from among the criminal inmates), with the connivance, and sometimes the actual participation, of the medical staff. The prisoners are beaten, crippled, sometimes killed; their food is stolen or confiscated; as punishment for their "misdeeds" they are subjected to cruel and dangerous methods of "treatment": to "the warp", the injection of shock-inducing drugs which destroy the mind, etc. The culprits

[34. In fact by Victor Fainberg, one of the Red Square demonstrators of 25 August 1968.]

go unpunished; letters to relatives are confiscated in order to conceal these crimes. The appeal ends with a call to the author's fellow-citizens to demand immediately the investigation of these crimes.

* * *

The Town of Vladimir. A report by one of the inmates of Vladimir prison. An essay about the frightful inhumanity of the prison regime. About the heroes and martyrs who have not been broken by years and decades of imprisonment. About those who in the dungeons of Vladimir have preserved their faith in life and in the righteousness of their ideas.

* * *

"On the abolition of capital punishment". A letter from Vladimir Lapin to the USSR Supreme Soviet. The writer regards it as essential to abolish capital punishment; he explains his reasons for this point of view.

* * *

"Problems of Society". Compiled by V. N. Chalidze. Issue No. 7. September-October 1970. Contents: A. Volpin: On the principle of legal proceedings being held in public. V. Chalidze: An Open Letter to defence counsel S. A. Kheifits. Zb. Resich: Even the most perfect laws are not enough (an interview given by the President of the Polish Supreme Court to the [Polish] newspaper *Polityka*). The Constitution of the International Institute of Human Rights (the [René] Cassin Foundation).

* * *

"Problems of Society". Compiled by V. N. Chalidze. Issue No. 8. November-December 1970. Contents: The Principles and Statutes of the Committee for Human Rights. V. Chalidze: Important aspects of the Human Rights situation in the Soviet Union (a report to the Committee). The opinion of the Committee on the fundamental aspects of Human Rights in the Soviet Union. Cumulative contents of the journal "Problems of Society" for 1969 and 1970.

* * *

Memorandum from the Democrats to the USSR Supreme Soviet, 5 December 1970.

The authors of the memorandum speak in the name of democracy, citing such documents, well-known in *samizdat*, as the "Programme of the Democratic Movement in the Soviet Union"³⁵ (DMSU) and "Basic Tactics of the DMSU" (see *Chronicle* Nos. 10 and 14).

The memorandum criticises the leadership of the communist party, examining the social and economic policies of the party and also its nationalities policy, its foreign policy, the systems of legal procedure, government and ideology, and other aspects of political life. The authors of the memorandum consider all the activity of the party leadership and the very fact of its holding power to be unconstitutional, while they discern contradictions in the Constitution of the USSR itself.

The memorandum demands the democratic reconstruction of society, to facilitate which the party leadership is invited to transfer its power to the USSR Supreme Soviet. (The question of how realistic such a transfer of power would be is not examined in the memorandum.)

The other demands made in the memorandum are as follows:

"the establishment of constitutional government of the country with the repeal of all unconstitutional legislation;

"the guarantee that legislative bodies, the judicial system and the machinery of government will function normally in accordance with constitutional norms;

"the introduction of democratic freedoms: the passing of a law releasing all political prisoners;

"the holding of a democratic general election;

"the drafting of a new constitution to legislate for the consolidation of the political foundations of a democratic Soviet society." (The programme is of a purely declarative character; no means of realising it are indicated.)

* * *

[35. Published in Russian by the Alexander Herzen Foundation as a book, Amsterdam, 1970.]

V. Severny: The Economic Position of the Soviet Union. USSR, 1970.

The author of this booklet compares the economy of the USSR with that of pre-revolutionary Russia (comparing the periods 1867-1917 and 1917-the present), and then the economy of the USSR with that of the USA. Both industry and agriculture are dealt with.

The pamphlet deals with rates of economic development, gross volume of production, production per head of the population and levels of consumption. A large amount of statistical material is used. Economic data is taken from Soviet sources.

