NCSEER NOTE

This is the tenth in a series of Council Reports which, in all, will contain a book, by the same authors and probably with the same title, forthcoming, M. E. Sharpe. This Report concludes Part VI: Political Rehabilitation and Political Justice, and consists of an Introduction by Donald Barry, and Chapter Seventeen The Long Reach of the Stalinist Repressions: Three Cases by Yuri Feofanov. Subsequent Reports in the series, numbered sequentially, will contain Part VII. They will carry the same main title and the subtitle of the Part contained.

[Correction: Reports #5 and #6 contained Part IV, not "Part III" as they listed on their face pages and in their NCSEER NOTES]

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VI cont. POLITICAL REHABILITATION AND POLITICAL JUSTICE

Donald D. Barry

Introduction

"The Long Reach of Stalinist Repression: Three Cases" (Chapter Seventeen) like those in Report #9, is also about purge victims, but not ones of such prominence as those discussed previously. The fact that Ivan Demura, a simple stevedore, was tried at all, and by a circuit session of the Military Collegium of the USSR Supreme Court at that, leads Feofanov to speculate about the reasons for the repressions: if simple folk like Demura can be caught up in the wave of terror, what possible explanation can there be? He finds no other answer than that the repression became a kind of bureaucratic machine run wild, in which "a planned destruction of people . . . ordered from above . . . proceeded vertically through the branches of the economy and horizontally through regions of the country." Demura was executed in 1938. He was rehabilitated by the USSR Supreme Court fifty years later.

In the logic of the repressions, the victimization of the "daughters of the Arbat" made more sense. These children of prominent Bolsheviks whom Stalin had eliminated were convicted in 1939 of having created an anti-Soviet group and engaged in counter-revolutionary activity. All were sent to camps and later had their terms extended. They were rehabilitated in 1955, but it amounted to a kind of half rehabilitation, since the decree declared merely that their guilt "had not been proven." As one of numerous critics of this formulation has put it, this "is often understood as meaning 'a person has committed a crime but it has not been possible to prove it.'"1 In 1987 the five women received full rehabilitations.

The third case in Chapter Seventeen dates from a somewhat later time period, the years just after World War Two. But it was brought to the attention of the Politburo commission on the repressions of the 1930s, 1940s, and the beginning of the 1950s, just like some of the other cases discussed above. And a full rehabilitation was issued by the USSR Supreme Court.

The victim in this case was a World War Two pilot, Sergei Shchirov. For his achievements during the war he had received the highest Soviet military honor, Hero of the Soviet Union. Shchirov had been sentenced to twenty-five years in prison by the Special Board of the Ministry of State Security for attempting to flee abroad. What allegedly motivated Shchirov's act, and led to his eventual posthumous rehabilitation, was the involvement of Stalin's associate Lavrenti Beria with Shchirov's wife. Beria's sexual activities were legendary,2 and the evidence of his aggressiveness with the flier's wife was sufficient for the Supreme Court to order Shchirov's posthumous exoneration.
Feofanov tells the story of the case largely through the citation of relevant official documents.

The chapter closes with the USSR Supreme Court's rehabilitation rulings in the Demura and Shchirov cases.

NOTES


CHAPTER SEVENTEEN. THE LONG REACH OF THE STALINIST REPRESSIONS: THREE CASES

Yuri Feofanov

Stevedore Ivan Demura — "Enemy Of The People"

At the plenary meeting of the USSR Supreme Court where leaders of the party and state who had been illegally convicted during the years of the personality cult were rehabilitated, one case in particular intrigued me. It passed almost unnoticed. The judge reading the report on the protest of the Chairman of the Supreme Court gave a short statement, and all voted in favor: the sentence of 1938 was rescinded.

This concerned the fate of Ivan Petrovich Demura. He had been sentenced by the Military Collegium of the USSR Supreme Court in 1938. Ivan, then 24, had little education and worked as a stevedore at the Selemdzhinskaia Transport Office of the "Amurzoloto" [Amurgold] trust. He was charged with five counts under the notorious Article 58 of the RSFSR Criminal Code then in operation. This article branded the convicted person an "enemy of the people."

"What is this all about?"—I wondered, reading the page-and-a-half protest. A simple stevedore, was tried in a special extramural session of the Military Collegium. Perhaps it is connected with gold. That would make sense. I got a copy of the slim record of the case. No, Ivan Demura had no connection with gold. What he was accused of was far more serious.

The "case" was initiated on April 4 1938 in Blagoveschensk.¹ The first document was a decree:

"I, an aide to the high commander of the III Section of the Amur Oblast Administration of the NKVD, Sergeant for State Security Ryabov, have reviewed the materials of case No. 14615, taking into consideration that citizen Demura, I.P., born 1914, not a party member, Russian, literate, stevedore for the Selemdzhinskaia Transport Office of the trust "Amurzoloto" . . . has been unmasked as a participant in a counterrevolutionary insurgent cell that existed in the transport office, a local cell of the right-Trotskyite espionage-diversionary organization which existed in the "Amurzoloto" trust. Together with other participants he conducted counterrevolutionary wrecking work and prepared for an armed uprising against Soviet power, for which citizen Demura, I.P. is being charged under articles 58-1a, 58-2, 58-7, 58-8, and 58-11 of the RSFSR Criminal Code."
Further on in the file was a decree concerning Demura's detention, a biographical data form which showed that in 1930 Ivan lived in the country, but then came to the city to work. He was married and had a son named Anatoly, born in 1937. He was a trade union member and was liable for callup to serve in the military. Included in the file were his trade union card, validated through March 1938, and his military obligation card.

After his arrest on April 4, 1938 a month passed and nothing was reflected in the documents. One can assume that this period was consumed by rounding up conspirators, acquiring evidence, crushing the espionage-diversionary organization of right Trotskyites and, naturally, unmasking Ivan Demura.

They succeeded, apparently, only in the last of these, as is clear from the protocol of the interrogation of the stevedore of May 6. This protocol is not very long, and I will quote it in full, excluding only some repetition:

Question: "You were arrested as a participant in a counterrevolutionary insurgency cell. Do you admit your guilt?"

Answer: "Yes, I admit it. I was a participant in a counterrevolutionary insurgency cell [there follows the exact reciting of the statement of sergeant of state security Ryabov]. I was recruited in February 1938 by the former chief of the trans-shipment base of the office. Andron Popov, whose patronymic I don’t remember."

Question: "Describe the circumstances of your recruitment."

Answer: "Even before I started working at the office I met with Popov. Our conversations were of a political nature. Popov showed that Soviet power was unsound. he slandered the policies of the party and the government, and in this way aroused my hatred against our regime. In one of these conversations, in the country. Popov suggested that I join the cell, the tasks of which during the war with Japan were to start an armed rebellion, kill communists and people who were devoted to Soviet power. and then help Japan to restore a capitalistic system in our country."

Question: "What tasks did Popov give you?"

Answer: "First, to delay the receiving and sending of products by means of undermining discipline among the stevedores. Second, to be ready at any moment to participate in an armed rebellion."

Question: "That’s all?"
The protocol was signed by sergeant of state security Aleksandrov, and nothing about weapons was noted. But there was a weapon. A bit earlier in the materials of the case there is a protocol of a search conducted after the arrest of Ivan Demura. Here is what it says:

"In the presence witnesses, official Fedotov of the Mazalovskii region of the NKVD conducted a search. Uncovered were:

1. A single-barrel bird rifle. [This is it!—Y.F.]
2. Cartridges—20.
3. A trade-union card.
4. A military card.
5. A receipt for the issuance of a passport.

Nothing more was uncovered by the search.

