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Application of the Illegal Methods of Investigation by the State Security of the USSR in 1936–1938

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Abstract

On the basis of archival documents, Ukrainian historiography one of the urgent problems of modern historical science – the repression of the clergy in the 1920-1930th in the USSR – is studied in the article. In particular, the question of the application of illegal methods of investigation, namely the psychological and physical pressure on the accused is studied. The classification of the illegal methods of investigation is given, depending on the intensions of the employees of the state security; the forms of such methods are identified. The main forms of the most used tortures are described in detail: beating, sleep deprivation, psychological pressure and so on. Moreover, the circle of people involved in torture of prisoners, falsification of criminal cases is defined.

The evolution of the practice of using the illegal methods of investigation by the state security of the USSR in the 1930th, their establishing and end of the practice of using them are analyzed.

The study is based on the criminal cases of repressed clergy in Sumy region. Thus, as the territory of this region was the part of Chernihiv, Kharkiv and Poltava regions in the studied period, the results of the study represent a situation in whole north-eastern region of the USSR. Moreover, such practice is inherent not only for Ukraine but for the USSR as a whole.

Keywords: the methods of investigation, the USSR, Sumy region, torture, clergy, prisoner, repression, persecution, legality, psychological pressure, physical pressure, beating.

1. Introduction

At its present stage of development the attention of Ukrainian historical science is focused on one of the most tragic phases of Ukrainian history, namely the period of the 1930th. During this period millions of Ukrainians, different social classes were killed out due to the cruel actions of the Soviet totalitarian regime. The problems of famines, war communism, repressions in 1937 and so on occupy significant place in the domestic and emigrant historiography. In Ukraine and throughout all post-Soviet countries a large number of publications are devoted to illegal arrests and executions, including clergy. Quite often they emphasize the illegal methods of investigation, suspects beating, forgery cases and so on. However, there are no researches which are entirely dedicated to the problem of application of illegal methods of investigation by the Soviet state security, the researchers name some facts in the context of other scientific problems, giving them little attention.

Information about illegal methods of investigation allows evaluating the environment and those who used them, their attitude to people, the value of human life from their point of view, and therefore to some extent to understand why it was possible to kill so many innocent people in early twentieth century.

The aim of the study: to study the application of illegal methods of investigation by the state security of the USSR in 1936-1938 on the basis of archival documents and historiography and to develop the classification of these methods.

2. Research methodology

To achieve the aim and solve the tasks such methods of historical research were used: specific search, critical analysis, synthesis and analysis, systematization and generalization, historical reconstruction.

Analysis of sources

Source base of the problem is presented by archival criminal cases. Information about the direct application of illegal methods of investigation on specific prisoners contains in the complaints of prisoners [8, pp. 56-58]. Types of the illegal methods of investigation are described in detail in archival criminal cases of former employees of state security which opened against them in connection with the investigations of "violations of socialist legality" in the late 1930th. An interesting and very informative source is the materials related to the rehabilitation of the repressed people. This group of sources includes repeated interrogation protocols, complaints of prisoners, characteristics from the criminal cases of former employees of state security [6, pp. 121-124]. These sources, in particular the repeated interrogation protocols, give an idea not only of the types and forms of the illegal methods of investigation, but also of the psychological and moral situation in which interrogations took place.

In addition, the direct sources of the study of this problem are the suspects interrogation protocols, because the dates on them can give information about the duration of interrogation and comparison of suspects' signatures on different protocols sometimes makes it possible to ascertain the use of methods of physical or psychological pressure [7, pp. 19-20].

Analysis of studies and publications

This problem was reflected in historiography. V. Paschenko is one of the first researchers of national historiography who raised the issue of clergy interrogation system [11, pp. 218-220]. S. Bilokin calls such investigation process "diabolical cruelty", focusing on the fact that often the suspects and their relatives were tortured by the security forces [9, pp. 258-265]. In the first volume of the Sumy region Memory Book the excerpts from characteristics of criminal cases are cited, these excerpts highlight using of illegal methods during the investigation [10, pp. 9-16]. I. Shuyskiy analyzed the methods of moral and physical pressure on suspects during the "Great Terror" in Ukraine [12].