The author reaches the conclusion that our economic system is, as it stands, not viable. As for the country's economic prospects, the author concludes:

"This state of affairs offers no real prospects of catching up with the advanced capitalist countries in industrial and agricultural production or in consumption levels. . . . As long as existing practices remain unchanged, our industrial backwardness is virtually guaranteed."

V. Severny quotes a number of typical figures, e.g.: Our industrial productivity at present amounts to 40-50% of the American figure, agricultural productivity—20-25%.

The author devotes his most detailed examination to the problem of food supply. "This problem", V. Severny writes, "has the greatest bearing on the lives of the peoples of the USSR. Whereas low industrial consumption causes only poverty, a shortage of food-stuffs places people's very lives at risk." The pamphlet states: "Calculations prove that even if future harvest (of cereals) reach record levels (171 million tons in 1966) . . . and the population growth-rate does not exceed its present level, then by 1989-1993, i.e. in twenty years on the average, the country will find itself faced with a universal food-shortage."

The author sees a way out of the situation which has arisen through the democratisation of society, postulating that only political freedom will create the pre-conditions for the imperative economic transformations. The economy must be organised in a modern, rational way. The author is an exponent of a "mixed" or "three-tier" economy, i.e.:

"1. Standard and uniform branches of production

requiring state control and planning (e.g. the coal industry, power and transport).

"2. Intermediate production requiring both public control and private initiative, controlled planning and market competition (e.g. the engineering industry).

"3. Non-standard, individual and diverse production requiring private initiative, personal control and market competition (e.g. the clothing industry)."

* * *

"*Fourteen Final Addresses*". Moscow, 1970.

Compiled by Yu. Telesin, this collection comprises the final addresses made at political trials between 1966 and 1970 by A. Sinyavsky, Yu. Daniel, V. Chornovil, V. Bukovsky, Yu. Galanskov, A. Ginzburg, L. Bogoraz [wife of Yuly Daniel], P. Litvinov, V. Delone, V. Dremlyuga, K. Babitsky, G. Bayev, I. Burmistrovich and A. Amalrik. (The latter has been added to the collection "Thirteen final addresses"—see *Chronicle* No. 12.)

* * *

A. E. Levitin (*Krasnov*), writer on church affairs. 21 December 1970.

An appeal to the Archbishop of Burgos to prevent the execution of the 16 Basques. "I beg you, use all your authority that your city be not sullied by such an evil deed . . . Surely such a monstrous deed will not really be carried out: 16 Basques will be murdered merely for striving for autonomy for their glorious people. Let that not be!"

* * *

Vladimir Osipov: *Mayakovsky Square*, Article No. 70.³⁶ Alexandrov, August 1970.

Reminiscences about the gatherings of young people at the Mayakovsky memorial during the period 1958-1961, and about the trial of the "Mayakovskyites" (the case of [Ilya] Bokshtein, Osipov, [E. S.] Kuznetsov³⁷ and [Anatoly M.] Ivanov, 1961-2). The essay relates in detail the history of the trial and the conduct of a broad circle

[36. Published in *Grani*, Frankfurt, No. 79, 1971.]

[37. The same man as was convicted in the Leningrad "hi-jack" case.]

of people, at the centre of whom stood the author himself, who served a seven-year sentence imposed at the trial.

* * *

Two Thousand Words from a Worker, Moscow, 19 October 1970.

An anonymous pamphlet in the form of an Open Letter to the APN [the Soviet press agency Novosti] about the article in *Komsomolskaya pravda* of 17 October 1970 on the award of the Nobel Prize to A. I. Solzhenitsyn. It denounces the article as "alien to us" [*ne nasha*]. It suggests going further in the condemnation of Solzhenitsyn and giving the prize to "our best writers—[Vsevolod] Kochetov, [Ivan] Shevtsov, [Nikolai] Gribachyov" [prominent ungifted hard-liners].