Let us return, however, to the exposure of Ivan Demura. In the "case" there is no mention either of Popov, who recruited Ivan, or of Zakomarin, who was a co-participant in the insurgent group. Where, then, I asked, did the idea come from that Ivan Demura was an ally of militarist Japan? The answer to this question was to be found in the protocol of the questioning of stevedore Fedor Vikulovich Metelkin, born in 1889. He was also "taken" and questioned, and he named 15 insurgents: 2 carpenters, a cooper, a watchman, a bookkeeper, several stevedores, and even a barber. Among these was Ivan Demura.

No matter how much I examined the case, I couldn’t find any more evidence than this. One would have thought that there would be something. But I drew a complete blank. However, this was fully adequate for it to be written in the charge:
"Having been recruited by Popov, Demura carried out subversive activities at the trust, interrupted the preparation of freight and demoralized production discipline among the workers, provoked dissatisfaction with Soviet power through anti-Soviet agitation and the spreading of a variety of provocative ideas." At the end, after the signature of the authors of the charge, was the notation: "substantive proof in the case is lacking."

Everything proceeded according to the regular "order of things." Substantive proof was lacking, this was established. But neither was non-substantive proof produced: some reference to a teller of tall tales could have been mentioned as the basis for the charge, but there was nothing. I've cited everything, there wasn't a syllable more.

And this has created a series of puzzles that, for the life of me, I can't solve. For instance, if Ivan Demura had been finished off by the sentence of a "troika" or a "dvoika," or if he had simply been put on a list for liquidation, that would be understandable. But it wasn't that way. The case was sent for review by an external session of the Military Collegium of the USSR Supreme Court. The court was composed of military division lawyer Nikitchenko, I.T., who presided at the "trial"; military brigade lawyer Karavalkov, F.F.; and military lawyer of the first rank Klimin, F.A. The court secretary was military lawyer of the first rank Kudryatsev, N.N., and participating was aide to the Chief Military Procurator, military brigade lawyer Kalugin, A.B. In a literal sense this was a "high court." It was to assess the "evidence" of Ivan Demura's guilt, which I have extensively set forth.

It's very likely that by some kind of ill-explained logic the NKVD in the Far East was required to come up with some large-scale cases. And since there weren't any, they had to be fabricated. This determined where fate struck: if there was to be a case, a person had to be found. And to lend weight to a case which, of itself, had no basis, materials were brought before the Military Collegium, which was "on tour" at this time in the oblasts of the Far East.

It was such a high-level court that things needed to be done according to established procedures, as is shown in the following excerpts from relevant documents.

<<BEGINTEXT>>

May 15. Protocol of the preparatory session. Hearing on the case involving the accusation against Demura, I.P. [Surname written in blue letters on the protocol, which was typewritten using a black ribbon--Y.F]. It was determined that the case should be heard behind closed doors without summoning witnesses and without participation of either prosecution or defense. The procurator participated in the case as a person carrying out supervision over legality, and not as a party to the proceedings.

<<ENDTEXT>>
The protocol of the judicial session of May 16, 1938. "The session opened at 14.00."
There follow exactly five sentences describing the course of the trial. The first of these was:
"The court embarked on the proceedings . . . " And the concluding statements were: "The sentence was announced at 14:15. The session was declared closed."

The sentence was written out by hand in bold letters. The part establishing guilt took up 19 lines and the part declaring the penalty required seven. I shall quote the latter:

"The Military Collegium sentenced Demura, I.P. to the supreme punishment—execution by shooting, with confiscation of property belonging to him. The sentence is final, and on the basis of the decree of the Central Executive Committee of the USSR of December 1, 1934, it is subject to immediate execution."

The final document connected with the case was marked "Secret": "Certificate. The sentence of execution by shooting of Demura, I.P. was carried out on May 16, 1938 in the city of Blagoveshchensk. Director of the 12th Section of First Special Section of the NKVD of the USSR Lieutenant of State Security Shevelev."

I read these documents and I think about them, but I can't figure it out. And it's not just the puzzle of why such a high court turned its attention to a person like Ivan Demura, a stevedore. In the end, the means used to liquidate a person—that's the second question. The first is: What was the sense of all of it?

Now we, in learning about the tragic documents of those times, in listening to the stories of those who somehow survived, or in reading discussions published in novels and articles, try to answer this question. We can't do otherwise— the mind and the conscience demand some kind of explanation. I'm not saying a justification, just an explanation.

It is true that anything can be explained away. History knows many evil deeds, and not one of them happened without explanations, either prior to, or at the time, or subsequently. And to explain is to understand.

The repressions of the period of the cult of personality are explained in various ways. Some say that it involved eliminating the oppositionists, those who "opposed the line." And what happened was that both opponents and supporters fell under the steamroller, but such were the circumstances of the struggle. In the great movements of history excesses and "costs of production" are unavoidable.

Others explain it as involving simply the evil will of the creator of the repressions, attributing it, in effect, to the "personal factor." He eliminated those who argued with him at one time or another; and those who could have testified as to his true role in the revolution and thereby interfered with his distortion of history; and those who supported him, but not
zealously enough or concertedly enough; and those who simply annoyed him in some way or happened to be there when he was seized by some momentary whim.

A third “explanation” of the repressions, which was not discussed in the press but circulated among the people, was as follows: he destroyed the leadership in the manner of beheading his “boyars.” And he was right to do this, because all of the evil came from the “boyars” and not from the tsar. Don’t think that in our enlightened age our highly-educated people are beyond this kind of explanation. Believe me, I myself heard and even tried to dispute the proponents of the so-called “people’s version.”

All of these various explanations, logical and fantastic, are employed to explain why the guillotine fell on oppositionists and comrades-in-arms; on scholars with heretical thoughts and on poets who were silent about the greatness of the “father of the peoples”; on those commanders of production who displeased him and on military commanders who stepped out of line. And it turns out that by these explanations there always was something, sometimes real and sometimes illusory, but explainable, that is, capable of being understood. And in this way the “line” was bent to fit objective circumstances.

But then I read the case of Ivan Demura and think, how can I possibly explain this? And nothing that I can invent will explain it. For if he is unknown not only to Stalin, but in all likelihood to the head of the local NKVD as well—this stevedore Ivan Demura, enemy of the people—then who are the people? It could have been, of course, that the ill-fated Ivan fell victim by chance, and was purely by accident included among the supposed spy-diversionists: “the forest is chopped down and chips fly in all directions,” as Russian folk-wisdom has it. This implies that the chips are those absolutely necessary “costs of production” mentioned above, and that it was right to chop down the forest. If only that were true! But it wasn’t just “boyar” heads that were chopped off in 1937. The heads of great numbers of plain people rolled as well.

If it had only been stevedore Ivan Demura . . . I present here the testimony of a resident of the town of Bobruisk, Frana Fedorovna Plotnikova:

<<BEGINTEXT>>
When I read in the newspapers about those long-ago times of 1937-1938, I cannot find peace and am constantly brought to tears. All of the bitter, unjust past swims before my eyes. In 1937 I was 9. We lived not far from Bobruisk, about 20 kilometers away. Our village had 60 homes in it, and 18 people died at the hands of Yezhov. Eighteen young, healthy, honest and good people, who fought for Soviet power and for the creation of kolkhozes.
My father worked as a road foreman in the area between Rechitsa and Glusk. I remember how one night the NKVD came. When they started the search, digging into everything, we talked to each other and decided that they had come for Papa. Papa had five children, and when they came, they brought us sweets. But when we saw that Mama and Grandpa were crying, we began to sob too. Papa's last words to Mama were "take care of the children." My younger sister, who was only three, held on tight to Papa's leg, and it was only at the door that the guard pulled her away. It was winter, December 1937. We all got dressed and went out onto the street in the middle of the night, where a truck was waiting. Ten men were already in it. The cries of children and wives, an undertone of complaints, and the hum of the truck broke the nighttime silence. The women, who had seized hold of the side of the truck, ran alongside, prolonging the final moment of separation.

