

Notes for Volpin III:

From Bukovsky:

pg. 234: Refers to Alex as "Alik" First met him in September of 1961 at a seminar on linguistics. He was then 19 and had not yet been put in jail. States that Volpin regularly visited the relatives of friends who were in jail. Here is a comical description:

" ALik's permanently disheveled look, total impracticality, inability to adapt to his surroundings, and absolute indifference to his appearance completed the picture, making him an exemplar of the eccentric professor."

Goes on to say that he lectured people very seriously on the concept of legality; they in their turn thought him mad for taking the very idea seriously in a place like Russia. (However, persons I have spoken to , immigrants in Harvard Square, say that Volpin is famous in the Human Rights Movement as the person who first broached the idea of using the statements in the law codes against the KGB and the government.)

.." given that in real life the truth of any judgement is always conditional, all of Alik's arguments became encrusted with digressions, reservations, parentheses, exceptions and qualifications, and he invariably ended up with the problem of whether and how much a word corresponds to what it denominbates, terminating in such a semantic jungle that nobody had the slightest idea any longer of what was being said.

Page 146 - Bukovsky describes the spontaneous poetry readings which were held for the first time in the summer of 1958 in Mayakovsky Square.

" We who were fighting for the concrete freedom to create, and it was no accident that many of us - people like Yuri Galanskov, Victor Khaustov, Vladimir Osipov and Edward Kuznetsov, later merged with the movement for human rights. We all got to know one another in Mayakovsky Square.

The poetry reading, right there on the square, in the center of Moscow, created an extraordinary atmosphere. Hundreds came to the readings, which were usually held in the evenings and on Saturdays and Sundays. Many of the readers were excellent professional actors and others were first-class original poets: Anatoly Shchukin, Kovshin, Mikhail Kaplan, Victor Klugin, Alexandrovsky, Shucht, and others."

Trail in 1968, very famous: Galanskov, Ginzburg, Dobrovolsky, Lashkova. Also discussed in Sakharov. Volpin plays an important role in this trial
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page 160: first reference to Volpin: He always stressed legality, the ultimate weapon in dealing with corrupt bureaucracies. In 1965 there was the famous Constitution Day demonstration which was organized by Volpin and Chalidze. This was, (I believe?), the first time that Sakharov decided to "go public".

Ultimately the organizers of the Mayakovsky Square readings were given cruel sentences: Ilya Bakstein, crippled with a spinal condition, was given 5 years at hard labor. Kuznetsov, later to become famous for the4 Leningrad hi-jacking, and Osipov, were given 7 years each.

pg. 162. The trial of Bakstein, Kuznetsov, and Osipov was closed to the public, Volpin, brandishing a copy of the laws, persuaded the guards that such trials must be open to the public.

pg. 163 " Little did we realize that this absurd incident with the comical Alik Volpin brandishing the Criminal Code like a magic wand to melt the doors of the court, wa the beginning of our civil-rights movement and the movement for human rights in the USSR"

### Mayakovsky Square Poetry Readings, History of :

pg. 143: They began in the summer of 1958, just after the death of Stalin. That summer a statue of Mayakovsky was unveiled. " At the official opening ceremony, some official Soviet poets read their poems, and when the ceremony was over, volunteers from the crowd started reading theirs as well..... A kind of open air club came into being." These readings continued through the summer, but were discontinued by the authorities.

In September of 1960, shortly after Bukovsky had managed to snake his ways (sic! not derogatory of course, quite the opposite) into the university, he and a group of friends decided to revive these readings. A new angle had developed in the meantime : the distribution of *samizdat*. This was shortly after Alexander Ginzburg had been arrested.

Alexander Ginzburg. Edited "Syntax" from 1959 to 1960. This got him two years in the camps. In 1966, Ginzburg compiled the famous White Book exposing the juridicial horrors of the Sinyavsky/Daniel trails. ( Harper and Row, 1967). This got him 5 years in a strict regime camp. In 1972, he became manager of the *Russian Fund For Political Prisoners*, ( financed largely by Solzhenitsyn, who was then in the West.(?) Check dates). He was then arrested in 1977 and sentenced in 1978 to 8 years imprisonment.

