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## The defense practice in the case of Joseph Brodsky: creating principles

**Abstract:** The article discusses the work of Frida Vigdorova, a Moscow teacher, journalist and publicist who took the minutes of the court hearing during the trial of Joseph Brodsky and then publicised them without official censorship. The publication in the second circulation of a direct transcript of the court hearing became an example to follow for later such texts. The dissident circles in the USSR regarded free access to information as one of the fundamental human and citizen rights. The document created by Frida Vigdorova became known all over the world. It was also published in the Western press and it became a symbolic evidence of breaking the right to a fair trial in the USSR.

**Keywords:** Joseph Brodsky, Frida Vigdorova, dissidents, writers in the USSR, freedom of speech, the Soviet Union.

The case of Joseph Brodsky is usually described as one of the three literature-related cases of ‘the Thaw’ (Pasternak in 1958, Brodsky in 1964/1965, and Sinyavsky and Daniel in 1965/1966), not as a dissident one, since it came before the ‘official’ beginning of the dissident movement. The movement is considered to have begun with the first protest that took place on Constitution Day, 5 December 1965. This was the first open and numerous (at least in that time) protest with slogans of legal nature, demanding that the trial of Sinyavsky and Daniel be public.

Meanwhile, already in late 1965, right after the arrest of Andrey Sinyavsky and Yuliy Daniel, and after Joseph Brodsky’s return from exile, a new type of social behavior that had emerged in almost two years of fighting for Brodsky became the subject of reflection and analysis: Frida Vigdorova, the author of the transcripts of Brodsky’s trial, ‘was of the first public figures of the new type’<sup>1</sup>, and during the

1 R. Orlova, *Vospominaniya o neproshedshe m vremeni*, Moscow 1993, p. 307.

trial of Brodsky, ‘public opinion was born’<sup>2</sup> – as Raisa Orlova wrote at that time, trying to define the nature of the recent and current events she was witnessing.

It is commonly believed that Frida Vigdorova’s transcripts of Brodsky’s trial laid the foundation for an important principle of dissident trials – that of documenting the events, including reestablishing what both parties had said in court. But that isn’t the only important aspect. The case of Joseph Brodsky became a test for both the prosecuting party (it showed a newly emerged party of defense and the aforementioned ‘public opinion’), and the defense (the case proved that if you defend – there will be a result).

Leaving the actual court defense aside for now (court appearances and speeches, letters to the court, and expert evaluations carried out for the trial), let us analyze the succession of extrajudicial (not part of the court proceedings) defense activity, its goals, and its significance; in addition to putting together the transcript of the trial, what other defense tools were inherited from the Brodsky trial? How were they adjusted by the dissidents?<sup>3</sup>

## The figure of the defendant

The case of Joseph Brodsky began with an article attacking him, published in the *Vecherny Leningrad* (‘Evening Leningrad’) newspaper on November 29, 1963. Anna Akhmatova, who was in Moscow at that time, found out about the article and contacted Lydia Chukovskaya<sup>4</sup>. Akhmatova probably realized that Chukovskaya would definitely go

2 Ibidem, p. 306.

3 The conclusions stated in this article are based on materials from the State Archive of the Russian Federation and from the International Memorial Society (Moscow), as well as on the results of textological work with the Brodsky trial transcript: with the notepad and notebook Vigdorova used to record the proceedings of Brodsky’s second trial (stored in Bremen in archive of Research Centre for East European Studies, collection 3, and in the family archive), as well as with the typewritten versions of the final text compiled by her (stored in the State Archive of the Russian Federation and in International Memorial Society), as well as with the transcript of the trial created by Yury Varshavsky (stored in Research Centre for East European Studies, collection 30.36). Documents of Memorial archive were collected for almanac *Pamyat* (‘Memory’), this collection contains sometimes copies, sometimes originals with notes.

4 See entry dated 2 December 1963: L. Chukovskaya, *Zapiski ob Anne Akhmatovoi*, vol. 3, [http://bookz.ru/authors/4ukovskaa-lidia/zapiski-\\_780/page-8-zapiski-\\_780.html](http://bookz.ru/authors/4ukovskaa-lidia/zapiski-_780/page-8-zapiski-_780.html)

on to contact Vigdorova, who was her close friend and regular correspondent. In Leningrad, Natalia Dolinina saw the article and showed it to Vigdorova, who was there at the time. Vigdorova asked Dolinina, who went to Moscow before her, to send the article on to Lydia Chukovskaya<sup>5</sup>. So either way, in this circle the paths led to Chukovskaya and Vigdorova, and as early as 9 December the two of them had already written their first letter to the authorities for this case – to the Central Committee of the Communist Party of the Soviet Union<sup>6</sup> (CC of CPSU).