In the morning in school the children who had become orphans sat all day, not raising their heads from their desks and crying bitterly. On the wall there were posters hanging. The large powerful hand of Yezhov was strangling a snake, and the statement read: "Rule With An Iron Fist." Another poster read "Eradicate the Enemies of the People, the Trotskyite-Bukharinite Spies and Agents of Fascism."

Right after the New Year they took eight more people from our small village. One returned, after his rehabilitation. But it was impossible to learn anything from him. He kept himself isolated and seldom spoke. Trying to find out anything from him was in vain. A short time after his return he died. The rest were shot not far from Bobruisk. They took them from prison at night, forced them to dig their own graves, and shot them.

Until this time Mama, like the other widows, went on foot to the city, 20 kilometers away, in the snow in wintertime, in order to bring food packages and look through the holes in the fence when the convicts were let out to walk around. One time I asked to go with her. The underwear that mama earlier had given to my father was in tatters and had blood on it. She brought it home, threw it on the floor, showing it to us, and we cried bitterly about it. The next time she took other underwear, and again she brought it home bloody and in rags.

If these eighteen peasants and then eight more from a village of 60 homes were enemies of the people, then I repeat again, who were the people? Alas, this was a planned destruction of people that had been ordered from above, and it proceeded vertically through the branches of the economy and horizontally through regions of the country. And, it seems, it supplemented a counter-movement of the NKVD from below, which didn't want to lag behind in its reports on achieving its goals.
In the preamble to the charge in the Ivan Demura case it was stated:

<<BEGINTEXT>>

At the end of 1937 the NKVD uncovered and liquidated in the Amur Oblast administration a counter-revolutionary right-Trotskyite organization which was operating according to the instructions of Japanese intelligence organizations and which had extended their criminal activity to all branches of the economy (the mining of gold, factories, collective farms) and to the oblast's party-soviet apparatus. It set forth as its task the destruction of Soviet power and the seizure of the Far East. It engaged in active preparation of an armed rebellion, established insurgent cells and prepared terrorists to work against the leaders of the party and the government to achieve these criminal objectives, carrying out these tasks for money and under orders from Japanese intelligence.

<<ENDTEXT>>

In all likelihood nobody read reports of this kind. But they waited for them to come in. And they were sent in... From above barbarous directives, and from below, barbarous reports. And so a stevedore here or a carpenter there fell, Ivan or Fyodor, what difference did it make? Nobody knew these Ivans or Fyodors, they just disappeared without a trace.

The Daughters of Arbat

In terms of time this legal act required two or three minutes of effort. The Plenum of the USSR Supreme Court reviewed the protest of the Chairman of that court regarding a criminal case having to do, again, with 1938.

This protest, in the cases of Elena Rukhimovich, Tamara Medvedeva, Nina Oppokova-Lomova, Tatyana Smigla-Poluyan, Natalya Krestinskaya. All five were convicted on November 17, 1939 by a Special Board of the USSR NKVD under article 58 of the Criminal Code of the RSFSR. For creating an anti-Soviet group. For counter-revolutionary activity.

At that time these five girls were 19-20 years old. Elena Rukhimovich studied at an institute of non-ferrous metals, Tamara Medvedeva--in a music school, Natasha Krestinskaya at a medical institute, Nina Oppokova-Lomova and Tatyana Smigla-Poluyan at an institute of foreign languages. Their fathers were well-known, several of them having been famous revolutionaries and comrades of Lenin, who had held high posts in our state, at the people's commissariat level. And "suddenly"... No, not suddenly, of course, since they began to have their troubles long before. But for these girls their fathers had been arrested "suddenly."
And after their fathers, their mothers, regardless of the positions they held, even if they had been housewives.

The misfortune that befell them caught them completely by surprise. The upset young women did the only thing possible and natural in their situation: they gathered in a group to cry and guess about the fate of their parents. And this turned out to be sufficient to create a "case," and in it, prior to inquiry and investigation is the statement: "A group was formed of children of those who had been repressed, and they expressed dissatisfaction regarding the arrests of their fathers and criticized the decisions of the party and the government."

And soon there appeared the first document which carried the heading "Decree." It stated as follows: "On June 10, 1939, during the day, I, deputy to the high authorized sergeant of the state security organs, Makeev, having reviewed the case . . . have found Medvedeva, T. to be hostilely inclined against the leaders of the All-Union Communist Party (Bolsheviks) and the Soviet government, and is an active participant in a counterrevolutionary group composed of the children of persons repressed by the NKVD."

Introduced as evidence was the testimony of Tamara Medvedeva herself. She said, as set forth in the protocol of the first questioning, regarding "counterrevolutionary assemblage": "Our activities are unimportant, but we must hope that somehow the matter will be settled. Treating us together will be easier. We will be able to help each other." By the way, one of the "participants in the group" gave the Beria-like sergeant a weighty basis for the charge of having created a counterrevolutionary plot. Here are her words: "I affirm that all of us were unsatisfied with what had taken place. We will put aside our personal concerns (our parents). What then? Do what Lenin did and overturn everything?"

The were not so naive, these daughters of Arbat. They understood what was happening. And they understood even better when the questioning started.

I peruse these half-century old documents. With a feeling of what? Curiosity? Sympathy? Concern? Fear? I don’t know what I feel. No labels fit. It is just that the imagination calls forth pictures: young women appearing before beastlike sergeants and lieutenants of the NKVD. For instance Tamara Medvedeva, who, as is indicated in the papers, was "hostilely inclined toward the leaders of the Central Committee of the All-Union Communist Party (Bolsheviks) and the Soviet government."

"We didn’t have anti-Soviet conversations. Nina Lomova said that her mama was not guilty. She went to see Tanya Smigla, who was concerned about her father," Tamara said to the investigator.

"Where else did they gather? At Tanya Manuileskaya’s. But I’m not guilty of anything. And none of us . . ."
I remind you: the investigators have information that you participated in anti-Soviet meetings.

I never heard anti-Soviet discussions."

And another decree: "Detain in the internal prison of the NKVD. Affirmed. Kobulov."

I leaf through the precisely filled-out documents. "The questioning began at 21 hours and ended at 23 hours, 30 minutes. The questioning began at ___ and ended at ___."

The decree of investigator Lieutenant Yakushin: "Medvedeva has been exposed as a participant in a counter-revolutionary youth group . . ." "Lomova, who has a bitter attitude toward Soviet power, is ordered arrested."

An extension of the period of incarceration is requested "in order to carry out further investigations." And here are its results.

"I admit," said Tamara Medvedeva, "that I participated in the meetings of children whose parents were repressed by the NKVD, fully aware of the anti-Soviet attitudes, and that I told jokes directed against the leader."

And here is the ordeal that Tatyana Smigla-Poluyan went through, as set forth in the protocols of her interrogation. Her testimony was given over two or three days.

First testimony: "Yes, once, when leaving school after the arrest of her mother. Lena said that she wasn’t sure that her mother really was guilty. She suggested that we get together and read Lenin."

Second testimony: "I admit that I had conversations of an anti-Soviet character. Now I understand that these conversations make me an anti-Soviet person."

Third testimony: "The basic reason that I have a hostile attitude toward Soviet power is the direct influence of my parents."