Presenting main material

With the arrival of Nikolai Yezhov for the post of Commissar of Internal Affairs of the USSR (Union of Soviet Socialist Republics) in September 26, 1936 in the country the process of intensifying of repression begins. The meeting of the Plenum of the Central Committee of the CPSU (b) (the Central Committee of the Communist Party of the Soviet Union (Bolsheviks) in February-March 1937 put the resolutions which approved the request to immediate strengthen of the repression by the secret police. The regional administrations of NKVD of the USSR (the People's Commissariat of Internal Affairs of the USSR) are given quantitative performance of planned arrests and executions. Large-scale operations to expose "enemies of the nation" and counterrevolutionary organizations were planned in different spheres of Soviet society. The terms for detecting such organizations and investigation were extremely short, and the limits approved for each region were extremely high. In addition, in parallel it was proposed to simplify the process of inquiry. In autumn 1937 the regional administrations of NKVD were beefed up by "experienced professionals" among retired employees of ChK-GPU (All-Russian Extraordinary Committee, Political State Administration) [12, pp. 218-221]. These "experienced" Chekists who remembered the methods of previous years well, in particular the civil War, had to implement old proven methods of psychological and physical pressure on arrested people into the practice of investigation widely, to help young staff to master their methods.

The illegal methods of investigation which applied by the Soviet state security organs in 1920-30th, depending on the form and purpose they pursued can be divided into several types.

Depending on the purpose of investigators who used the illegal methods of investigation, they can be divided into the following groups:

- 1) obtaining a confession of guilt in the crime;
- 2) obtaining evidence against the accused;

3) obtaining evidence from the accused against others.

Depending on their application forms they can be divided into such groups of the illegal methods of investigation:

- 1) falsification of records;
- 2) use of false witnesses;
- 3) persuasion;
- 4) moral pressure and intimidation;
- 5) physical pressure (torture).

As we see the main purpose of the representatives of the USSR State Security while applying of the illegal methods of investigation was obtaining the testimony against accused or others. Under such conditions accused and witnesses who were on the case could become victims. In these circumstances, the main purpose of illegal methods of investigation became not just beating or intimidation, but also humiliation, suppression of the individual, breaking the will to resist [9, p. 258]. After driving to such condition, the person which fell into the hands of power structures actually did not realize what she was doing and signed any documents. These methods became especially needed in the mid-1937 when extremely high limits on executions were established, and therefore the huge number of false counterrevolutionary organizations in all sectors of society had to be come out. The Orthodox Church did not avoid such events, because it was seen as one of the counter-revolutionary elements of the new life of Soviet society. For example, in the Kharkiv region in August 1937 after the appointment of F. Fedorov-Berkov as deputy chief of the IV Department NKVD (the People's Commissariat of Internal Affairs) in Kharkiv region so-called "jobs involving all hands" were systematically arranged. The investigator had a day to complete the investigation of 50-100 cases and prepare them to the threesome special NKVD (the organ of extra-judicial reaching the verdicts in the USSR in 1937-1938) [12, pp. 220-221]. In such way the forcing of threesome's work was happened – death conveyor. The threesomes reached the verdict of execution in almost all cases.

It is accepting to researcher V. Pashchenko, we note that the interrogation system aimed at gradual, complete breaking the will of the arrested person. Throughout the pre-Trial detention arrested person was not allowed to sleep enough, he was kept in a cell with too high or too low temperature. Typically, the interrogation was conducted at night, when the prisoner has not slept yet; he was often awakened only 15 minutes after he fell asleep. The brightly lit room, which he was brought in for questioning, distracted. It was constantly stressed that the prisoner was powerless to do anything for his own salvation. Constant repeating of stereotypical questions led the prisoner to confusion and exhausting, he began to make mistakes in words, trying to remember something, and he began to give contradictory interpretations of the same facts [11, pp. 218-219].

Thus, we see that the situation was so that the prisoners were under constant psychological pressure and in terrible conditions. The surrounding contributed pressure on them during the investigation.