Other samizhdat magazines of this period include "Boomerang", edited by Osipov (first name?) , and "Phoenix 1961", b y Yuri Galanskov.

\*Osipov: 1961, sentenced to 7 years for "anti-Soviet agitation and propaganda", ( the usual charge). In 1971 he founded the magazine "Assembly", in 1974 "Soil". In 1974 he was arrested and sentenced to 8 years.

\* Yuri Galanskov was sentenced to "7 + 5" in 1968. In 1972, he died of peritonitis incurred through the barbaric conditions in the camps.)

Quotes from Galanskov's "Manifesto of Man", which would be good as a header for the next article:

.....I'll go out on the Square  
And into the city's ear  
I'll hammer a cry of despair...

.... This is me  
Calling to truth and revolt  
Willing no more to serve  
I break your black tethers  
Woven of lies....

Edward Kuznetsov, later to become famous as the organizer of the Leningrad hijacking in 1970, was involved in these readings. In 1962 he was sentenced to 7 years in the camps. For the Leningrad venture he received a death sentence, later commuted to 15 years under pressure of Sakharov and others.

Page. 161: More about Volpin. In 1961, just after his release from the Leningrad Special Hospital, he came to Mayakovsky Square to observe the readings. There he gave an important lecture on the issue of legality.

He was the founder of the Constitution Day demonstrations. The first was held on December 5th, 1965. (Volpin was 43) It became an annual event.

In February of 1968 he was forcibly committed to the Kashchenko Mental Hospital for having protested the "trial of 4" ( Lashkova, Ginsburg, Dobrovolsky and Galanskov). To protest his incarceration, 90 colleagues signed a letter, including Sakharov. and Gelfand. All of them were persecuted for having done so, some losing their jobs, others ending up in prison.

The trial of Bakstein, Osipov and Kuznetsov was held in 1962(?) They were accused of a fantastic assassination plot, but the real reasons had to do with the Mayakovsky Square poetry readings.

pg. 234. Bukovsky on Volpin, a general sketch. " I was astonished by the serious way he discoursed on rights in the country of legalized coercion... No more than ten years before it had been revealed that these same laws could coexist with the murder of almost 20 million innocent people.... what sense was there in expounding on laws? It was like expounding humanitarianism to a cannibal. Alik himself had twice been committed to prison for reading his verse... and this not even in Mayakovsky Square, but at home, in a circle of friends.

... The central concept in his arguments was *the position of a citizen*, which offered a laughably simple way out of all my dilemmas.

... these dilemmas began at the point when I was required to be a "Soviet man"... someone enthusiastically building communism... endorsing the policies of the government, and angrily condemning world imperialism... this concept of "Soviet man" was really the starting point for all the illegality in the country... Every ruler that came along filled it.. with anything he wanted to put into it....

Alik volpin argued, however, that there was no law obliging us to be "Soviet people". A *citizen* of the USSR, on the other hand, was quite a different matter. There was no *law* obliging all the citizens of the USSR to believe in communism or to help build it.

Volpin's idea, therefore, came down to this. We reject the regime, not because it calls itself socialist - there's no law defining socialism and therefore citizens are not obliged to know what it is - but because it is based on coercion and lawlessness, tries to impose its ideology on people by force, and obliges everybody to lie and be hypocrites. We wish to live in a state ruled by law... We are obliged to submit to nothing but the law.

' But they can't get by without using coercion', we objected to Alik: "If they were to introduce a strict observance of the law, they would simply cease to be a communist state."

'Actually I agree with you', Alik would say in a conspiratorial whisper, and everybody burst out laughing.

pg. 240: A crucial statement of the legalist strategy: " Well, if somebody breaks the law and encroaches upon my legal rights, as a citizen I'm bound to protest. I am obliged to fight back with all legal means. And above all with publicity"

pg. 241: "Only Volpin leaned out of the train that took him to Vienna and made a speech on the need to struggle for the right of re-entry."

#### PUSHKIN SQUARE, DECEMBER 5, 1965

Advertized through the samizdat networks developed over the last decade, since death of Stalin in 1958. Bukovsky never made it to the square. The KGB picked him up and dumped him in a shrinkhome. Volpin came to the square in the cart of a legless invalid. Banners had been prepared by Yuri Titov, an artist. It was shortly after two writers,

Yulia Vishneveskaya and Leonid Grubanov, had been picked up. They were briefly put in mental hospitals.