Also in December, Vigdorova received a letter from Gleb Semyonov and Efim Etkind via Yakov Gordin about the Brodsky case, which was being prepared in Leningrad<sup>7</sup> (Semyonov was the head of a literary association at the Mining Institute; he had heard Brodsky perform, literary scholar Etkind knew Brodsky's translations). Brodsky himself went to Moscow to see Vigdorova and tell her about the case<sup>8</sup>. The reaction of his defendants was ahead of the events, intending to prevent them: the main goal was to prevent an arrest<sup>9</sup>.

Why did everything come to Vigdorova? Vigdorova was the author of novels about the family, about children, including orphans, and she had transferred this interest of hers to her journalistic work – the focus of her work was called 'youth issues', and she traveled a lot around the country, finding and checking her materials for publication. On the outside, the case of a young poet (if we factor out what Brodsky's defenders understood all too well – that his case was supervised by the KGB) rather resembled the other cases that Vigdorova became involved in as a journalist and simply as a kind-hearted person: students unjustly expelled from colleges, or a case of students who went to get late justice for their classmate who was driven to suicide in the Moscow State University<sup>10</sup>.

5 Natalia Dolinina, [Neokonchennye vospominaniya], Archive of International Memorial, Collection 104, Folder "the Brodsky case".

6 See in: L. Chukovskaya, op.cit.

7 Y. Gordin, *Ryżar' i smert', ili zhishn' kak zamysel: O sud'be losifia Brodskogo*, Moscow 2010, pp. 75-76.

8 Natalia Dolinina, op.cit.

9 See entry dated 2 December 1963 in Lydia Chukovskaya's diary: 'The article ends with a threat: 'Such a man as Brodsky has no place in Leningrad'. We know what this 'no place' means. For decades it meant only one place: 'the prison camp', in: L. Chukovskaya, op.cit.

10 About this and other cases Vigdorova was involved in, see: Alexandra Raskina, 'Eto vot ona i delala – zapisyvala', [Interview with Olga Rosenblum], <http://urokiistorii.ru/node/52519>, 16.03.2015.

In this sense, Vigdorova's involvement was quite motivated – until the editor of *Literaturnaya Gazeta* ('Literary Newspaper') turned down her request for work travel to attend Brodsky's trial<sup>11</sup>: from this point on, her involvement could be motivated not by her status, but by her experience as a journalist who investigates a case and undertakes to judge the validity of the process as a whole, while staying within the boundaries of what is officially permitted.

Different people became involved with the Brodsky case. Among them was Natalia Grudinina, who put a lot of effort into helping Brodsky and was one of the witnesses for the defense during the trial. However, in the public cultural memory, this case is closely tied to the name of Vigdorova. Soon after her death and after the return of Brodsky, in 1966, both Lydia Chukovskaya and Raisa Orlova referred to her as the 'contemporary Korolenko'<sup>12</sup> (who wrote on Dreifus Case). The image of the defender (the way it appeared in this case), much more outstanding than the image of the defendant (the way it appeared in this case), is one of the specific features of the Brodsky case. In the later cases, there was much more attention to the words and actions of the defendants than to the figures of their defenders.

### **Correspondence with the authorities: letters vs public letters**

The first letters to the authorities were written in December 1963: Frida Vigdorova and Lydia Chukovskaya, as mentioned above, wrote to the culture department of CC of the CPSU; the members of the board of the Literary Translation Section of the Leningrad Branch of the Writers' Union wrote to the director of Goslitizdat; Viktor Ardov wrote to the First Secretary of the Leningrad Regional Committee of the CPSU<sup>13</sup>. There were many more letters after two trials: to the Prosecutor General of the Soviet Union, to the Deputy Prosecutor General, to

11 Frida Vigdorova, [Letter to Alexandr Chakovsky], Archive of International Memorial, Collection 104, Folder 'the Brodsky case'.

12 L. Chukovskaya, *Pamyati Fridy*, [in:] *Iz dnevnika. Vospominania*, Moscow 2010, pp. 524-525; R. Orlova, *op.cit.*, p. 289.