Testimonies of those priests, who were lucky to survive after being in the net of the Soviet repressive system, are typical enough. If the witnesses were proposed to give the investigator necessary testimonies willingly, the repressive measures were taken to arrested clergy. At first the investigator shouted and required to sign necessary protocol and if the prisoner refused, the investigator began to nominate threats against him and his family. There were threats that in case of refusal to sign the protocol, all the family will be arrested. A revolver was used as argument; the investigator knocked it on the table while crying, threatening and so on. If the investigator manages to get the necessary testimonies, repeated interrogations could not take place. The interrogation lasted depending on how quickly the investigator managed to break the prisoner and it could last from several minutes to several days [1, pp. 45-45 back; 5, pp. 155-156, 160-162]. In addition, the humiliations were commonplace during interrogations [4, p. 130]. Thus, we see that detainees immediately set in circumstances of psychological pressure and threats. The confrontations took place under the same conditions.

This pressure did not stop. After the interrogation, when the detainees set to the cameras, work on their breaking lasted. Special people were put to the cameras of temporary detention, their task was to urge the prisoners to give testimonies that they were demanded without any pressure; the argument was that in a couple of months they will be released from custody in this case [2, p. 452]. In this context, we can talk about using of the method of persuasion.

Feature of criminal cases against clergy was that in Soviet society all state facilities built atheistic society. The clergy was shown as a force that slow the development of society, as the exploiting class who always deceived the masses of working people. Under these conditions in that time in society a special stratum formed, it had openly hostile attitude to clergy and religious activists, seeing them as enemies. The Soviet and party activists belonged to it mainly. Quite often these people acted as witnesses and participants of confrontations. These facts were indicated by imprisoned priest of Konotop region Y. Tregub in the complaint addressed to the regional special prosecutor on November 26, 1936 [8, pp. 56-57]. These facts demonstrate once again that not only some employees of state security violated the law and used illegal methods of investigation, the whole that time repressive system was built in this manner.

Beating prisoners especially appalls by its brutality, which in the second half of the 1930th (especially in 1937) was a typical thing. Employees of public safety did not just beat detainees to obtain the necessary testimonies; they did it with extreme cruelty, inventing "exquisite" methods of torture.

After working with archival criminal cases we can state that tortures were used in urban and regional departments of the NKVD as well. By 1939, when Sumy region was founded, its territory was the part of Chernihiv, Kharkiv and Poltava regions of the USSR. In all these regional and district offices of the NKVD criminal cases against priests and clergy investigated. Today is quite difficult to say whether methods of tortures of clergy were different from tortures of other categories of prisoners. However, we can assume that this difference depending on the professional or social class of prisoners did not exist because of the significant workload of investigators and other employees of the NKVD. A variety of methods in our opinion can be explained by the imagination and the particular cruelty of every member of repressive system and by the power of resistance of prisoners.

In Kharkiv regional department of NKVD such method of torture as the Dog House was invented. In the room number 111 which was cashier's office, between it and the wall there was a cavity, where prisoners were forced to go and bark, while investigator was calling him a fascist dog. Such interrogation could last 5-6 days. During this period prisoner exhausted and began to lose consciousness. In such way the head of the IV department of UGB NKVD (Department of State Security People's Commissariat of Internal Affairs) in Kharkiv region lieutenant Boris K. Frey conducted interrogations [4, pp. 131].

This method of torture was quite diverse. So, we know that Ivan S. Drushliak used at least two its modifications: he forced prisoner to stand for several hours and spin on one spot barking or made him climb up the wardrobe and to bark at electric light bulb. The similarly method was used by the Assistant Chief of the IV Department of UGB NKVD in Kharkiv region Polovetskiy [3, pp. 203-204, 207].

I. Drushliak beat not only prisoners whose cases are kept, but others. During the interrogations he could come into the office and beat examinee without any reason. For such cases, he had a thick oak stick with a big tip, which interrogator called "rando". Besides, he was instructed to "split" the prisoners which did not give the testimonies to other interrogators. During the torture he used the same methods of physical pressure: inflicted a lot of punch in the stomach by fist and legs, broke chairs on the backs of prisoners, beat by stick, bent the arrested and beat by the edge of the hand on the neck, from which the prisoners fell on the floor. But the torture continued. The executioner raised semi-conscious prisoner and beat his head and his back against the wall. In addition, he spat in the face and mouth of prisoner. Not surprisingly, then most of the prisoners died, and in fact they were tortured to death [3, pp. 205-207].