* * *

B. Alenin: "You Promised!" December 1970.

A pamphlet in the form of an appeal to Lenin. Its main idea: the humanitarian treatment of the Russian bourgeoisie and intelligentsia, promised by Lenin if the socialist revolution was successful, turned into utter intolerance. It includes excerpts from V. I. Lenin's writings and speeches made in May and June 1917 and, after the revolution, in March and April 1918.

* * *

A. Ivanov: "Does the USSR need a multi-party system?"

The author of the essay argues in favour of a multi-party system under socialism, maintaining that the only content of the one-party principle is the monopoly of power, which is inimical to socialist relationships.

* * *

Issue No. 3 of the journal "Exodus".

Contents: (1) collective and (2) individual letters and statements from Jews attempting to emigrate to Israel; (3) documents and (4) other material devoted to the case of Ruta Alexandrovich (see *Chronicle* No. 16); the July appeal from ten Moscow Jews to the First Session of the USSR

Supreme Soviet³⁸ (the signatories include Joseph and Anna Kerler, Blyuma Diskina and Boris Tsukerman) - see *Chronicle* No. 15.

Eight Riga Jews declare their renunciation of citizenship to the Presidium of the USSR Supreme Soviet: "We see the refusal of permission to emigrate as a trampling of human rights, an insult to our dignity and an act of tyranny and lawlessness . . . Since this outrage is being perpetrated by authorised bodies in the name of the state, we regard it as impossible for us to be citizens of that state." The declaration is signed by Volf Faigelson, Valery Portnoi, Lev Elyashevich, Arkady Shpilberg (arrested in Riga on 5 August 1970), David Khait, Girsch Feigin (forcibly placed in a psychiatric hospital on 18 December 1970), Mendel Gordin (allowed to leave for Israel in November 1970) and Itskhokh-Aizik Gamza.

The "Documents" section includes the certificate issued to Lev Elyashevich stating that he had been expelled from the Riga Polytechnic Institute "for renouncing Soviet citizenship in connection with the wish to emigrate to Israel". It also includes the records of searches at the homes of David Chernoglaz, an accused at the second Leningrad trial, and of Vladimir Slepak (Moscow). The items confiscated include: a photo-copy of a text-book on Jewish history by S. M. Dubnov (Petrograd, 1918); a type-written copy of a lecture "Jews in the East in the Middle Ages" on 26 sheets; ten sheets written by hand in a foreign language (Hebrew); a portrait of Moshe Dayan; a portrait of Herzl . . .

* * *

"Register of people convicted in the nineteen-sixties". (The *Chronicle* has supplied the title.)

A by no means complete list (96 names) of those who have served or are serving sentences in Mordovia or Vladimir under articles of the "Especially dangerous state crimes" section of the Criminal Code. The "Register" gives details of persons convicted between 1968 and 1970 whose names were previously unknown to the *Chronicle*.

* * *

[38. Russian text in *Novoye Russkoye Slovo*, 18 December 1970. English in the *New York Times*, 15 July 1970.]

Message to the Nation.

Signed: "Russian patriots". This document, a sort of declaration, is a manifesto of Russian nationalists. The authors vehemently take issue with Russian (and all) liberals, accusing them of having aims and views which are unsubstantiated, impotent and objectively harmful. The "Russian patriots" campaign for the purity of the white race, which is being tainted by "random hybridisation", and for the rebirth of Russia ("great, united and indivisible") and of the national religion.

* * *

V. Gusarov: "A message on liberty".

An essay. A democrat's rejoinder to the "Russian patriots" ("Message to the Nation").

The author concentrates his attention on the great-power and racist views of the "patriots", without touching on the economic programme or other aspects of the pamphlet "Message to the Nation". "The universal degeneration must be halted not by means of the whip and the birch, but by means of openness and publicity [*glasnost*]. Operative executive power must be under public control.

The hopes set on the "voice of the blood" are particularly dubious—the history of Russia gives no grounds for supposing that a national type has been preserved anywhere in a pure form.