On this occasion, Galanskov clambered up onto the statue of Pushkin and cried, "Citizens of free Russia, come closer to me!"

Some plainclothesmen, citizens of free Russia, rushed at him, knocked him to the ground, and dragged him into a car.

The Trial of the 4, January 1968 (check Sakharov for the pretext).  
Lashkova got one year, Dobrovolsky 2. By this time, the Volpin strategy of 'legality' had permeated the entire human rights movement.

REFERENCE; PAVEL LITVINOV " The Trial of the Four", ( Viking 1972)

August 25, 1968. Demonstration against the invasion of CZechoslovakia:  
Konstantin Babitsky, Larisa Bogoroz, Vadim Delauney. Vladimir Dremlyuga,  
Victor Fainberg, Natalya Gorbanevskaya, Pavel Litvinov.

Reference : Red Square at Noon, Gorbanevskaya, Holt, Rinehart & Winston, 1972

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References to Volpin in Sakharov's "Memoirs" are on pages 185, 273, 314, 320, 327, 371-2, 426.

References to the Human Rights Committee are on pages 77,78, 318-320, 327, 456, 501, 283, 400, 409, 418, 464, 502, 563, 579

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Sakharov Notes: pg. 185

pg. 273: " On December 3 or 4, 1966, I found an envelope in my mailbox containing two sheets of onionskin paper. The first sheet was an anonymous report on the arrest and confinement in a psychiatric hospital of Viktor Kuznetsov, an artist who had helped draft a model constitution for our country - Constitution II - which the authors hoped would spark discussion about the introduction of democracy.

The second sheet announced a silent demonstration on December 5, Constitution Day. It proposed that interested persons arrive at Pushkin Square a few minutes before 6 PM, assemble near the monument, and then at the stroke of the hour remove their hats and observe a minute of silence as a sign of respect for the Constitution and support for political prisoners, including Kuznetsov. ( I learned much later that Alexander Esenin-Volpin was the author of this Constitution Day appeal, and of several other original and effective ideas to promote respect for human rights.

Page 274: The Alexander Ginzburg, Yuri Galanskov, Alexei Dubrovolsky, and Vera Lashkova trial.

" early in 1967, Zhivlyuk told me about the case involving Alexander Ginzburg, Yuri Galanskov, Alexei Dubrovolsky, and Vera Lashkova, and the

demonstration organized in their defence by Vladimir Bukovsky and Viktor Khaustov. " Sakharov wrote a letter to Brezhnev in defence of the 4. It was his first intervention on behalf of specific dissidents. As a result, he lost his post as department head, and his salary was cut almost in half, from 1,000 to 550 rubles per month.

Page 371 -2 : Yuri Shikhanovich case.

" He had been dismissed from Moscow University for signing an appeal in behalf of his friend and colleague, Alexander Esenin-Volpin, a poet, a specialist in mathematical logic, and one of the earliest dissidents. Volpin had been forcibly confined to a psychiatric hospital in February, 1968. More than 90 colleagues signed an appeal asking that he be allowed to resume his scientific work ( they didn't go so far as to ask for his release.) Despite its mild tone, the letter provoked the anxious authorities to reprisals. Mstislav Keldysh, president of the Academy, spent four hours bullying his brother-in-law, Academician Pyotr Novikov, head of the Academy's department of logic, into retracting his signature. Novikov feeling wretched and humiliated, returned home and suffered a severe heart attack. Volpin was quietly released in May, but by then Shikhanovich had already been dismissed.

Shikhanovich is a shining example of the "classic" dissident. " He travelled long distances to visit political prisoners in the camps. He celebrated the birthdays of other dissidents, and his judgement was relied upon for going to the movies.

Shikhanovich was sentenced to a psychiatric hospital, and released in 1974. In 1983 (!), he was arrested again and sentenced to 5 years in a labor camp and 5 in internal exile, for editing the Chronicle of Human rights. He was pardoned and released in 1987.