Mass beating was used. Thus, the investigator Lypko, after he failed to get the necessary testimony from the accused, invited Z. Babushkin, B. Frey, Petrov, I. Drushliak for interrogation. There was a case where I. Drushliak after beating prisoner spat in his face with the words: "You have not suffered from syphilis, so I'll infect." After this the beating was continued. The beating by leg of the chair practiced and so on.

According to the complaint of the prisoner Tymokhin, addressed to the regional prosecutor, Frey, together with Zamkoviyy and Lyenskiy kept him tied to a chair, burned ears, nose, forced to eat paper, dance, crow, beat by boots, edge of his hand, fists.

Besides the above mentioned persons Povolotskiy, Zamkoviyy, Rothstein, Kuznetsov, Nikitin engaged in tortures of prisoners in the Kharkiv region UGB NKVD [4, pp. 121-137].

The situation in Chernihiv region UGB NKVD was similar. After getting the limit for the arrest of 2300 people in Chernihiv region, which were to be convicted to 1 category (execution), from the People's Commissar of Internal Affairs of the USSR Alexander Ivanovich Uspenskiy, head of the department Andrei Yegorov gathered heads of city and district departments of the NKVD at the working meeting and instructed them to arrest persons which were registered and suspected of involvement in the counter-revolutionary organizations. According to the words of A. Egorov he gave no direct references to falsify cases, as his subordinates showed their own initiative in this matter. Besides the instruction that was given to investigative work made such activities possible [10, p. 11].

Instructions were perceived and translated into practice. Physical torture methods that were used in the Chernihiv region were similar to the above – interrogations that lasted several days without a break accompanied by perverted forms of beatings and moral humiliation.

A clear example where the arrested priest tortured to death was the case of the priest of the village Kalinivka in Romny district Mikhailo Olexandrovich Hontarovskiy. In the first interrogation on the July 14, 1937 the investigator of Romny district NKVD Zverev found out the biography, social status, circle of friends. No question that related to the charges, according to protocol, was not asked.

Next interrogation apparently lasted several days, because the date is July 16-17, 1937 even in the interrogation protocol. We reject the possibility that the interrogation took place on the July 16 and on the 17 it was continued because there is no a single word about it in the protocol. Although when interrogation interrupted for any reason this fact recorded in the protocol. Thus we see that tortures are used – torture by insomnia, the beating was obviously used. During interrogation, the suspect was asked questions, the answers to which can confirm the accusations: "NKVD owns the data that you are a member of the counter-revolutionary clerics. I propose you to give true testimony" [7, p. 19] and 3 specifying questions.

A factor that confirms the fact of using of tortures, in our view can be the priest's signature on the protocol. If it is compared with the signature on the previous protocol, it is immediately noticeable that it is uncertain and unclear, the second part of the name is barely noticeable. It seems that it has put by exhausted person. Not surprisingly, that M. Hontarovskiy admits that in the village Kalinivka in Romny district there is a group of clerics which conducts counter-revolutionary work and aims to open a church closed in 1936 and he is its member. The most active members of this organization try to use the Constitution for their own purposes – to interpret its content in its own way – by turning a provocative direction [7, pp. 19-20]. As long as the case was repeatedly returned for further investigation, it is clear that the tortures continued. On January 1, 1938 M. Hontarovskyy dies in Romenska prison. But the head of the prison reported the prosecutor's office of this fact only on January 8 [7, pp. 59], and therefore the action on the case continues. On January 3 the assistant of regional prosecutor approves decision of investigator of NKVD, ranging "crimes" of the accused under Art. 54-10 part 1 [7 p. 57]. On January 9 a preparatory meeting of special college of Chernihiv Regional Court takes place, which adopts a resolution to return the case to the prosecutor for retraining of prosecution into Art. 54-10 part 2 [7, p. 58]. Only in two and a half weeks – on January 17, 1938 the case is closed due to the death of the accused [7, p. 59].

Thus, we see that the investigation was like a conveyor, whose main aim was to obtain the desired results – to perform the limit, not finding out the truth.