* * *

A. Mikhailov (pseudonym): Thoughts on the liberal campaign of 1968.

In view of the importance of the questions raised by the author of this article, the *Chronicle* gives a detailed resumé of it. Let the reader compare Mikhailov's stand-points with his own ideas.

Since the beginning of the nineteen-fifties the country has been in a state of crisis. This crisis consists of a conflict between the forces of production and the relations of production. The administrative-bureaucratic system by which the economy is governed excludes scientific methods of management. The crisis gave rise to a liberal trend, which matured beneath the surface among the intelligentsia during the Khrushchev period. In 1968 the liberal opposition came

out into the open for the first time and was swiftly crushed. Reaction set in on the part of the government and continues to this day.

The opposition bore no fruit. It caused no positive shifts in public consciousness, leaving after its destruction disillusion and apathy. Sensible people were put off by it. But the majority of people were actually turned against it. The opposition not only failed to attract new supporters of liberalism, but to a certain extent compromised the very idea of opposition. The failure of the opposition lay in its incorrect orientation, in its lack of understanding of the real situation. A social conflict, objective in content, underwent a transformation in the consciousness of the oppositionists, turning for them into a subjective moral conflict between individuals and the state. This confusion of consciousness gave the movement a romantic character and made it ineffectual. These liberal-romantics acted according to their emotions and moral instincts, they wanted to save only their souls and to purge their consciences—and therefore they sacrificed themselves. They did not wish, nor were they able, to think of the whole of society, they were not concerned with the practical results of their actions, which had become an end in themselves. This was protest for the sake of protest—without a positive programme, without constructive ideas, without a social foundation.

Inasmuch as the liberals spoke out openly (letters and petitions over their own signatures, demonstrations) they were attempting to look to the law for support, which is patently pointless in our state. They appealed to the authorities, who put them in prison—ignoring all laws, as is their wont. The movement's formal, constitutional-legalistic tenor gave rise to contradictions within it: people who speak out in the name of truth, striving towards absolute honesty, cannot criticise the essence of the regime (as a system), but are forced to limit themselves to criticism of its individual manifestations, its frequent injustices. The opposition's only general demand is a purely legalistic one: freedom of speech. "Don't imprison people for their beliefs, print everything—or at any rate more"—this, in effect, is the protesters' motto. It is no coincidence that open protests began after the trials of a few free-thinking intellectuals. Meanwhile the broad sections of the population, oppressed

by need and social imperfections, do not see the liberals as the defenders of their interests; the liberals are ready to suffer for Sinyavsky and Daniel (and others like them), but they ignore the man in the street with his needs and sufferings. The demand for freedom of speech directly expresses only the class interests of the creative intelligentsia. The liberals' alienation from the people is only partially unintended—to a considerable extent it conforms with the purpose of the liberals themselves. The opposition is a closed circle. Moralising, legalistic name-calling and bombastic phrases are the preserve of a narrow circle of people. Such are the active liberals. The passive section of the liberal intelligentsia, however, is rushing about in all directions. Nihilism. Individualism. Aristocratic aestheticism. "Pure moral philosophy". Religion. There is discord and degradation. The spiritual games of the passive intellectuals are useless. The activities of the active ones are harmful. They are worthy of personal respect, but their actions are by their nature objectively (unintentionally) provocative. Activities aimed at getting oneself arrested (e.g. the demonstration of 25 August 1968) are hysterical lunacy, which, by spreading, only causes more and more casualties. Collective letters of protest and petitions (often addressed to broad public opinion, of which our government takes no notice) also play a provocative part. Without any effort on its part the KGB acquires prepared lists of liberals. At present the government allows some of the active oppositionists to remain at liberty only because their activities are useful to it—they enable it to monitor discontent.

The reality is that we are approaching a national and world-wide disaster. All mankind is threatened with extinction. The situation must be radically altered. The regime in its present form will not survive for long. Our task is not to administer the *coup de grace* (revolutionary and violent methods are unacceptable) but to prepare a worthy replacement for it. This is the task of the thinking section of society, the intelligentsia. This requires a scientific approach to social problems (which is rejected almost on principle by the liberal-romantics, who cultivate incompetence in questions of theory). We must work out an effective political position which will offer a way out of the blind alley; we must work out a concept explaining modern society and its workings.