Thus were they broken, these girls, who had grown up with a belief in bright ideals, and were reared on the basis of the heroic examples of their fathers. So they were broken, but not completely. Here is what Tatyana Smigla-Poluyan said to the NKVD investigator, as revealed in the protocol of her testimony:

"Isn’t it degrading for you when you know well that I’m not guilty of anything, that I’m just like anyone else, a citizen of this country, and still you harass me like this? After all, it was Stalin who said that ‘the son doesn’t answer for the father’."

So four of the five "confessed." Natasha Krestinskaya denied her guilt to the end.

Incidentally, the system operated so that this didn’t make any difference. One can guess that she, and in fact all of them, suffered during the "additional investigative activities" that were regularly requested and obtained in accordance with the procedural law. As a result their terms in prison were extended.
They were courageous, and therefore they did not lose their dignity. This is established by the bureaucratic procedures connected with case-handling in those days. "Oppokova-Lomova," it states in the charge, "having been recruited by the NKVD organs to give information about the actions of the group of young people, refused to perform this work." These were really good recruiters—they produced a fake document for the records to impress their superiors. These "informers" of the NKVD, who openly rejected taking part in the shameful role of betrayers and even denied participating in a conspiracy. No, the sergeants and lieutenants of the NKVD of that time could not break or corrupt the spirits of these young women.

Their cases were sent to the Special Board. Attached to them in advance were documents from the medical unit which, in essence, determined their fate prior to the sentence, and for each of them it was identical: "a year at hard labor."

I was not able to find either the protocol of the judicial proceedings or the sentence of the Special Board for their cases. In their place was a quarter of a sheet of paper with the brief statement that Elena Rukhimovich, Tamara Medvedeva and Natalya Krestinskaya were exiled to a remote region of Kazakhstan; Nina Oppokova-Lomova and Tatyana Smigla-Poluyan were sent to concentration camps.

In 1949 the NKVD gave them further terms of exile. And there began new, seemingly endless ordeals for these women, who had suffered the arrest of their parents and did the only thing that seemed appropriate to them in their situation in 1939—to get together and cry about the fate of their parents and think about their own fate.

On December 24, 1987 the Plenum of the USSR Supreme Court rehabilitated all of them, based on the determination that their acts had not constituted crimes. Fortunately, Elena Moiseevna Rukhimovich, Tamara Alekseevna Medvedeva, Nina Grigorievna Oppokova-Lomova, Tatyana Ivanovna Smigla-Poluyan, and Natalya Nikolaevna Krestinskaya were still alive at the time of their rehabilitation, and were able to read about it in the press.

But the nagging question remains as to why rehabilitation took so long. It is true that there is a bit of imprecision here: all five were rehabilitated as early as 1955 "because guilt has not been proved." Legally this means full rehabilitation, absolute innocence. But first of all, in the opinion of many people, this may have suggested an ambiguous moral judgment, that "they did something, but it just wasn't proved." And second, justice requires unequivocally precise wording. Therefore, the Chairman of the USSR Supreme Court considered it necessary to submit a protest and review the case again on behalf of people who had been illegally convicted in 1939.
And so these women returned to "their Arbat, to the place of their fathers." However, for some time, since the song of Bulat Okudzhava and maybe even earlier, "Arbat" ceased to be merely the name of a street. With the appearance of Anatoly Rybakov's book, Children of the Arbat, its importance in the public mind has increased a hundredfold.

Arbat has become a kind of moral touchstone. The word connotes, I would say, the well-recognized charm of old Moscow intelligentsia, mixed with the free-thinking influence of Voltaireism. Arbat retains some of the flavor of old Moscow. It symbolizes dignity, and patriotism, in the best sense of the word, toward one's part of the city. The tradition of Moscow through the ages is preserved in it.

These are children of the Arbat in that sense of the term. And even if only a few of them remain in the capital, they have kept the faith. Just like they kept it in the unbearably difficult conditions of the past. That old NKVD case, reviewed and quashed legally, stands as testimony to the courage, dignity, and loyalty to their fathers and to "their Arbat" by these young girls, who opposed the hellish purge machine of the 1930s in their own way.

In long articles and film clips deserved attention is paid to the famous party and state officials who were disgraced and liquidated. But what does one say about 17-20 year-old girls victimized by the same process? They went to school, visited the movies, and had just started to understand love. And then the sharp break, and during this dark time they showed their dignity and steadfastness.

So this was the fate of five daughters of the Arbat. Five of many, many others.

Fate As No. 117

<<BEGINTEXT>>
To the "Commission of the Politburo of the Central Committee of the CPSU for the Further Study of Materials Connection with the Repressions of the 1930s, 1940s, and the Beginning of the 1950s." from the Council of Veterans and Fellow-Soldiers:

To the glory of the triumph of justice and the restoration of the good name of a military patriot and Hero of the Soviet Union, the Council of Veterans and Fellow-Soldiers of the former 16th Air Division of the Southwest Front, which included the 87th Fighter Air Regiment, a request is made to determine the fate of our comrade, a former flyer who served in this division and commanded it--Shchirov, Sergei Sergeevich . . .

<<ENDTEXT>>
At sunrise on April 7, 1949 a border unit, in which the senior enlisted man was corporal Sedeulin, noticed an unknown man who "was moving from the rear toward the border." The stranger was wearing a leather coat and a summer officer's hat. He was behaving somewhat strangely. He waded across the canal, stopped near the bridge, and came back.

"Is he a spy?" asked the corporal of one of his colleagues. "Or perhaps it's an officer who has gotten lost. The air unit is not far away."

"Let's detain him," suggested the soldier.

"Listen, you know who it is? It's an inspector. Why else would he be walking around like that."

Discussing the matter in hushed tones, the border guards continued to watch the fellow in the leather coat carefully. When he moved toward the river Araks, which separates Armenia from Turkey, corporal Sedeulin immediately shouted for the stranger to stop and put up his hands. The stranger turned, removed his cap and waved to them with it. Then he moved toward the border guards.

"Buddies," he said to them, "how come you're here, in Turkey?" The soldiers looked at each other, and decided that the inspector was playing the fool. "How did you wind up here, comrade ...?" "Lieutenant colonel," corrected the stranger. "Why are you here comrade lieutenant colonel? You are supposed to come by way of the frontier post."

The stranger smiled. His coat was slightly open (it was without shoulder boards) and the border guards saw a row of medals. "This is the situation, boys," he said in a friendly way. "I tried to desert and didn't make it. Let's do this: I didn't see you, and you didn't see me. Let me go, and in ten minutes I'll be in Turkey. Please."

The guards looked at each other confidently: he thinks we're fools. "Comrade lieutenant colonel, you must proceed to the frontier post"—there was steel in Sedeulin's voice, so as to impress the officer in charge with how well he had carried out his duty.

At the frontier post the prisoner's papers were checked. Railroad tickets indicated that he had travelled from Tashkent to Baku, and from there to a station called Oktemberyan. Documents also showed that the "unsuccessful deserter" was the head of a Tashkent air club. This seemed strange in the extreme, but possible.

"Are you the person whose papers you carry or ...?" asked the head of the post.

"Of course I am," the prisoner answered calmly.

"Then explain: here is a summons for you to Moscow, to a post in the Military Air Service, and you wind up on the Turkish border."

"I'll explain this elsewhere."
"Yes, of course," answered the chief of the border post. "We'll take you there immediately. But tell me, are you really Sergei Sergeevich Shchirov, lieutenant colonel and Hero of the Soviet Union."

"That's me."

I cite from the protocol of the search of the person taken into custody for attempting an illegal crossing of the USSR-Turkish border in the area of the Araks River on April 7, 1949.

