

PROFILE SERIES

RUSSIA

**THE STATUS OF JEWS
IN THE POST-SOVIET ERA**

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SUMMARY

The status of Jews in Russia in the post-Soviet era is complex. The collapse of the Soviet Union has created new opportunities for Jews to practice their religion and culture. The kind of officially organized, state-sponsored discrimination that characterized the Soviet and tsarist eras, has virtually disappeared. Yet the climate of political and economic uncertainty in Russia has permitted the growth of anti-Semitism among individuals, parties, and organizations. Of equal importance, it is not always clear that the government is able -- or willing -- to take action against those who harass or physically attack Jews. For historical reasons, most Jews, like their Russian counterparts, are reluctant to report incidents of harassment or violence to government officials. Many police and lower level bureaucrats retained from the Soviet era have not received retraining in human rights or respect for the rule of law. Many either make cursory investigations of claims of anti-Semitism, refuse outright to act on such reports, or, in some cases, sympathize with or are collaborating with the attackers.

As nationalities expert Paul Goble described the situation, "anti-semitism has been privatized, shifted from primarily a question of state policy to one of private actions, from an issue of what the government will do to the Jews to one of whether [the government] will be able to protect them in the face of still-strong anti-semitic attitudes in many parts of the population."¹ Goble argues that the governments of Russia and other former Soviet republics "are often too weak to block effectively the actions of anti-semites and their allies ... As a result, Jews ... face a new kind of threat, one that is at least as dangerous as those in Soviet times and, in some cases, potentially even worse."

How the societal attitudes reflected in the December 12, 1993, elections will affect the situation of Russian Jews is unclear, and is likely to remain unclear for some time. Election results demonstrated a surprisingly high percentage of the population voting for right-wing nationalists and for representatives of the old communist order. Whether Russian President Boris Yeltsin will retain power, whether the election results will embolden anti-Semites into more frequent or violent attacks, whether Yeltsin will attempt to crack down on his nationalist and communist opposition or will attempt to accommodate them at the expense of reform, are all matters for speculation.

Nearly every Russian Jew has experienced some level of discrimination, and almost all share a strong fear of persecution based on a long history of violent state-sponsored anti-Semitism, the current lack of reliable official protection, the fear that economic and political turmoil will lead to "scapegoating" of Jews, combined with incidents of discrimination or violence which might not in themselves constitute past persecution.

For some Jews, however, that fear has already been realized: those individuals who were the targets of right-wing, nationalist, or anti-Semitic organizations before they left Russia, often combined with police indifference, hostility, or apparent complicity, could face serious repercussions if returned to Russia. Moreover, although the Yeltsin government has attempted to

¹Paul Goble, "The Privatization of an Ancient Evil: Anti-Semitism in the Post-Soviet States," *Testimony Prepared for the U.S. House of Representatives, Subcommittee on International Security, International Organizations and Human Rights* (Washington, D.C.: 15 June 1993), p. 2.

abolish the *propiska* system -- a residence permit required for the larger cities where most Jewish communities are located -- local authorities in major cities throughout Russia, including Moscow, continue to require *propiskas* for residence. The continued use of *propiskas*, the fact that Jewish communities are located almost exclusively in major cities, and the failure of the central government to enforce constitutional reforms regarding civil and human rights in outlying areas, means that internal relocation is not a reasonable option for most Jews in Russia.

Although Jews who are religious, political or cultural activists may be more likely to be the targets of such attacks, Jews who have no known activist affiliations can also be at risk. Claims from Russian Jews must be assessed primarily on the basis of nationality, although religion and imputed political opinion (pro-democracy or anti-communism) may also be facets of the claim. Acts of harassment and violence against Jews are still sporadic in the post-Soviet era, but no-one is automatically at risk, or automatically safe from potential persecution: each case must be determined on a careful assessment of the applicant's own situation (and of those similarly situated, such as relatives, colleagues, friends, neighbors, etc.).

HISTORY

Jews have contributed to Russian political, cultural, and intellectual life far out of proportion to their numbers. Yet they have frequently been treated as aliens and viciously persecuted.² Anti-Semitism has a long history in Russia. With the partition of Poland in the 18th century, the Russian Empire for the first time incorporated large numbers of Jews. They were discriminated against in numerous ways: special laws restricted the areas in which they were permitted to live, the occupations they were allowed to hold, and so forth. Moreover, Jews in Russia lived in constant fear of pogroms, murderous anti-Jewish riots that were frequently organized or incited by the Tsarist authorities as a way of deflecting popular discontent.³

Although the Bolshevik regime which came to power after the 1917 Russian Revolution initially attempted to distance itself from anti-Semitism, Soviet leaders eventually returned to policies of discrimination against Jews. In general, the Soviet record on human rights was abysmal. While the Soviet constitution and laws guaranteed its citizens numerous political and civil rights on paper, in practice these guarantees were not enforced. Soviet citizens' rights, including the rights to freedom of expression, freedom of movement and travel, freedom of religion, and many others, were regularly violated. The interests of the state had primacy over those of the individual, and law enforcement agencies and state security structures worked to

²Gitelman, Zvi, *A Century of Ambivalence: The Jews of Russia and the Soviet Union, 1881 to the Present* (New York: Yivo Institute for Jewish Research, 1988).