13 See the inventory list of the documents related to the Brodsky case in archive of International Memorial (not all the documents mentioned there are present at the archive).

a few different destinations in the CC of the CPSU, to the Chairman of the Leningrad City Court, to the Chief Justice of the Supreme Court of the RSFSR, as well as to Khrushchev, Mikoyan, and Fedin. Sometimes more letters came to the same recipient from the same authors, or from other authors<sup>14</sup>. These were letters of writers with detailed explanations of the case, containing reasons why they asked to pay attention to something, to prevent, to correct, not to allow.

The authors of the letters were sometimes asking, sometimes they were insisting on something, sometimes trying to persuade, but the main characteristic of these letters was the following: their authors chose the rhetoric not of opposing the authorities they were writing to, but of cooperating with them for the sake of justice, the rhetoric of 'caring for the youth'. Sometimes the attempt to make an unofficial contact can be seen in these letters: Korney Chukovsky, one of the oldest Soviet writers, whom everyone knew as a popular children's poet, wrote to the Chief Justice of the Supreme Court of the USSR, saying that he was so happy this particular Justice was the one in charge of the case, because he would, of course, be the person to figure it out and settle it fairly<sup>15</sup>.

This was communication aimed at a result, and the result was understood as helping the person on trial. This correspondence (which was then the least seen part of the struggle for Brodsky beyond the circle of those who struggled for him, and which is now the least famous part of the Brodsky case) was the method of defense: the transcript of the trial was among these letters only a secondary, additional text, the most significant argument.

These letters to the authorities (at least many of them) remained private letters, and were not meant to be made public – although they were discussed in a small circle while being prepared. In his letter to *Vecherny Leningrad*, demanding a retraction of what was said in the article against him, Brodsky wrote that he would send a copy

14 These letters can be seen in monitoring court proceedings about I.A. Brodsky in State Archive of the Russian Federation, collection P-8131, inventory list 31, files 99616, 99617, and in archive of International Memorial (drafts or copies): Archive of International Memorial, Collection 104, Folder 'the Brodsky case'.

15 Korney Chukovsky, [Letter to Lev Smirnov], Archive of International Memorial, Collection 104, Folder "the Brodsky case".

of this letter to the CC of the CPSU<sup>16</sup> – that was, however, not a sign of a tendency to publicity, but an attempt to stop the defamation. Opposite to this, there were letters in the Sinyavsky and Daniel case that started with the mention that they would be widely distributed (Larissa Bogoraz's letter to the First Secretary of the CC of the CPSU, published in *Belaya Kniga* (The White Book of the Case of Sinyavsky and Daniel), did not address a specific person, thus implying that it would have plenty of readers, primarily those listed among the addressees – the Prosecutor General of the Soviet Union and the editorial offices of leading Soviet newspapers – *Izvestia*, *Pravda* and *Literaturnaya Gazeta*)<sup>17</sup>. Anatoly Yakobson started his letter to 'the Moscow City Court' with the statement that he was going to make widely known what he would say if he were at the trial as 'an individual defender' of Daniel<sup>18</sup>.

### Group letters

The first among many group letters from between the 1960s and the 1970s was initiated by Yakov Gordin in March 1964. The first version of the letter from 'young writers' written by Gordin ('the letter of 49') was criticized by the writer David Dar, who believed that, firstly, the letter should be 'in their language' and, secondly, that it was better to blame somebody specific: '...not the Soviet regime is guilty, but Voevodin <a witness for the prosecution during the trial – O.R.>, who defamed our friend; we ask that you sort everything out and restore socialist legality. After all, this is the purpose of the letter'<sup>19</sup>. It was quite typical that this advice came from Dar and that Gleb Semyonov and Efim Etkind were against such a letter ('...a scandal will start, it will only make matters worse')<sup>20</sup>: people of different generations but older than 'young writers' believed that success was possible, but not in case of a direct confrontation.

<sup>16</sup> Y. Gordin, op.cit., p. 72.

<sup>17</sup> *Belaya kniga po delu A. Sinyavskogo i Y. Danielya*, sostavitel' A. Ginzburg, Frankfurt am Main 1967, p. 78.

<sup>18</sup> Ibidem, p. 148.

<sup>19</sup> Yakov Gordin, Interview with Olga Rosenblum (not published). See this letter in: Y. Gordin, *Ryżar' i smert'...*, pp. 93-95.