<<BEGINTEXT>>

Name, Shchirov, S.S., born in 1916, member All-Union Communist Party (Bolsheviks) since 1942. "Taken from him were: ... star of Hero of the Soviet Union, Order of Lenin No. __. Order of Lenin No. __, Order of the Red Banner, Order of Kutuzov, Order of Aleksander Nevsky, Order of the Red Star, Partisan Star (Yugoslavia) ... of 22 articles. 15 were decorations. In addition, 1561 rubles in Soviet money, emblems, lapel pins, and documents. <<ENDTEXT>>

The interrogation of Shchirov, S.S. was conducted on April 7 1949 in Yerevan by Ministry of State Security major Grishaev:

<<BEGINTEXT>>

"Tell me, by what means and for what purpose did you arrive at the border between the USSR and Turkey, where you were detained"

"I came from Tashkent, where I was the head of an air club, at the time when I had been summoned to Moscow. I decided in advance to travel to Leninakan, where I had been stationed not long ago, in order to visit some old comrades ... I got lost at night, when I got off the train ... I came upon the border guards, and I asked them to let me go."

"But you asked them to let you go in order to cross the border, that is, flee?"

"You see ..."

"Tell the truth, lieutenant colonel."

"The truth ... Well, what can I say? Yes, I wanted to make an illegal crossing of the border."

"And the purpose? This has nothing to do with your position. Where did you want to go?"

"To Turkey, and then to France ... Over time I made this decision, since during the war I became acquainted with French fliers from the "Normandy-Neman" division."

"Did they recruit you?"
"What are you saying! No, no . . . You see, comrade major . . . Concerning the reasons for my behavior, this is a very complicated matter. . . . I have an intense headache."

At the next interrogation in Yerevan the prisoner said that the motives that pushed him toward such strange behavior had to do with problems connected with his work in the military. His superiors wanted to remove him from his position and possibly even from the service. He said this offended him.

"You took offense at Soviet power?"—said the interrogator. "At the Motherland? And then decided to betray it. Who pushed you down this villainous path of treason against the Motherland? The French? But you also had contacts with Yugoslav officers. They even awarded you an order. Tell us the truth, because we're going to find out anyway. You embarked on the path of treason because of your anti-Soviet convictions . . ."

"I categorically deny that . . ."
"You're trying to cover it up. And did you bring your wife into your dark plans?"
"I just sent her a postcard from Leninakan, and in it I said that we would be apart for a long time. Nothing more. Basically we had separated, and I was alone in Tashkent."
"Well, we'll find out about that. And so . . ."
"Why don't you sent me to Moscow. to your . . . to your . . ."
"Never mind about that. That's not going to happen."

From the announcement of the Council of Veterans to the Commission of the Politburo of the Central Committee of the CPSU:

Sergei Sergeevich Shchirov was an honorable man. He was born in the village of Akimovka in the Akimov region of the Zaporozhskaya Oblast. He enrolled in the Kachinskaya Aviation School and graduated on the eve of the fascist invasion of the motherland. When the war began, S.S. Shchirov was sent to the 87th Aviation Regiment and began the war in its ranks. . . ."
The interrogation of S.S. Shchirov on September 6 1949 in Moscow, conducted by MGB investigator Morozov:

"Tell me, what persuaded you to make this move? . . .

"When I was summoned to Moscow, I understood that a shameful dismissal from the army awaited me. The fact is that in recent times I drank a lot and was involved with a woman when I wasn’t yet divorced. And that’s when I suddenly thought about fleeing."

"Suddenly, you say . . . Could it be that you’re telling fairy tales? This isn’t a kindergarten, Shchirov. C’mon, let’s begin with the French."

[Shchirov related in detail how, during the war, he had served in the regiment "Normandy-Neman," when he got to know some French flyers. In 1942 he made an emergency landing in this region, and when they found him they arranged a party for him.]

"But I didn’t have any other contacts with French flyers. I remember only one of their names . . . He was called Leo, and I’ve even forgotten his last name."

"That’s possible. But do you recall the Yugoslav flyers better. Tell us about your criminal activities with them? In particular about the arrangement with Milenno Litvoschchak . . ."

"What arrangement? In October 1944 two air divisions were sent to carry out military activities aimed at liberating Yugoslavia. Being a regimental commander, I provided flying instruction for some of the Yugoslavs. Litvoschchak was one of them. And in 1945 he came to Moscow. Naturally, we met. The new 46th Regiment met together at the Central House of Culture of Aviation. And that was all the contact we had."

"Which led to your treason against the Motherland."

"Of course not! I did not plan treason . . . Okay, I’m finally going to tell you the whole truth. just as it is . . . Write this down . . ."

At 16 hours, 23 minutes the interrogation was interrupted.

Shchirov’s interrogation at MGB USSR on October 15 1949:

"Don’t try to get out of it, Shchirov. We know everything. Tell us about your contacts with Ludmila Gradchanskaya."
"But there was nothing bad in that. She was of Polish nationality, and was studying at the economics institute in Tashkent. We became acquainted and spent some evenings together dancing."

"Did you persuade her to flee abroad?"

"That was just a joke. I wanted to give her a ride in a plane. I said that I’d fly her away, across the border. But that plane—a UT-2—it was impossible to fly further than Tashkent. And in addition, the flight never took place."

"But not by any fault of yours."

"That’s right, we weren’t allowed to take off. But even if I’d wanted to fly, using that plane would have been an absurdity."

"And your anti-Soviet conversations with the actor Kazantsev—were they also absurd? We know all about them. How, on the eve of your flight abroad you replied to the actor’s question about your intentions? To wind up in France, in America? And to his question as to what you would do there, how did you reply? That you’d be a taxi driver? No! That you wanted to get into aviation, and use your rich military experience. Kazantsev asked you, ‘and if you are required to bomb us, would you fly?’ And how did you answer? ‘If I’m required to bomb, I’ll bomb.’ So that’s it, Shchirov. You are not an accidental deserter, as you said to the border guards. You planned to commit treason, and you wanted to act against your Motherland."

"Now it is clear to me that the organs know everything. I will stop denying . . . Yes. I planned it . . . But I want to make a statement . . .

< < ENDTEXT > >

The interrogation was concluded at 23 hours, 4 minutes.

From the statement of the Council of Veterans to the Commission of the Politburo of the CPSU Central Committee:

< < BEGINTEXT > >

In December 1941 young Lieutenant Shchirov was already the commander of a unit. In August 1942 he was deputy commander of an air squadron. The fact that best explains how well our comrade performed is the following: on December 13, 1942 the Presidium of the USSR Supreme Soviet bestowed upon him the high award of Hero of the Soviet Union. In March 1945 he was a regiment commander in the 236th fighter air division.

Sergei Sergeevich Shchirov completed his wartime activities in a worthy manner. He was transferred to the Headquarters of the Air Forces of the Soviet Army, where he passed on his
combat experience to young flyers and fulfilled his command assignments honestly and conscientiously, as he had done during the war . . .

In 1948 Shchirov was suddenly transferred to the reserves in the High Military Council, and then was named head of the air club in Tashkent. What this meant was that he was essentially dismissed from the regular military, since air clubs are under the jurisdiction of the Volunteer Society for Assisting the Army, Air Force, and Navy (DOSAAF) . . .

From the interrogation of Shchirov, S.S. of 18 October 1949 in the MGB of the USSR:

"I advise you, Shchirov," said the investigator "to stop telling tales and provide evidence only regarding the essentials of your crime. From Tashkent you planned to flee abroad with the Polish student of yours. Tell us about this in detail, and don't try to wriggle out of it.