The concept must be based on democratic socialism (the transplantation here of the attributes of bourgeois democracy is unrealistic and would not solve our problems). At the moment no entirely satisfactory concept of this sort exists anywhere. We must take our cue from "macro-sociology" (of the Marx variety). Such works as, for instance, Burnham's *The Managerial Revolution* and Djilas's *New Class* are valuable. Academician Sakharov's approach to social phenomena is promising (but the form of his essay—the romantic form of appealing to the leadership—makes impartial scientific analysis impossible).

The opposition of 1968 made no attempt to create a realistic and at the same time attractive social ideal. Our programme must be both scientific and popular. The intelligentsia must find a common language with the masses and express their interests and demands.

The progressive movement must declare itself to be a united whole. This requires a common ideological platform; not an organisation (any attempt to create it would at present be madness), but rather ten or twelve programmatic points, a symbol of faith. All the efforts of thinking people must be directed towards the drawing-up of this programme. *Samizdat*, both anonymous and pseudonymous, must become the instrument for working out new ideas (we must put a stop to demonstrations and other acts liable to result in arrests). In this way the progressive social movement can become a serious force.

* * *

A. Strikh: "A reply to A. Mikhailov".

The substance of this Open Letter is as follows:

The idea that the "lunatics" are the opponents of a scientific approach to the life of society is pure fantasy. The "liberal-romantics" (they could be given a more neutral name, e.g. public protesters) are not in the least isolated from social problems; if they do not attempt to solve them, it is solely because they do not regard themselves as sociologists (though some of them may possibly deal with sociology in their creative work). They are acquainted with Marxism. But modern "macro-sociology" is not regarded by everybody as sociology "of the Marx variety". Sociological thought did not stand still after Marx. Moreover the con-

clusions of Burnham and Djilas, although they contain a certain truth, do not provide the key to the solution of many of our problems. It has been established that economics does not determine the entire social process. Among the contradictions in our society the economic contradiction is of course one of the most important, but that does not mean that it is primary, or that its doctrine of "basic" and "superstructure" provides the correct approach to this contradiction. Our "superstructure" appeared before the "basis" and was its absolute determinant. In our country economics is derived from the subordinated to politics, rather than vice-versa.

The motives and actions of individuals, social groups and the masses are by no means always due to economic causes (the field of social psychology is not covered by Marxist theory). A. Mikhailov suggests "finding a common language with the broad masses"—but are the "broad masses" disposed to respond to the voice of the "progressive movement"? This is by no means clear.

This is just as debatable as the assertion that "the regime in its present form cannot survive for long"; that a ten- or twelve-point programme could unite the entire "thinking section of society", and that it would thus be possible "to make radical changes in the situation". It is also doubtful whether a universal conceptual panacea could be worked out on the basis of *samizdat*, anonymous or pseudonymous. Even where there is unlimited scope for sociological research, where the funds necessary for it are provided, where there is easy access to information and the free exchange of opinions—even there the way out of many modern blind alleys has not yet been found. But even assuming that we succeed in working out a sociological model ideal for our circumstances, how are we to realise it? Put it to the government? But that, in A. Mikhailov's view, is "romanticism". Await the automatic collapse of the regime? But how long must this inactive waiting last? Put it to the masses? How? That would require (as A. Mikhailov remarks) not only propaganda but also agitation—direct influence on the consciousness of the masses; in any case, agitation cannot even begin without an underground organisation. Meanwhile A. Mikhailov regards even the attempt to create such an organisation as madness. And

rightly so. That really would be an objectively provocative act, since besides themselves the agitators would bring disaster to many other people.