<sup>20</sup> Yakov Gordin, Interview with Olga Rosenblum in 2011 (not published).

## Letters offering bail/offering to vouch for the defendant

The letter asking to allow Brodsky to be let out on bail and offering to vouch for him was signed by 15 writers<sup>21</sup>. It remained a part of the case, and it was a compromise reached as a result of long correspondence (see the letter of Natalia Grudinina to the committee charged with reviewing the Brodsky case<sup>22</sup>, the letters of Natalia Grudinina<sup>23</sup> and Yevgeny Gnedin<sup>24</sup> to the Deputy Prosecutor General of the Soviet Union). A seemingly similar letter from writers vouching for Sinyavsky and Daniel and asking that they be let out on bail was signed by a significantly larger number of people (it is known as the 'letter of 62'). These were people who largely represented the current literary process. There was one significant difference: the 'letter of 62' was published – which immediately changed its role – in *Literaturnaya Gazeta* along with the reply from the Secretariat. And while in the Brodsky case such a letter helped find grounds for early release, in the case of Sinyavsky and Daniel it only proved the existence and permissibility of different opinions, and turned from a means of defense into a declaration. For the people who made the decision to allow its publication, it was a declaration of the fact that there were democratic procedures in the country. For those who wrote it, the letter meant that it was possible to express an alternative point of view in a non-democratic situation.

## Letter to the newspaper

Brodsky wrote a letter to *Vecherny Leningrad* soon after the attacking article about him, almost without editing and without drafts<sup>25</sup>. He denied the facts of the article, including the fact that was actually true (the fact that he did not have a high school diploma<sup>26</sup>) – he obviously didn't suppose that the reply to a lie in a newspaper could be given using legal language. He truly became engaged in some sort of a relationship with the newspaper, unlike the aforementioned letters

21 See this letter in: Y. Gordin, *Ryżar' i smert'...*, pp. 102-103. The copy of this letter in archive of International Memorial contains only 12 names (without Efim Etkind and David Dar).

22 State Archive of the Russian Federation, Collection P-8131, inventory list 31, file 99617, pp. 58-59.

23 *Ibidem*, pp. 180-181.

24 *Ibidem*, pp. 18-18, back side.

25 Yakov Gordin, Interview with Olga Rosenblum in 2011 (not published).

26 Y. Gordin, *Ryżar' i smert'...*, p. 67.

of Larissa Bogoraz and Maria Rozanova, who probably did not expect their letters to be published but still used them to declare their position as a very public one, as well as a new type of a public, visible relationship with the press and the regime (thus changing it from a symbolic 'regime' to the non-symbolic 'authorities').

Two more letters were written to newspapers right after the court had convicted Brodsky and sentenced him to exile. One of them Frida Vigdorova sent to the editor-in-chief of *Literaturnaya Gazeta*, Alexandr Chakovsky, who had refused to give her an assignment to that trial: 'It's your right to choose whether to make a public statement about this case. But I believe you must know what happened there'<sup>27</sup>. This was a letter meant to inform those who had to monitor the events of literary life. It was a gesture. But the same as Brodsky's letter, it was not a symbolic act, but a continuation of a relationship with a newspaper and its editor, and, in this case, a relationship of colleagues.

The most crucial in the third letter to a newspaper (in the letter of Yury Varshavsky to the newspaper *Smena*, which published false information about the trial) is the reaction to this letter: the relatives of its author believed that, in comparison to the Brodsky's deportation<sup>28</sup>, this letter was not essential, that if something was to be done, it should have been something more significant, not a letter to a newspaper. Meanwhile, Alexander Ginzburg's *Belaya Kniga* ('the White Book'), claiming to be a very documentary book with the fullest possible presentation of the facts and explanations of any cuts that had to be made, was a reply to a false court report in the newspaper<sup>29</sup>.

All these three letters were connected with reconstruction of the true story of what had happened. They were written by different authors, and that's why all together they show: in the Brodsky case, Brodsky and his defenders didn't mean to defend the principles (the principle of an open and public court hearing, the principle of observing legal norms, the principle of respect for the work of a writer, etc.). The future of an individual in this case was incomparably more important than a principle, and his parole was more important than

27 Frida Vigdorova, [Letter to Alexandr Chakovsky], Archive of International Memorial, Collection 104, Folder 'the Brodsky case': typewriting with notes.