"Truly, I gave the order to prepare the airplane . . . I testified at the last interrogation that it was impossible to fly to the border in this plane. But I decided to flee by any means possible. I was extremely bitter and acted recklessly. I got into the plane with Ludmila and started the motor, but the guard at the airport sounded the alarm, and my try was aborted. But Ludmila was not guilty in any way. She refused to flee with me. I said that I was only going to take her for a ride, and that the plane would not fly any farther than Tashkent. And I threatened her that if she told anyone about our conversations some people would come and get her."

"Who were these people?"

"There weren't any such people. I was only threatening. She was frightened and promised to keep quiet. And then she disappeared. This upset me a great deal, and so I decided to go to Leninakan, where I knew the border area, since I had served there."

On October 27 1949 Shchirov was questioned by the military procurator:

"Do you confess your guilt in attempting to cross the border illegally with the intention of committing treason?"

"I confess."
"You have already been questioned about this. But repeat your testimony before your case goes to the military tribunal. Tell us, in particular, about your contacts with Lieutenant Colonel Sereda."

"I affirm all that I said earlier. My contacts with Sereda were strictly on the basis of friendship. He is also a flyer and also a Hero of the Soviet Union. We were in combat together, and went out and partied together. Sometimes we drank. . . . That's what it was . . ."

"We are interested in who was with you at your meetings and drinking bouts."

"Nobody in particular. Probably you have in mind a party at the home of the artist Leonid Dvinin? Yes, I was there with Sereda. I came with a young woman, and there were four other women there. We drank. We danced. A Yugoslav major was there, whom Sereda and I knew. After the party, as I found out later, one of the girls was arrested. Her name was Galya, and she supposedly was connected with English intelligence. But I did not know her."

"And why did you receive a party reprimand?"

"I was on an assignment in Germany. I went on a spree, as they call it. I got a reprimand for it. But it had no connection with the people you are interested in."

"Let's return to your contacts with Lieutenant Colonel Sereda. To the party at the actor's, on his birthday. You said that you found out about the arrest of a certain Galya. And what can you say about the other girls? In particular about the one who was with Lieutenant Colonel Sereda at the party. What do you know about her?"

"I don't know anything about her. It seems that her name was Nina. After the party Sereda said to me: 'Nina wrote a foolish letter to the Commander-in-Chief of the High Military Council. To the effect that during an air parade I planned to crash a fighter plane on to the top of the Mausoleum. That's complete nonsense. I couldn't even think of such a thing.' But they barred him from participating in the parade. And, incidentally, me also. . . . But this was absolutely ridiculous . . . "

"Do you want to add anything to your testimony?"

"Just one thing--that I want to appear in court as soon as possible. In court I'll tell everything, from beginning to end."

"I guarantee that you will appear in court. And I advise that you tell the whole truth about your criminal schemes."

< <ENDTEXT> >

From the statement of the Council of Veterans to the Commission of the Politburo of the CPSU Central Committee:

21
In April 1949 S.S. Shchirov was arrested and tried. The Veterans’ Council does not know where, exactly when, and on what charges. We only know that in April 1950 he was stripped of the title of Hero of the Soviet Union and of all of his military honors. . .

The criminal charge in the case against Shchirov was contained in one short statement: “Shchirov, S.D., having a hostile attitude toward the All-Union Communist Party (Bolsheviks) and Soviet power, tried to commit treason against the Motherland by fleeing across the border. His acts fall under the provisions of articles 19 and 58 (m) of the Criminal Code of the Armenian SSR. October 25, 1949.”

From the statement of the Council of Veterans to the Commission of the Politburo of the CPSU Central Committee:

The fellow officers of the 87th fighter air regiment know S.S. Shchirov well as a disciplined, brave, courageous flyer, a communist devoted to the goals of the party of Lenin, and as a devoted patriot of his Motherland. He took pride in his country and stood tall for the achievements of the October Revolution. He was young, handsome, and talented . . .

Sergei Sergeevich Shchirov awaited the court proceeding at the end of 1949. He was processed through the investigation rooms and lockup cells that exhausted the body and soul with interrogation. And then he came to understand that they didn’t want to hear him, that they would take the testimony that they needed from the empty and sometimes frivolous-seeming interrogations and fashion serious charges against him, his friends, and his acquaintances.

Yes, he was young, handsome, talented . . . and naive, as were many honest people of the time. He awaited the military court proceedings, but they never came. The military procurator was presumptuous in promising a trial for the flyer. His case was not even heard by the simplified and barbarous proceedings that passed for justice in Stalin’s times.

The charge in the Shchirov case is immediately followed by a document that read as follows:
Decree. Moscow, October 25, 1949. I, senior investigator for particularly important cases, Major of the USSR MGB Levshin, having reviewed the materials of the investigation in case No. 2508 against S.S. Shchirov, have found: Shchirov was arrested on April 7, 1949 for attempted treason. The investigation established that Shchirov decided to flee abroad. On the basis of what has been established it is decreed that Shchirov, as a traitor, is to be sent to a special camp.

To this was attached a "Note from the Protocol" of the Special Board within the USSR MGB. A quarter of a page, divided by a vertical line. On the left it reads: "The case involving the charge of treason against Shchirov was heard." On the right: "Incarceration in a special camp for a period of 25 years was ordered."

From the statement of the Council of Veterans to the Commission of the Politburo of the CPSU Central Committee:

Shchirov's wife was a match for him. She was a beautiful woman. Nature had blessed her with many qualities. They had a strong mutual love. They married in Moscow in 1944, when Sergei Shchirov was about to be sent to the front . . . This would have been a good Soviet family . . .

A letter from Shchirov's wife to the USSR MGB, headed "Statement." June 1949:

I got married in the spring of 1944. At that time Shchirov had been summoned to the Headquarters of the Air Forces to become an inspector . . . During the summer of 1944 he left for the front and was there until the end of the war. In 1945 his unit was transferred from Yugoslavia to Leninakan, and he came for me to Moscow. We were in Leninakan for eight months, after which we returned to Moscow, because my husband had received a post in the Headquarters of the Air Forces. In Leninakan we led a normal life. But in Moscow everything changed. Becoming connected with people like Hero of the Soviet Union Lieutenant Colonel Sereda, and Major Solobev, he began to drink heavily and stay out all night. It was clear that this was leading to a breakup for us. I didn't want that, and he promised to change. In the
summer of 1948 he was sent to Germany, where he again drank heavily and received a party reprimand. He was transferred to Tashkent, but I didn’t go with him, because our relationship had been damaged beyond repair.

Concerning his attitudes: I never heard my husband or any of his friends express anti-Soviet views. He made friends with Yugoslav officers, but this was purely friendship relationships. They did not have political discussions. And when relations with Yugoslavia worsened, I advised him to be careful, and he stopped seeing the Yugoslavs. He never expressed any dissatisfaction with the Soviet system. He was unhappy that he was not included in the group that participated in the parade, and hurt by his transfer to Tashkent. But with regard to all of this he never said anything anti-Soviet.

From the statement of the Council of Veterans to the Commission of the Politburo of the CPSU Central Committee:

Sergei Sergeevich committed his foolish regrettable act with a single purpose in mind: to get justice, and for this he was harshly and unjustly punished . . .

Stalin died in March 1953. Soon thereafter L.P. Beria and his followers were arrested. And then the barbed-wire enclosures of the Gulag Archipelago began to open to the slightest degree. In December of that year procurator G.A. Terekhov, having begun the review of cases having to do with the most recent times, questioned S.S. Shchirov, who was serving his 25 years in a special camp in the far north:

Terekhov: “What possessed you to commit such an unreasonable act? Why did you decide to flee abroad. A combat flyer, Hero of the Soviet Union, and then--treason against the Motherland?”