A. Mikhailov is right when he says that we need intensive thinking and searching, and that this is the task of the intelligentsia. But ideological searching is a many-sided and complex cultural process, which could not be confined within the channel of economic materialism or within any limits, whatever they might be. It would be natural for A. Mikhailov to try to define ("prompt") the principal direction of this search, but his attacks on "pure spirituality", "spiritual games", are beneath all criticism.

A. Mikhailov's reproaches to those who have spoken out in open protest—and who are still doing so—will also not bear examination. In a society where the majority is intrinsically convinced that the state is not merely able, but *has the right* to do whatever it likes with people, and that people have no rights at all—it is in this society that we have been given our first lesson in the consciousness of civil rights. The question of rights is not an academic question in a society where they do not exist. What we cannot do without, what is needed before anything else, is at least a minimal level of democratic freedoms. The first of these is freedom of speech. That means freedom of thought. What social activity or "constructive solutions" are possible without it? Those who first demonstrated that freedom, who started introducing it "without asking permission", knew what they were doing. They had no recipes for the salvation of mankind—they were trying to protect people. They protested against individual acts of tyranny and violence where tyranny was most apparent (trials), where violence was most blatant (Czechoslovakia). They said, and are still saying, what they thought they had to, and this is an honest attitude. Sacrificing oneself does not mean inducing others to commit rash acts. At the moment the only ones who are actually being put in prison are those who were conscious of what they were facing. The government has been given a list of liberals, moans A. Mikhailov, but it is only where liberalism does not manifest itself in any way that it will *not* have such a list.

A. Mikhailov is also mistaken in supposing that open protest is of absolutely no practical benefit. It is not true

that the government never in any way takes the slightest notice of public opinion—in particular of foreign public opinion. It is sufficient to recall the case of J. Medvedev [see *Chronicle* No. 14] or the last trial of the "hi-jackers" in Leningrad. But what's true is true: as regards practical results, the situation is bad. But A. Mikhailov's ideas contain absolutely nothing practical. His position objectively leads to total inactivity. Everyone who is unable to work out a "popular and scientific" programme will sit doing nothing and await the magic "concept" like some sort of revelation, meanwhile averting their eyes from specific evil.

It is worth lending an ear to Albert Einstein's practical recommendations:

"Reactionary politicians have sown suspicion of intellectual activity by intimidating the public by means of external danger . . . What must the intelligentsia do when confronted with this evil? To tell the truth I see only one way—the revolutionary way of disobedience in the spirit of Gandhi . . . if a sufficient number take that perilous way, it will lead to success. If not, then the intelligentsia of that country deserves nothing better than slavery."

Einstein further said:

"One man alone is able only to serve as an example for others and to uphold with courage the moral principle . . ."

INDEX OF NAMES

Adermanis, 78
 Adomaitis, 74
 Aidova, M. 84
 Akk, V. 75
 Alekseyev, 76
 Alenin, B. 91
 Alexandrovich, R. 52, 91
 Altman, A. A. 48, 49, 51, 52, 55, 56, 59, 61, 63
 Altunyan, G. 84
 Altunyan, S. 85
 Amalrik, A. 37, 38, 39, 40, 41, 78, 90
 Antonenko-Davidovich, B. D. 42, 43
 Ariya, S. I. 55
 Atakashiyeu, 76
 Babitsky, K. I. 83, 90
 Baikov, 69
 Bakuchionis, 74
 Balakirev, N. A. 70
 Balde, Z. 78
 Baltrushaitis, Yu. 75
 Baranov, 41
 Bayev, G. 90
 Bergelson, D. 68
 Berzin (Berzins), G. 75
 Bobyak, V. V. 42
 Bodnya, M. A. 48, 49, 53, 54, 55, 56, 61, 62
 Bodyul, 73
 Bogoraz, L. 90
 Boguslavsky, 83
 Bokstein, I. V. 90
 Borisov, I. B. 68, 69, 70
 Borodin, L. I. 79, 80
 Brezhnev, L. I. 51
 Briggs, I. 78
 Broverman, Ya. M. 76
 Bukovsky, V. 90
 Burmistrovich, I. 84, 90
 Burmistrovich, Ya. 84
 Butman, G. 54
 Bykov, B. 80
 Chalidze, V. N. 45, 47, 48, 62, 87
 Chernoglaz, D. 92
 Chornovil, V. 41, 42, 90
 Chumak, 65
 Daniel, Yu. 90, 95

