

The Beiliss Case: How Prejudice

BLOOD ACCUSATION: The Strange History of the Beiliss Case by Maurice Samuel (Knopf: \$5.95).

BY ROBERT R. KIRSCH

• The myth of ritual murder has been employed for a very long time, notably during the past several centuries against the Jews. It began in ancient times with Roman accusations against the early Christians; it has continued into modern times with accusations against other minority groups.

The latest example, reported in England's *The New Statesman*, involved an accusation against the Russian Baptists. In the small town of Mtsenk, a Baptist woman was accused of the murder of a 3-year-old child. "People of neighboring villages and towns like Or-el and Tula soon spoke of dark blood rituals and Baptist murders in Mtsenk — a sinister echo of the anti-Semitic myth of the Protocols of Zion, once deliberately spread by the tsarist Okhrana. As there are no Jews in Mtsenk, the crowds have turned upon the Baptists, another religious minority."

Myth Discredited

The Beiliss Case, now all but forgotten, was a cause celebre some 50 years ago. The civilized world was shocked by the cynical use of a completely discredited myth (denounced by four Popes as a sinful slander) by the Russian government. But the extent of the subversion of justice could not be revealed until confidential and suppressed documents became available. Now Maurice Samuel, scholar and historian, has written this history and although it is completely based on documentary and, in some sections on eyewitness accounts, the work has touches of Dostoevski, Kafka and Chekhov.

On a Saturday morning, March 12, 1911, a youngster named Andrei Yushchinsky played truant from school to visit a friend in a remote district of Kiev. He reached his friend's house, was not seen alive after that. His body was found eight days later. Police investigated the murder, and the detective in charge suspected the mother of

Can Subvert the Law

the playmate, a woman named Vera Cheberyak, a notorious fence and the center of a known criminal gang.

An ultra-nationalist student, Vladimir Golubev, protege of an anti-Semitic Duma member, led one of the local monarchist groups in a campaign to force the police into a blood accusation. Some of the local authorities resisted this pressure because there was absolutely no evidence that the slaying was a ritual murder and indeed there had never been any evidence that any kind of ritual murder had ever been practiced.

If the local detective refused to pandor to the extremists, some higher offi-

cial were not unwilling to play along. As an example to the other bureaucrats, the detective Mishchuk was framed on a charge of obstructing justice and fired. A second detective was brought in to investigate and he, too, was taken off the case because he would not play along with the blood accusation. He later came back as a private detective and helped to break the case against Mendel Beiliss, a Jewish brickyard worker falsely accused of the murder of the youngster.

Beiliss, an ex-soldier, father of five children, a popular and unassuming figure, spent several years in jail awaiting trial (for several months he did not even know that he was being accused of murder) while the authorities labored to put together a case against him. To do this, they had to dip into the half-world of criminals and informers, to bully witnesses and to rehearse testimony. The reason for this insistence on

going ahead with a case which honest officials and veteran detectives would not have anything to do with, says Samuel, lies ultimately in the character of the tsar himself and his minister of justice, a time-server by the name of Shchegovtov.

If this were simply the narrative of a monstrous effort to promote injustice,

it would be interesting enough. But it is something more, a close examination of the way in which prejudice works to subvert the machinery of law and the functioning of the state. The fierce fanaticism of some of these characters, however deplorable, was in some ways less odious than the opportunism and timidity of the bureaucrats who allowed themselves to be used. Ironically, much of the revelation comes from the bureaucratic penchant for paperwork. Everything in this book is thoroughly documented, often in the very words of those engaged in the manufacture of evidence. And we begin to see the picture of a society shot through with double-agents and provocateurs, so that the motives of characters are almost impossible to discern.

The two most neglected personages of the trial are the victim and the accused. For it became evident except to the most zealous anti-Semites that the Beiliss trial was only superficially a case of criminal justice. It was, in fact, a show trial of the sort the Russians are still fond of putting on. Many had the courage to speak out against this charade, including Vladimir Nabokov's father, a noted editor, Maxim Gorky, Count Ilya Tolstoy. Perhaps even more impressive, ordinary individuals came

forth voluntarily as witnesses to contradict the prosecution's case, and the boy's family refused to support in any way the theory of a ritual murder.

Even the prosecution's chief witnesses, except for those who were themselves involved in the killing (for it was a gang of criminals led by Vera Cheberyak who killed the boy because they thought he had informed on them), began to shift their stories. One woman witness, picturesquely called the Wolf-
Woman, was said to have signed a de-

position accusing Beiliss of the crime. At the trial she denied this. A prosecutor asked: "How did it happen that the investigating magistrate wrote in your name things that you didn't say? Do you know what an investigating magistrate is?"

She replied: "Do I know who wrote and why he wrote? Do I know what an investigating magistrate is? They called me, so I came. They wrote what they wrote, and then they told me to leave, and I left."

March of Absurdity

No absurdity was too great. We find the prosecutor arguing that three of his witnesses could not have committed the murder because they were busy robbing a jewelry store on the night after the murder, trying to show that the robbery was such a complicated affair that they had to spend two days preparing for it. The evidence of ritual murder was so deficient that even a strongly anti-Semitic editor wrote an editorial proclaiming his shame at the shoddiness of the prosecution and his disgust at "the pogrom-makers." Two judges resigned rather than sign the indictment against Beiliss. The other three on the committing authority resigned it for the curious reason "that to preserve the dignity of the law a man who had been in prison such a long time had to be indicted."

Patiently and meticulously Samuel takes us through this maze, reveals the moral decay of the Russia in which a government could become a party to propagating the most discredited medieval superstitions. Beiliss was acquitted but enormous damage had been done to the system of justice, and a hideous myth has been reinforced. It is significant that anti-Semitism still works its evil in Russia today.

Samuel points up the relevant lessons: the use of the big lie technique; the subversion of moral sense in government. It was a preview of the terror of Nazi Germany, a warning which goes beyond the grotesqueries, villainies and absurdities of Kiev in 1913. This gives it a theme of importance, and enhances a fascinating historical narrative. *evd*

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