" Despite [Izrail ]Gelfand's major contributions to modern mathematics, his promotion to full member of the Academy was delayed until the 1980's. The internal politics of the mathematics section were chiefly to blame, but part of the problem was his signing of a 1968 letter in defence of Alexander Esenin-Volpin." pg. 314: Talks about close collaboration of Volpin and Chalidze. Because of Volpin, Chalidze had mastered the criminal and procedural codes. The Revolt Pimenov and Boris Vail trial, 1970. Pimenov is a mathematician, Vail is a theatre director. They had been jailed before by Khrushchev in 1963 and 1965. Now they were on trial again in 1970.

Usual tricks. Moved to out of the way location, virtually all defense lawyers excluded. A typical samizdat case.

Page 320 : Human Rights Committee was launched on November 11th, 1970, by a press conference held in the apartment of Valery Chalidze. The prime movers were Chalidze, Volpin, and Andrei Tverdokhlebov. a physicist. Solzhenitsyn was not sympathetic to it. He was made an honorary member without his knowledge or permission, which led to friction.

Page 327: 1971 was the heyday of the activities of the HRC. Igor Shafarevich, a mathematician, joined, as did Sakharov. They wanted to stress urgent issues but, to quote : "... Shafarevich and I tried our best to give priority to the more urgent issues, but Chalidze, Tverdokhlebov, and Volpin had a taste for the paradoxical and extreme, and their familiarity with the by-laws allowed them to set the agenda...."

Reference: TO DEFEND THESE RIGHTS. Valery Chalidze, (Random House, 1975)
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Page 355 - poets and songwriters in the 70's. 1971 - Anatoly Lupynos, Ukrainian Poet. Read a poem in which a single line out of context could be interpreted as referring to the Ukrainian flag as a cleaning rag. Hauled before a kangaroo court, he was sent to the Dnepropetrovsk Psychiatric Hospital, wun of the worst.

The director of the Institute of Psychiatry in Mahsko, and inventor of the disease of "creeping schizophrenia" was Andrei Snezhnevsky

The famous committee report of the HRC of 1971, which denounced abuses of psychiatry in Russia, is discussed at length in Bukovsky.

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The period in question appears to be 1961 - 1971. Later I will set up a time table.

## Letter from Jan Mycielski

Dear Roy:

Thank you very much for your II-nd version about Alexander E.-V. which I got some time ago and always wanted to thank you for, but too many things around me \* ( \* or in me ) keep me distracted.

(1) You write that "the futility of the Russell-Whitehead and the Hilbert approaches was demonstrated by the discoveries of Kurt Gödel". I think this does not sound right. To me, only Hilbert's II-nd problem was solved by Gödel, which before it's solution, when people thought that it will turn otherwise\* (\* because they thought that PA was complete) , was called Hilbert's program. But the work of Hilbert and his school ( the construction of first order logic) stands as a great achievement which made possible all contemporary work in mathematical logic.

(2) You write ( on page 3), "count Leo". Sounds too familiar ( "of the great writer" would sound better to me).

(3) On page 17 " The merits of this position". I would prefer "the validity ( or truth) of this position. If you focus on merits you adopt a funny position somewhat like that of Pilate, (or Stalin), and you are irritating (me).

(4) And again "The issue is not.... branch of logic". So you imply that even if it was wrong it would still be a branch of logic? ( Sounds wrong)

(5) " Most people agree that he [Hegel] did have something important to say." Sounds hollow unless you tell some good example(s). I happen not to know any

(6) "In matters dealing with 'free will' and events occurring in future time, it is no longer valid to use to law of the excluded middle". (pg 18) Could you develop this thought? I sounds controversial and contrary to modern science. ( Thus essentially false)

(7) It seems to me that you like to mix artistic expressions and contributions to knowledge. Perhaps Hegel created some of the first but not the second? There are fascinating works of art and religious creations which are wrong if viewed simply as contributions to knowledge. This separation or distinction is worth being introduced into general education. ( I regard this as a discovery or thesis of mine, is that right?) P.S. (pg. 12) "out of control" makes no sense ( you mean too much under control? Incomplete?)

PPS. You write as if "details" did not matter. I suggest to respect the truth. The idea that the noneducated should be fed approximate truths is very harmful; it leads to a " half-intelligentsia" which can be easily converted into any religion, Marxism or racism included.