Shchirov: “I never intended to commit treason. Listen to me. . . . I told this to the interrogators in Lubyanka. . . . I wanted to say all of this in court, but there wasn’t any court . . . I said it here in the camp, before a military tribunal. But there is not a word of what I said in the materials on my case. All of my testimony about the French, the Yugoslavs, the flight with the Polish student, my talks with Kazantsev, my drinking bouts with Sereda—all of
these facts were dragged out of me. My whole flight was a staged event, a fact that was not hard to figure out. I went to the border at the place where I had served earlier, in the area of Leninsk. I knew the area well, and there was no way that I could have gotten lost. I already told the interrogators that it is impossible to cross the border at that point. I did it so that, after my arrest, which I anticipated, I would prove that my fleeing was fictitious, staged.

Why did I do it? It was a gesture of desperation, foolish no doubt, but I needed to attract attention. I wanted to get my day in court. I thought that they would listen to everything I had to say . . .

What do I mean by everything? In 1944 I got married in Moscow to a woman whom I loved with all my heart. Three days after the wedding I had to go on a trip to Chkalovskaya. I returned a week later. My wife wasn’t home. I started to wait, eight, ten, twelve hours. My wife didn’t return. I got worried. At about two in the morning I heard a car stop outside the house. She got out of it. My return obviously was unexpected. She smelled of liquor. She made up some flimsy excuse. I was terribly hurt by all of this—ten days after the wedding.

In the morning she said to me: ‘Sergei, something awful happened to me. You won’t believe it, but it’s true. On the day after your departure Nina dropped in. You know her, and she invited me to take a walk. We walked and chatted. I didn’t notice at the time that a black car was standing near us. A man in uniform got out of it. He greeted Nina and invited us for a ride to go to see his friend. I refused, of course. He insisted. Nina said that we’d better go, that it was impossible not to go. I understood nothing and was very upset. But she urged me so insistently that I went. We drove to a courtyard and went into a home. We were taken to a room, and for some time nobody came in. And then—you’re not going to believe it, but it’s true—in came Lavrentii Pavlovich Beria. I was stunned. He served us wine and began talking about something which I didn’t understand at all. . . Then a white telephone on his desk rang. He said that he had been called to the Kremlin, but to wait, because he would return soon. I didn’t want to wait, and I persuaded Nina to go with me. We left . . . The next day a black car stopped near me again and the same colonel got out.’

This is what my wife told me. I didn’t know whether to believe her or not. I was beside myself. I concluded that she had made it all up. But the next day at about noon the doorbell of our apartment rang and I opened the door. Without asking permission and just about pushing me aside, a colonel entered the apartment and asked for my wife. She came into the living room with her mother. Not paying any attention to us, the colonel said to my wife that she had to go. Then he left. My wife, pale and upset, threw herself into my arms. ‘I have to go,’ she said. I said to her: ‘Go to your Beria and say that you have a husband to do those things. If you don’t come back in an hour, I won’t see you again.’ Within an hour she came back.
The colonel didn’t come around any more, but the telephone calls were endless. I suggested to my wife that I get a divorce, but she begged me not to. I insisted, since I was about to be sent to the front, where I would be until the end of the war. I was beside myself.

I break into the course of the interrogation, which is when Shchirov was unburdening himself. I couldn’t find the words if I wanted to describe Shchirov’s condition. A combat pilot, ace, Hero of the Soviet Union, conqueror of the sky, who had just been united in marriage with an intelligent and beautiful woman—this was the high point in his life. And then to be degraded in this loathsome way, like having someone spit in your face and being powerless to do anything about it. It would take a Shakespeare to find the right words. It was the war that saved Shchirov. He directed all of his rage at defeating the hated enemy. He didn’t want to return home, but then the war ended.

Shchirov: “In 1946 I returned to Moscow and requested an assignment far from Moscow. I was sent to Leninakan as a regiment commander. Relations with my wife settled down. But one time a phone call came from Tbilisi: Beria had gone there for a meeting with voters [in his election district]. He called my wife and summoned her to him, promising to send a plane. My wife refused, but in spite of this, our repaired relationship came crashing down like a house of cards.

In 1947 I was summoned to Moscow, to the Headquarters of the Air Forces. A few days after my arrival a phone call came for me. A voice with a Georgian accent said forcefully: ‘call Sofia’. I threw the phone across the room. The calls did not stop coming. Once, from another room, I heard my wife saying on the phone, ‘I can’t, my husband is home . . . Okay, Lida will come.’ Lida is her sister. She collected her things and left—a black car came for her. Lida was also very beautiful . . .

That evening I drank heavily, and started to drink more and more. Word of my drinking got back to the commander’s office, but I didn’t care. Soon they separated me from the Air Forces and sent me to Tashkent, to run the aviation club. I went there alone. I loved my wife, but I couldn’t stay with her any longer, and I couldn’t take what was happening. I didn’t want to just stand by and let it happen, but what could I do? It was then that I decided on my desperate act. I thought that if I could tell everything in open court, then the dirty deeds of this scoundrel could not be covered up. When I was brought to Lubyanka, at my first
interrogation, I told everything. . . . And all of the rest of my testimony was given when I was permanently in custody. That’s how it was, citizen procurator."

Terekhov: "While in custody did you engage in anti-Soviet propaganda? The military tribunal convicted you of this."

"Shchirov: "The anti-Soviet propaganda was that I told my story to my comrades in misfortune. For this they gave me 25 years."

< <ENDTEXT> >

September 24, 1954. Procurator G.A. Terekhov interrogated Rafael Semenovich Sarkisov, colonel and head of Beria’s personal guard.

< <BEGINTEXT> >

Terekhov: "I am presenting you with a list of women that was taken from you during a search. Tell me with which of these women Beria slept with."

Sarkisov: "Having looked at the list and thought about the question. I have reconstructed from memory the names of the women that I personally knew Beria slept with. The majority of them I personally brought to Beria for this purpose. I brought them to his private apartment on the Garden Ring Road. I saw other women when they visited Beria at this same apartment. He himself talked to me about them, in particular about how he slept with them. Below I have listed the women with whom Beria slept or those who visited him, clearly for that purpose.

. . . 117. Volskaya, Sofya Iosifovna--the wife of Hero of the Soviet Union Shchirov."

< <ENDTEXT> >

The sybaritic scoundrel was inexhaustible and all-powerful. The husband of a woman he had taken a fancy to, a flyer and Hero, was driven to a desperate act to defend his honor and that of his wife. And they crushed him.

After this interrogation USSR Procurator General R.A. Rudenko submitted a protest of the decision of the Special Board in the case of S.S. Shchirov. In the protest it was stated that the investigation was carried out under the supervision of Abakumov and Komarov, who had been convicted in the Beria case. Shchirov, S.S. "was not questioned in detail about the reasons that drove him to his crime, and the question about the criminal role of Beria in his fate was ignored. Instead of a court the case was sent to a Special Board, in order to hide Beria’s role. The anti-Soviet opinions expressed in the camp were the result of injustice committed against Shchirov as a man, who had held an important position in the state."
But the protest did not raise the question of Shchirov's rehabilitation. His punishment was reduced to five years and he was freed in an amnesty.

From the statement of the Council of Veterans to the Commission of the Politburo of the CPSU Central Committee:

<< BEGINTEXT >>

After his amnesty S.S. Shchirov ended up in a psychiatric hospital in Kazan, where he died on April 2 1956 . . . Sergei Sergeevich has not been with us for almost 30 years. But we cannot tolerate the fact that the name of a hero-patriot has been besmirched. [Signed] Members of the Council of Veterans and fellow-flyers Y.L. Moroz, A.E. Groshev, V.G. Kotov and others.