Davidovich, V. E. 76, 77
 Delone, V. 90
 Dinmukhamedov, R. 72
 Diskina, B. 92
 Djilas, M. 96, 97
 Dolgikh, 64
 Doronina, L. A. 77, 78
 Dremlyuga, V. 79, 90
 Dreizner, 83
 Drozdov, 55
 Dubnov, S. M. 92
 Dyak, M. D. 64, 65, 66
 Dymmat, I. M. 76
 Dymshits, M. Yu. 48, 49, 50, 53, 54, 55, 56, 57, 58, 59, 61, 62, 63
 Dzhugalo, S. 65
 Dzyuba, I. 42, 43
 Ezzles, P. M. 76, 77
 Elyashovich, L. 92
 Emelyanov, S. F. 76
 Ermakov, N. A. 48
 Faigelson, V. 92
 Feigin, G. I. 82, 92
 Fyodorov, Yu. P. 48, 49, 51, 53, 55, 56, 59, 61
 Gabai, A. 84
 Galanskov, Yu. T. 79, 80, 90
 Galich, A. A. 47, 68
 Gamza, I. A. 92
 Gavrilin, M. A. 63
 Gershuni, V. 82
 Ginzburg, A. 90
 Gorbanevskaya, N. 82, 84
 Gorbanevsky, O. 84
 Gorbanevsky, Ya. 84
 Gordin, M. 92
 Gorodko, 42
 Gribachyov, N. 91
 Grosul, Ya. S. 73
 Gubka, I. 64, 66
 Gusarov, V. 93
 Ilina, 55, 56
 Ivanov, A. 90, 91
 Ivanov, N. V. 79, 80
 Kachur, N. 64, 65
 Kaiya, 51
 Kakitis, 78
 Kalnins, B. 71
 Kalnynya, L. 78

Karchatskas, 74
 Katukova, N. 48
 Kerler, A. 92
 Kerler, J. 92
 Khait, D. 92
 Khardin, 37, 39
 Kheifits, S. A. 48, 87
 Khnokh, L. G. 48, 49, 52, 55, 56, 60, 61, 63
 Khodakov, 38
 Khrushchev, N. S. 93
 Kirichenko, 65
 Kivenko, 76, 77
 Kochetov, V. 91
 Kogan, E. M. 42
 Kokhanko, 74
 Kolchinsky, J. 67
 Komnar, P. 78
 Korenblit, L. 54
 Korenblit, M. 54
 Korobeinikova, 37
 Kosygin, A. N. 52
 Krasin, A. 84
 Krasin, P. 84
 Krasin, Sh. 84
 Krasivsky, Z. M. 64, 65, 66
 Kulagin, 69
 Kulynin, V. I. 64, 66
 Kuverzhin, 68
 Kuznetsov, A. 37, 38
 Kuznetsov, E. S. 48, 49, 50, 53, 54, 55, 56, 57, 58, 59, 61, 62, 63, 78, 90
 Kuznetsov, O. 85
 Kuznetsov, O. 85
 Kvetsko, D. N. 64, 65, 66
 Landau, 77
 Lanfir, 76
 Lapin, V. 87
 Lass, I. 78
 Lazovsky, N. 81
 Lenin, V. I. 42, 91
 Leontovich, M. A. 48
 Lesiv, Ya. V. 64, 66
 Lesko, 55, 56
 Levitin-Krasnov, A. E. 84, 90
 Litvinov, P. 84, 90
 Litvinova, L. 85
 Lorents, K. 71
 Luri, 56
 Maftser, B. 54
 Makudinova, G. 38