28 Interview with Yury Varshavsky by Olga Rosenblum on 18 April 2014 (not published).

29 *Belaya kniga po delu A. Sinyavskogo i Y. Danielya*, p. 5.



public demonstration of violation of the law or the widest possible spread of true information. There were two main ways to struggle for justice – to struggle for a truthful coverage of the trial, and the struggle for release. In the Brodsky case, the first was not only understood as a goal, but it was understood as something that obviously made the second hopeless, and the second was a goal.

A comparison of the cases of the 1960s and the 1970s shows that extrajudicial defense in the Sinyavsky-Daniel case was particularly declarative. The Samizdat publishing of the *Sintaksis* ('Syntax') almanac, which came out in 1959 and 1960, compiled by Alexander Ginzburg, was an emphatic alternative to official press (there was an emphatic detail to the cover, with the purpose of making the self-made book look 'legal' – Ginzburg printed his home address as the address of the publishing house). The publication of *Belaya Kniga* ('the White Book'), also compiled by Ginzburg, had the same features: a declaration of transparency of the author's activity and its legality – Ginzburg even brought a copy of his book to the KGB.

The Sinyavsky and Daniel case shows that the specific feature of Brodsky's case was the lack of declarations: there were many things to contest and to fight for (it was difficult to be allowed to enter the courtroom where the hearings took place; it was necessary to take notes and create the transcript and be able to keep it, not giving it away to the volunteer guards at their first demand). However, it was fighting for something specific, not a principle. When Brodsky's defenders stood up for their right for something, it was not a declaration of their conflict with the authorities (this difference is also clear when we analyze the rhetoric in different letters to the authorities); and there was also no public rebuttal of the lies in the official press.

## The Author of the trial transcript

Vigdorova made transcripts of both trials of Brodsky<sup>30</sup>, and both times she sent the transcript almost immediately to Rudenko, the Prosecu-

30 The first trial on 18 February 1964 sent Brodsky to psychiatric evaluation, the second one, on 13 March 1964, sent him to exile.

tor General of the Soviet Union<sup>31</sup>. There was also another transcript of the second court, made by Yury Varshavsky for personal use, for a very narrow circle of friends, just to keep as a 'memento', because everybody could already feel the significance of what was happening; this transcript was never distributed and was kept at home.

There are some notes in Yury Varshavsky's transcript which indicate that somebody who was also present at the trial read it. But – and this is crucial – those who were at the trial didn't distribute tasks in advance and agreed on who would try to remember and write down what in order to compile the whole transcript of the day later that evening. This is how the compiling of the transcripts of dissidents' trials would be organized later, but in the Brodsky case, the responsibility for compiling the transcript (both the responsibility for accuracy and the legal responsibility) was taken on by one person.

Tatiana Dolinina recalls<sup>32</sup> how Efim Etkind and Frida Vigdorova came to her parents in the evening after the second trial and she was asked to start deciphering Vigdorova's notes. The result of her work was apparently later elaborated and amended by all of them together. However, judging from Vigdorova's archived notes, it is clear that there were very few corrections. Perhaps, this close circle of friends discussed what aspects need to be emphasized, and what should not be included in the distributed version of the transcript (it is clear that some facts from her notepad did not make it into the final transcript), and what needs to be softened (sometimes Vigdorova changed not the facts, but the tone of some statement). It is also possible that somebody later proofread the transcript and added something to Vigdorova's text, but the transcript itself and its final editing were Vigdorova's: her intent was not to give a text that was as full as possible but rather to send it to the appropriate authorities and to the *Literaturnaya Gazeta* as soon as possible. She might have hoped to be able to publish her transcript in the newspaper, maybe a shortened version, in

31 See monitoring court proceedings about I.A. Brodsky in: State Archive of the Russian Federation, collection P-8131, inventory list 31, file 99616, pp. 10-17, 67.

32 Tatiana Dolinina, 'Ya sidela za mashinkoi, mne dali etu zapis' i skazali: poka my tut vypivaem, ty nemnozhechko popechatai', [Interview with Olga Rosenblum], <http://gefeter.ru/archive/14543>, 16.03.2015.

the form of a sketch or an essay, as she usually did. And, finally, this was an original author's text.