Regards, Jan Mycielski

Note: Mycielski is a highly regarded logician in the fields of finitist set theory and foundations of mathematics. Despite my disagreements with several of these points, none of them are major, so I reply only to two of them:

(1) I readily acknowledge the correction of my statement that "Godel vanquished Hilbert" or something like that.

(6) The comment about 'free will and the law of the excluded middle' is not mine. It is taken from Aristotle's Organon, and my reference is Schulze's "History of Logic" in the Bibliography. I do tend to agree with it however, since I believe that 'living will', which includes 'human will', does interject a trans-scientific reality into nature. I've got no space to elaborate on this idea, but it does re-occur frequently in the issues of Ferment.

#### FROM LUDMILLA ALEXEYEVA " SOVIET DISSENT"

Page 9 "The human rights movement is considered to have a specific birthdate - December 5, 1965 - when the first demonstration with the slogan "Respect the Soviet Constitution"- took place in Moscow's Pushkin Square.

At that time, another movement very similar in conception and spirit was growing in the United States of America - the civil rights movement , It is striking that in societies as dissimilar as the Soviet Union and America, similar social impulses arose independently at the same time. In both countries, oppressed citizens began to demand that the provisions of the CONstitution be observed."....

pgs. 274 -275 ".. [T]he first demonstration in the history of the Soviet regime that was accompanied by human rights slogans took place in Moscow's Pushkin Square on December 5, 1965. A few days prior to December 5th, which is celebrated as Constitution Day, typed leaflets containing a "civic plea" appeared around Moscow University and other liberal-arts institutes:

*A few months ago KGB agents arrested two citizens: the writers A. Sinyavsky and Yu. Daniel. Under the circumstances there is reason to fear violations of the law with regard to the public nature of court proceedings. As is well known, all sorts of illegalities may take place behind closed doors, and a closed trial is*



*itself an illegal act ( article 3 of the constitution and article 18 of the RSFSR criminal code). It is unlikely that the works of writers constitute a crime against the state.*

*In the past illegal acts of the government cost the lives and freedom of millions of Soviet citizens. It is easier to sacrifice one day of peace than to suffer the consequences of unchecked arbitrary authority for years to come.*

*Citizens have the means to struggle against judicial arbitrariness: public meetings, during which one well-known slogan is chanted: " We demand an open trial for ( insert the names of the defendants), " or is displayed on placards. Any shouts or placards going beyond the limits of a strict observance of legality are definitely dangerous and may possibly serve as a provocation. They must be stopped by the participants in the meeting themselves.*

*It is essential that everything be orderly during the meeting. At the first official request to disperse, it is necessary to disperse after having informed the authorities of the purpose of the meeting.*

*You are invited to a public meeting on December 5 and six o'clock in the evening at Pushkin Square near the statue of the poet. Invite two more citizens using the text of this plea.*

The author of this leaflet and a remarkable man in many respects was Aleksandr Yesenin-Volpin.....Volpin had been a pioneer in judicial education. He would explain to anyone who cared to listen a simple but unfamiliar idea to Soviets: all laws ought to be understood as they are written and not as they are interpreted by the government.....

*Those who belonged to the same age and social group as Volpin did not support the idea of a demonstration, and many tried to dissuade him from it. Young outsiders from the SMOGists and their friends helped distribute the leaflets. Three of these were detained: the sixteen year old school girl Yuliya Vishnevskaya, twenty-four year*

*olf Vladimir Bukofsky, and nineteen year old Leonid Grubanov. They were all hidden away in a psychiatric ward. Vishnevskaya and Grubanov were released after a month, but Bukofsky was held for about eight months.*

It comes as no surprise to this author that the members of Volpin's social group, 43-year old academic mathematicians, gave him no support, but that he was enthusiastically supported by SMOG ,a group of teen-age writers inspired by the beat movement in poetry. (Bukofsky's ordeal in the psychiatric hospital is fascinating reading - which one can say about his whole book. )

FROM "THE TRIAL OF THE FOUR" Pavel Litvinov, Peter Reddeway.