Malykhin, 76
 Markant (Markants), L. 75
 Marx, K. 96
 Medvedev, J. 78, 99
 Mendelevich, J. M. 48, 49, 50, 51, 55, 56, 58, 61, 63
 Mender (Menders), F. 71, 72
 Melen, M. 64, 66
 Menshagin, B. G. 83
 Menshikov, 76
 Mezhenas, 74
 Mikhailov, A. 93, 96, 97, 98, 99
 Mishchenko, 69
 Mogilyover, 83
 Moroz, V. 41, 42, 43
 Murzhenko, A. G. 48, 51, 53, 55, 56, 58, 59, 61
 Nedobora, G. 85
 Nedobora, V. 84
 Niedre, A. M. 75
 Odobescu, Yu. V. 73
 Ogurtsov, I. 50
 Okudzhava, B. 68
 Orlov, 37
 Osipov, V. 90
 Pachulia, 76
 Palatnik, R. 67, 68
 Pavlenkov, V. 84
 Penson, B. S. 48, 49, 52, 55, 60, 61
 Petropavlovsky, 69
 Petrov-Agatov, A. A. 80
 Pimenov, R. I. 47, 48, 83, 84
 Pimenov, R. R. 85
 Podgorny, N. V. 62
 Pokhlebin, 63
 Ponomaryov, A. 85
 Ponomaryova, V. 84
 Portnoi, V. 81, 92
 Potyomkin, A. V. 76, 77
 Prigornitsky, 41
 Prokopovich, G. 64, 66
 Puntsulis, 78
 Resich, Zb. 87
 Rigerman, E. 70, 71
 Rigerman, L. G. 62, 70, 71
 Ronkina, M. 84
 Ruban, N. 74
 Sakharov, A. D. 38, 45, 48, 62, 82, 96
 Sarri, 55, 76

Savchenko, 73
 Severny, V. 89
 Shalayev, A. 37
 Shelest, 65
 Sheshkyavichus, A. 79
 Shevtsov, I. 91
 Shishkin, 69
 Shmurak, S. S. 66
 Shpilberg, A. 54, 92
 Shveisky, V. 37, 39
 Silmale, M. 78
 Simokaitis, V. 80
 Sinyavsky, A. 90, 95
 Skuya, Kh. 78
 Slepak, V. 92
 Smirnov, E. 47
 Smirnov, L. N. 63
 Sokolov, N. I. 70
 Solovyov, S. E. 48, 54, 55
 Solzhenitsyn, A. I. 38, 43, 44, 47, 78, 85, 86, 91
 Stalin, J. V. 68
 Statkyavichus, 75
 Stelmakh, M. 64
 Stolyarchuk, 65
 Strikh, A. 96
 Sturis, Yu. 78
 Sulak, 73
 Telesin, Yu. 90
 Telkenis, A. 74
 Felnikov, V. 84
 Timofeyev, B. I. 63
 Tokar, P. N. 75
 Tolstikov, V. 47
 Toropova, 51, 55, 56
 Tsirulis, A. E. 78
 Tsukerman, B. I. 47, 62, 92
 Tummyalis, Yu. 75
 Turchin, V. F. 48
 Tvyordokhlebov, A. D. 45, 48, 62
 Ubozhko, L. 37, 38, 39, 41
 Ustinov, 38
 Vail, B. B. 47, 48, 83, 84
 Vail, D. B. 85
 Vavilov, N. I. 78
 Vavilov, Yu. N. 78
 Vishnevetsky, D. 64
 Vishnevskaya, J. 84
 Vodnev, 69
 Volkov, D. 67
 Volpin, A. S. 47, 62, 87
 Zaikin, 76
 Zalivakha, P. 41, 42
 Zalivako, B. B. 73
 Zalmanson, I. I. 48, 49, 50, 53, 55, 56, 58, 61, 63
 Zalmanson, S. I. 48, 49, 50, 53, 55, 56, 57, 58, 60, 61
 Zalmanson, V. 53
 Zavertkin, V. I. 72
 Zelenyuk, 73
 Zinoveva, V. 47, 83
 Zyryanov, 37

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