The text bore the name of the author, thus implying the author's responsibility – the responsibility of a professional journalist whose name guaranteed the accuracy of the transcript. It was also an author's text because of its main idea (that literary work is still real work), which was reflected in the transcript many times in the style and in the experience of the writer. Vigdorova was responsible for the transcript's accuracy (many of those who were at the trial confirmed that the transcript was very precise<sup>33</sup>) but that didn't mean that it included the whole trial (to write down accurately didn't mean to write down everything); nor was it compiled in calm, official language (such was Yury Varshavsky's transcript). For Vigdorova, the transcript was an instrument of the fight for the convicted person. It was created primarily for the authorities but also for her circle, which was not a narrow one.

### **The Main Character of the trial transcript**

Reading Vigdorova's notepad and copybook shows that it was more important for her to have time to record what was being said by the judge, by the lay assessors, and by witnesses for the prosecution, than to have time to save everything that Brodsky and his defenders said without cuts. The reason was probably that she believed they – i.e. the defendant's side – would never blame her for not recording correctly (although that was exactly what Brodsky would later do) and would help her fill in the gaps. It can be seen in Vigdorova's notes that she wrote down something said by Brodsky not immediately, but later, or that she missed something, or something that was saved in her notes wasn't included in the final version of the transcript, so as not to create an unfavorable impression of Brodsky for the authorities. The situation with the transcripts of Sinyavsky and Daniel's 'last words' (closing statements in court) and their statements during the trial was different, as it was with the dissidents on trial after them: the transcript of Brodsky's trial, the first one ever, showed the future defendants that their words would be preserved. This made these words

33 See such a confirmation in: Y. Gordin, *Ryżar' i smert'...*, p. 84.

became important and so it became necessary for the defenders to write down as much as possible. This changed the roles: the defendant became the main, central character of the transcript, while the person of the recorder, the creator of the transcript became hidden – firstly to protect themselves and not make their names publically known, and secondly because of the style of the text, which became less emotional and more official, documentary (the transcripts of trials became more and more so).

### **The Transcript: humanist vs legal**

What is literary work? And what is literary parasitism? Discussed were notions that were not concrete, and sometimes the possibilities of the defense that could give the formal logic of the law were not used. So, twenty years later Zoya Toporova, Brodsky's defense attorney, recalled (maybe because it had made such a great impression on her during the trial) that Brodsky's numerous defenders, writers who made many efforts to help him, didn't explain to her the thing that was clear to them – that each new edition of a book brought new money to the translator. If she had known that, she would have been able to prove that Brodsky had earned more money than the sum that was mentioned in the trial and that this sum was enough<sup>34</sup>. Why did this fact not come to mind of the writers who spent a lot of time discussing the strategy of defense, such as who was to write letters to which address? Probably because they were concentrated much more on the status of literature, on the right to write and on other moral aspects – moral rights. It was a story about repressions coming back, about the role of intelligentsia, and they didn't use the possibilities of the law, or at least didn't use them as much as they could have.

### **(Not)sending the transcripts of the trial to Samizdat**

Vigdorova didn't send the transcript of the trial for uncontrolled circulation and distribution to unknown uncountable people. What is important is that she didn't send it to Samizdat. In a letter to Lydiya

34 Aglaya Toporova, Interview with Olga Rosenblum on 3 June 2014 (not published).

Chukovskaya, she wrote that the transcript had started circulating and it was horrible for the case and for what she was trying to achieve<sup>35</sup>. She probably meant that the distribution of the text made it an act of opposition, which could be harmful to Brodsky.

At the end of 1956, Vigdorova wrote down the speech of Konstantin Paustovsky during the discussion of Vladimir Dudintsev's novel *Ne chlebom edinyim* (*Not by Bread Alone*) in the Central House of Literature. Vigdorova sent this speech to her friends (among others – to Lydiya Chukovskaya, which can be seen from their letters). However, she did so without editing this text as much as she usually did as professional writer and journalist<sup>36</sup>. Some say that this transcript was the start of Samizdat. There are always many 'starts' of such huge phenomena, but the following is important: modern researchers may now define the place of Paustovsky's speech among others cultural events of 'the Thaw', but the meaning of this recording, as well as of sending it to friends, was completely different; it was only the way of communicating with friends, not a conscious action in some unofficial (opposite to official) space. In 1964, Vigdorova read her notes from the trial to close friends<sup>37</sup> and gave the transcript to those with whom she was not so close<sup>38</sup>, the same way she had given *Krutoi marshrut* (*Within the Whirlwind*) by Yevgenia Ginzburg or *Drakon* (*The Dragon*) by Yevgeny Shvarts to many people<sup>39</sup>. In spite of the 7 years that had passed between Paustovsky's speech and the Brodsky case (these are the same 7 years that are called 'the Thaw'), Vigdorova obviously took this as the natural way of communicating with the people in her circle, although she knew quite well how the texts could circulate. The desire to let people know what had happened didn't mean a special practice for her.