Cases where imprisoned clergymen died of tortures during the investigation were not infrequent. Only during the period of 1938-1939th the priest of Bilopillia Alexander Azbukin, the freelance priest Stephen Bushuev died in Sumy prison. In addition, it is found that the former prior of Glinska hermitage Niktariy (Nuzhdin) did not survive the investigation. We can assume that these are not all clergymen who did not survive the tortures. It is known that sometimes, when a prisoner died during torture the case made out as completed. According to this the act of execution was made. So it was with the "resident of Polish secret service" Zhelihovskiy, the case of which Pavlyuk investigated in the Kharkiv regional office of NKVD [12, p. 224-225].

It is no accident that most of the priests whom we mentioned and who died during the investigation were the prisoners of Sumy prison. In late 1930th among the prisoners of Sumy prison there were rumors about head of Sumy department of NKVD Oleksiy Ivanovich Kudrynskiy, known as executioner. During the interrogation he applied methods of physical pressure on

suspects. Night interrogations that lasted for 4-5 hours and always accompanied by beatings were common. The head of the city office of NKVD beat prisoners by hand edge on the neck, punched in squeals and under sides, took the prisoner with both hands on his chest and hit the whole body against the wall. O. Kudrynskiy had his favorite methods of beatings. Quite often he beat prisoners by ruler edge on the temples and nape. Also he arranged entertainment when a prisoner was set on the edge of the chair, which the investigator knocked by foot so that the prisoner fell to the floor. This lasted for several hours, and then it was beating by the foot of the chair. If A. Kudrynskiy was tired of interrogation or went in his business, the torture continued. They continued by other workers who came to change their chief. After the tortures the prisoners were thrown to a single camera for a few days. Such interrogation may be repeated several times until the prisoner gave the necessary testimony. Similar methods of interrogation and the practice of several hours' interrogation without sleep were used by the assistant detective of Department of Civil Security of Sumy office of NKVD M. Krysyev in 1937-1938. Fadeev was an "outstanding" investigator, who gave almost 100 % of crime solving, Kudrynskiy entrust him to investigate the cases of those investigators, who could not get necessary testimonies from prisoners. Fadeev got the required result during the night work [10, p. 12-14].

According to the words of the head of Chernihiv region office of NKVD A. Egorov the names of persons involved in falsifying of cases in Chernihiv region under his direct supervision are known: the head of the III department of NKVD Aleksandrovych, the head of the section of the III department Leszczynskiy, the former head of the Nijin district office of NKVD Bautin, Hromovenko [10, p. 11]. Of course, these are not all the names because it could be affirmed that all investigators used illegal methods of investigation especially during the "Great Terror", because as the officer of Kharkiv region office of NKVD V. Lyenskiy noted – at that time the situation in the NKVD was such that throughout the rooms you could hear screaming and groaning [4, p. 136]. And the situation was similar not only in the Kharkiv region office of NKVD, but also in all cities, districts, regional and national offices of NKVD of the USSR. One person involved in the official investigation of violations of the law in 1937 – 1938 says "All arrested were beaten by all, the whole department, all departments, all NKVD" [12, p. 222].

However, the situation changes dramatically after the resolution of RNC (Council of People's Commissars) of the USSR and the Central Committee of the CPSU (b) on November 17, 1938: higher political leadership of the country initiates investigation of violations of socialist legality. The new Commissar of Internal Affairs Lavrentiy Pavlovich Beria carries cleaning of the "yeshov staff" through this process [12, p. 224]. Investigations reveal mass beating of prisoners, pressure on them, falsifying of the cases. However, this does not mean change of the operating principles of security services. It was the occasion for another clean in their ranks.

3. Conclusion

In 1936-1938 in the USSR the massive using of illegal methods of investigation practiced by State Security. The victims of this were suspects and witnesses which required giving the necessary testimonies. Using of such methods regarding clergy also practiced. This practice was especially widespread in 1937-1938. The facts are known when the imprisoned priests die during the investigation in this period.

Beatings and physical torture used were part of the system and only complemented the means of moral pressure and psychological break. All illegal methods of investigation were chosen based on personal traits of arrested person, his family situation, professional affiliation and so on.

During the "great terror" beating acquires torture traits that carried by the workers of state security in perverted sadistic forms. It this period, almost all the prisoners suffered from physical tortures, they were used by all the workers of state security to a greater or lesser extent.

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