Page. 345: " On 14 February A.S. Volpin was taken from his home by the police and the duty psychiatrist of the Leningrad district [of Moscow] , Albert Matyukov. The reason given was that Volpin had not reported for a long time to the psychiatric out-patients' department where he was registered ( !!!! - *Ferment's exclamation - what depths of potential for black humor !* ) ( and to which he had not once been summoned during the past four years.) He was put in ward 3 of the Kaschenko hospital, where he was roughly handled by the ward supervisor A.A. Kazarnovsky, and the house doctor, Leon Khristorovich.. On 16 February, on an order signed by I. K. Yanushevsky, chief psychiatrist of MOscow, Volpin was transferred to the No. 5 hospital at Stolbovaya Station, fifty kilometers from Moscow. (this is a hospital mainly for chronically ill patients and for petty criminals sent for compulsory treatment). ..Only after an appeal adressed to the USSR Minister of Health, Academician B.V. Petrovsky, initially by Academicians A.N. Kholmogorov and P.S. Aleksandrov and then by a further ninety-nine academics..... was some improvement made in Volpin's situation....

.....The only official basis for such actions could be the instruction 'On the immediate hospitalization of mentally ill persons who constitute a danger to society' ... In the first place, however, this is only official and not legal, since the very fact of compulsory hospitalization conflicts with articles 58-60 of the Russian Criminal Code, according to which compulsory measures of a medical nature are prescribed by a court. Moreover, the hospitalization of 'socially dangerous' persons directly conflicts with a fundamental principle of legality - that of the presumption of innocence, since it is a person who has actually *committed* an offence who is recognized as socially dangerous and this can only be decided by a court verdict.

Secondly, even this rather cruel and illegal instruction was flagrantly disregarded..... ( The citation goes on to list the numerous infractions of legality in the incarceration of both Volpin and Natalya Gorbanevskaya, the first editor of the

**Chronicle of Current Events. She was imprisoned again in August for her participation in the demonstration against the invasion of Czechoslovakia. She is the author of "Red Square at Noon" and now, like so many of the actors of these dramatic times, now lives in the United States. ) This extract is taken from Human Rights in the Soviet Union: A Chronicle of Current Events, No. I, 30, April 1968.**

**CHRONOLOGY OF THE SEQUENCE OF EVENTS FROM THE ARRESTS OF SINYAVSKY AND DANIEL TO THE PETITION OF 99 MATHEMATICIANS FOR VOLPIN: FROM LITVINOV "DEMO. IN PUSHKIN SQUARE".**

**"The Demonstration in Pushkin Square" Pavel Litvinov, trans  
Manya Haran. Gambit Inc., Boston 1969**

**pg. 1 September 1965. Arrests of Sinyavsky and Daniel ( Tertz &  
Arzhak)**

**Trial was held in February, 1966. Sinyavsky received 7 years and  
Daniel 5 both at hard labor.**

**On the 16th of September, 1966, two laws directly threatening  
the civil rights of Soviet citizens were passed. ( In contrast to the laws  
protecting those rights which were systemtically ignored. Evidently  
the strategy of legality was already beginning to make its mark).**

**These were:**

**Article 19011, providing sentences from 1 to 3 years, and/or a  
fine of 100 rubles, for criticizing the Soviet state or social system**

**Article 190/3 , providing identical sentencing for the formation of  
groups or organizations without the approval of the government.**

**These were too much even for the established intelligentsia,  
people like Sakharov, Yakir and Shostakovich, who with severl  
others, co-authored a letter to the government protesting these laws.  
Volpin sent his own letter expressing similar reservations.**

Aleksandr Ginzburg compiled the "White Book", a transcript of this trial which was smuggled out to the West. His co-workers, Galanskov, Dobrovolsky, Lashkova and Radziesky were arrested in January, 1967.

In February of 1967, V. Khaustov, and in August Bukofsky, Delaunay and Kushev were arrested for organizing protests against the Trial of the Four.

Ginzburg himself was arrested in February, 1968, at the same time that a wave of repression against the protest movement of the "Trial of the Four" was initiated. Volpin was very active in this movement.

\*\*\*\*\*From

Grigorenko:

Page 338: "The first demonstration in the Soviet Union since 1927 took place on December 5, 1965"