Here is one more argument that Vigdorova didn't mean to use Samizdat as a way of influencing the authorities. She has edited the transcript of Brodsky's trial, which can be seen by comparing its main

35 Frida Vigdorova, [Letters to Lydia Chukovskaya], private archive, not published.

36 This can be supposed after reading Vigdorova's letters to her friends with such transcripts of remarkable speeches or words.

37 S. Bogatyreva, *Vmesto 'Allo' ona govorila: 'Zdravstvuite, chto sluchilos'?* [Interview with Olga Rosenblum], <http://www.novayagazeta.ru/arts/67688.html>, 18.03.2015.

38 Alexandra Raskina, Interview with Olga Rosenblum made in 2014 (not published).

39 Alexandra Raskina, Interview with Olga Rosenblum made in 2010 (not published part).

version<sup>40</sup> and one that she sent to Rudenko after the first trial). But making a coherent text from brief notes, trying to turn it into a powerful piece of literature that would impress the reader, she still didn't edit or proofread it the same way she would have if it were to be printed – i.e. if she were preparing it for an existence independent from the author (for example, there are two different words used to refer to Zoya Toporova in the transcript – 'defender' and 'attorney'). Sending a text to Samizdat as a decision, as a conscious action – that is something authors of the future transcripts would do.

### **Sending the text abroad**

Vigdorova's transcript was published abroad in 1964 in several periodicals. It is not clear, however, how the text was sent abroad. In his memoirs, Igor Efimov wrote that the transcript was sent abroad deliberately, which is why the accuracy of the transcript was certified by him and Boris Vakhtin<sup>41</sup>. Yakov Gordin thought that the witnesses were intentionally not Jewish<sup>42</sup>, and that is why they were sought – so that this trial would not be presented as a case of 'Jews protecting their own.' But this logic was not essential for foreign press: according to this logic, the transcript was certified for the Soviet authorities.

But if so, the question arises: did Vigdorova send the transcript abroad deliberately? Kena Vidre recalled that Vigdorova had told her that yes, it was a deliberate action<sup>43</sup>. Vigdorova's family, however, did not know such an important detail<sup>44</sup>. This detail is important from the following point of view: if Vigdorova sent the transcript abroad deliberately, that means, that she, who had started participating in Brodsky affair not opposed to the authorities, later crossed the line to a declarative opposition, which was the main feature of future cases – the cases of dissents.

40 The version considered as the final version of the transcript published by the daughter of Frida Vigdorova Alexandra Raskina see in: <http://polit.ru/article/2004/03/14/brodsky1/>. Some copies of samizdat transcripts of Brodsky trial can also be seen in Memorial.

41 I. Efimov, *Nobelevsky tuneyadez*, [http://lit.lib.ru/e/efimow\\_i\\_m/text\\_0030.shtml](http://lit.lib.ru/e/efimow_i_m/text_0030.shtml)

42 Yakov Gordin, Interview with Olga Rosenblum in 2014 (not published).

43 Kena Vidre, *Zabyvat' my ne vpravde*. Interview with Tatiana Voltskaya, <http://www.chukfamily.ru/Humanitaria/Frida/Voltzkaya.htm>

44 Alexandra Raskina, Interview with Olga Rosenblum made in 2014 (not published).

## To summarize the differences between the dissident cases and the Brodsky case

One of the popular opinions is that dissent appeared when the possibilities of literature to widen the boundaries of the allowable or the possibilities of non-oppositional defense were exhausted. A close analysis of the Brodsky case let us suppose that it was not quite so. In fact, the change of the style of defense was correlated with people who were involved in it and who, from the Sinyavsky-Daniel case, were of different, younger generations and less connected with literature.

Compiling a transcript of a trial became one of the key activities, and the idea of making notes evolved into the principle of writing down as much as possible: that was connected with and provoked by the idea that a struggle in some ideological field was more important than a struggle for a specific individual. That correlates with publicity, which became the goal of many efforts, and with symbols, which became more important (or not less) than the result (such a result as, for example, early parole). We should also mention here that the Brodsky case was the only one among many others that ended with so great a success as a parole.

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