<< ENDTEXT >>

From the protest of Deputy Procurator General of the USSR A. Katusev, submitted to the Plenum of the USSR Supreme Court in August 1988:

<< BEGINTEXT >>

An examination has established the truth of the allegation that in 1944 the head of L.P. Beria's personal guard, Colonel Sarkisov, after having seen Shchirov's wife on the street, brought her to his private apartment and there Beria forced her to have sex with him. After that he regularly summoned her to him during the period 1944-1949. . . . I find that after explaining these circumstances Shchirov was groundlessly found guilty of treason against the Motherland, and that his acts did not constitute the elements of a crime.

<< ENDTEXT >>

The Plenum of the USSR Supreme Court endorsed the protest. The honor of the hero-flyer, whose fate was to be crushed by a scoundrel because his wife was No. 117. was restored. All that remains is his honor.

This, then, is a story from not so long ago, that was brought to light by a protest reviewed by the USSR Supreme Court.
By the sentence of the Military Collegium of the USSR Supreme Court of May 16 1938, a stevedore of the Selemdzhinskaia Transport Office of the trust "Amurzoloto," citizen DEMURA, Ivan Petrovich, born 1917 in the village of Kozmodemyanovka in the Tambov Region of the Amur Oblast, Russian, having elementary school education, arrested on April 8 1938, was sentenced on the basis of articles 58-1a, 58-2, 58-7, 58-8, and 58-11 of the RSFSR Criminal Code (1926 edition) to the supreme punishment of death by shooting. The sentence was carried out on the same day.

Demura was declared guilty of having been in 1938 a participant in an anti-Soviet right-Trotskyite terrorist organization within the "Amurzoloto" trust, and of carrying out wrecking activities in the road construction section aimed at disrupting the preparation and dispatch of freight for the mines. In addition, he distributed anti-Soviet propaganda among the workers and had the assignment of recruiting other people in the organization for an armed struggle against Soviet power.

Having examined the materials of the case, I find that Demura's sentence should be overturned and that the case should be dropped for the following reasons.

The testimony of Demura, both with regard to the question of joining an anti-Soviet organization and concerning his practical activity in it are not persuasive and are not supported by any other objective information in the case.

Metelkin was an accused in another case. The protocol of his interrogation at preliminary investigation, where he named Demura as a participant in a counterrevolutionary organization, is attached to Demura's case. But his testimony is also not confirmed by any other evidence.

Under these circumstances the court had no grounds for accepting Demura's confession even as the basis for a charge, and therefore the sentence is subject to overturning and the case to dismissal by the established procedure.

Under Article 35 of the Law on the USSR Supreme Court,
I ASK:
that the sentence of the Military Collegium of the USSR Supreme Court of May 16, 1938 in relation to Demura, Ivan Petrovich be quashed and the case against him dismissed for lack of the elements of a crime in the acts of the person convicted.

Chairman of the Supreme Court of the USSR (signed) V.I. Terebilov

(USSR Seal) Plenum of the USSR Supreme Court
In the case of Shchirov, S.D.

By the decree of the Special Board within the MGB USSR of November 12 1949, for treason against the Motherland under articles 19-58 "a," part 2 of the Criminal Code of the Armenian SSR, sentenced to incarceration in a special-regime labor camp for 25 years was:

SHCHIROV, Sergei Sergeevich, born 1916 in the village of Akimovka, Akimovskii Region of Zaporozhskaia Oblast, Russian, before his arrest a member of the All-Union Communist Party (Bolsheviks) from 1942, fighter pilot, Hero of the Soviet Union, lieutenant-colonel, former head of the Tashkent Air Club.

On the basis of the protest of the USSR Procurator General and by the decision of the Military Collegium of the USSR Supreme Court of February 17, 1954 the decree of the Special Board within the MGB of the USSR of November 12, 1949 was vacated: Shchirov's punishment was reduced to five years deprivation of freedom in a Special-Regime Labor Camp; in connection with the Decree of the Presidium of the USSR Supreme Soviet of March 27 1953 "On Amnesty," he was released from custody with the conviction expunged from his record.

Shchirov was found guilty in that, as a member of the Soviet Armed Forces and having a hostile attitude toward the All-Union Communist Party (Bolsheviks) and toward Soviet power, on April 7 1949 he attempted to commit treason by fleeing abroad in order to carry out an active struggle against the Soviet state, but was detained (from the criminal charge, pp. 213-218).

The fact regarding the detention of Shchirov near the Soviet-Turkish border was established by the materials of the case.

However, on the day after his detention, Shchirov explained his acts, stating that he was influenced by injustices that had been committed against him (p. 38).

In the interrogation associated with the criminal charge, Shchirov denied his guilt and stated that the testimony given earlier about his intention to commit treason "does not correspond to reality but was invented by me." He stated that he had no intention of betraying the Motherland and fleeing abroad (pp. 76-79).

On December 1, 1953, having been questioned in connection with a statement he had given to the procuracy, Shchirov explained that he was at the border simply because he wanted...
to contrive an attempt to cross the border, be arrested, and with the chance to testify before the judicial-investigative organs, tell about the crime committed by L.P. Beria, who destroyed his family life by forcing his wife into sexual relations.

Shchirov’s statement was not refuted by any evidence, while the circumstances that he averred were supported.

An examination has established the truth of the fact that in 1944 the head of Beria’s personal security—Colonel Sarkisov—on seeing Shchirov’s wife on the street, brought her to Beria’s private apartment, where Beria forced her to have sex, and that thereafter he summoned her regularly to him during the period 1944-1949.

Shchirov knew of these meetings, his relations with his wife worsened, he began to drink heavily, and he became careless with regard to his professional responsibilities. In this connection he was transferred from Moscow to Tashkent, to the post of head of the air club, and then was removed from this position.

The investigation was conducted under Abakumov and Komarov, who were later subjected to criminal penalties for violations of socialist legality. At the end of the investigation the case was supposed to be sent to a court, but Komarov, as is clear by his signature on the charge, recommended that it be heard not by a court but by a Special Board and that Shchirov be sent to a Special Regime Labor Camp for 25 years (pp. 24-25, 201-205, 216).

During the Great Patriotic War Shchirov showed himself to be a courageous and honest Soviet patriot, and proved his loyalty to the Motherland in fighting the fascist invaders. He was accorded the high honor of being named Hero of the Soviet Union, and was awarded two Orders of Lenin and six other military orders as well as five medals.

I find that under the circumstances as set forth Shchirov was unjustly found guilty of treason against the Motherland and that his acts do not constitute crimes under articles 19-58a, part 2 of the Criminal Code of the Armenian SSR.

Being guided by part 2 of Article 35 of the USSR Law on the Procuracy.

I ASK:

That the decree of the Special Board within the MGB of the USSR of November 12 1949 and the decision of the Military Collegium of the USSR Supreme Court of February 17 1954 regarding Shchirov, Sergei Sergeevich be quashed and the case against him be dismissed for lack of the elements of a crime.

Acting USSR Procurator General
State Councillor of Justice (signed)
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A.F. Katusev
NOTES

1. A town on the Amur River in Eastern Siberia. The Amur at this point serves as the border between Russia and China.

2. A three-person (troika) or two-person (dvoika) tribunal. Extra-legal bodies set up to substitute for courts in political repression cases. The troika was long well-known in the literature on the repressions, but more recently the existence of two-person tribunals has also come to light. On the relationship of the troika to the Special Board of the NKVD, see Robert Conquest, The Great Terror (New York: Macmillan, 1968), p. 313.


4. Two towns in Belarus southeast of Minsk.

5. Ministry for State Security, the name for the security police during much of the 1940s and the early 1950s. Renamed the Committee for State Security (KGB) in 1954.