³Waksberg, David, *Soviet Anti-Semitism: Through Perestroika and Beyond* (Unpublished paper distributed by Union of Councils for Soviet Jews, 1993), p. 2. Forest, Jim, *Religion in the New Russia: The Impact of Perestroika on the Varieties of Religious Life in the Soviet Union* (New York: Crossroad, 1990), p. 148. Gitelman, Zvi, *A Century of Ambivalence: The Jews of Russia and the Soviet Union, 1881 to the Present* (New York: Yivo Institute for Jewish Research, 1988).

protect the Communist Party's hold on power, with little or no regard for human rights. There were no legal constraints on state power, and no means of redress against abuses.⁴

Jews suffered a great deal under this system. The Soviet era witnessed the destruction of Jewish religious and cultural institutions. Attempts to deflect popular discontent included scapegoating Jews and resurrecting anti-Semitic myths and slanders. Jews were discriminated against in education and employment.⁵ Discrimination was facilitated by the fact that Jews whose parents were both⁶ Jewish were -- and still are -- identified in their Russian passports as being of Jewish nationality (in Russia, Jews are defined as a nationality, not as a religious group -- Jews who either practiced no religion or who converted to Christianity were still identified as Jews). Anything that expressed Jewish national or cultural identity -- studying the Hebrew language, attending synagogue -- was grounds for being harassed by the KGB, dismissed from one's job, or imprisoned on either political or criminal charges.

The Jewish cultural revival and emigration movement that began in the 1960's had mixed consequences for Jews. Many Jews were allowed to emigrate, but emigration made life more difficult for those who stayed behind. Jews were treated by the state as potential traitors on whom the state should not waste education or other resources. Jewish "Refuseniks," many of whom remained in the Soviet Union against their will, suffered severe harassment and

⁴Lawyers Committee for Human Rights, *Human Rights and Legal Reform in the Russian Federation* (New York: Lawyers Committee for Human Rights, 1993), p. 1-3.

⁵Waksberg, David, *Soviet Anti-Semitism: Through Perestroika and Beyond* (Unpublished paper distributed by Union of Councils for Soviet Jews, 1993), p. 2-5.

⁶As described in more detail below, under the Soviet system, citizens could list the nationality of either parent in their passports -- those who had one Jewish and one non-Jewish parent could choose which parent's nationality they wanted listed on their passports.

imprisonment. The ability of some Jews to leave Russia -- seen by many Russians as a privilege they did not share -- also increased societal hostility among those who had no such options.

Under Soviet President Mikhail Gorbachev, official anti-Semitism diminished significantly. Increased emigration, new opportunities for Jewish cultural and religious expression, and the establishment of Soviet ties with Israel all made some aspects of life easier for Soviet Jews. A law was passed in 1990, guaranteeing the rights of all Soviet citizens to worship freely.⁷

CURRENT SITUATION

Since the collapse of the Soviet Union and Russia's emergence as an independent state at the end of 1991, the reformist government of President Boris Yeltsin has sought to renounce the repressive Soviet legacy and transform Russia into a democratic, law-based state that respects human rights. These efforts have met with mixed results. While Russia now respects the fundamental rights of its citizens more than either the Soviet regime or tsarist Russia before it, serious shortcomings remain.

In contrast to the Soviet period, most human rights problems today are not due to deliberate abuses by a single, easily identifiable culprit such as the KGB or the Communist Party. Instead, abuses are generally a result of the chaotic and uncertain political situation, and the weakness of the Yeltsin government, which is not always able to control the actions of local officials, security forces, and nongovernmental social and political movements. Human rights

⁷Commission on Security and Cooperation in Europe, "Russia," *Implementation of the Helsinki Accords: Human Rights and Democratization in the Newly Independent States of the Former Soviet Union* (Washington, D.C.: U.S. Government Printing Office, January 1993), p. 34.

abuses may come from a variety of sources, including gangs with mixed political, ethnic and criminal agendas (the various "mafias"), and extremist groups that authorities in Moscow may not be able or willing to control.⁸ Such violations include harassment of Jews by anti-Semitic extremist groups;⁹ abuse of Protestant missionaries by supporters of the Russian Orthodox Church;¹⁰ and beatings of political and ethnic activists by shadowy groups of 'thugs' suspected of ties with individual officials within the KGB,¹¹ who still retain considerable resources and power. While complaints to the police, to a liberal member of the government, or to an increasingly influential liberal media does in some cases result in redress of grievances, many Russian citizens remain leery of contact with the police. Cases which are reported are often ridiculed, ignored, or

⁸Letter from Viktor Yasmann, Radio Liberty, responding to request for information from INS Resource Information Center (Munich: 30 January 1993). Hohenlohe, Conrad B., "Human Rights in the Soviet Union: A Historical Perspective," *New Outlook* (Tel Aviv: American Committee on U.S.-Soviet Relations, Vol. 2, No. 4, Fall 1991), p. 60.

⁹Commission on Security and Cooperation and Europe, "Russia," *Implementation of the Helsinki Accords: Human Rights and Democratization in the Newly Independent States of the Former Soviet Union* (Washington, D.C.: U.S. Government Printing Office, January 1993), p. 31. U.S. Department of State, "Russia," *Country Reports on Human Rights Practices for 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 1023.

¹⁰Bogoslovskaya, Yelizaveta, "Ulyanovsk Cossacks Keep Christian Missionaries Under Arrest for an Hour and a Half: The Preachers Don't Lose Their Nerve," *Chas Pik* (St. Petersburg: 21 September 1992), as reported in *Current Digest of the Soviet Press*, 28 October 1992, p. 35. Commission on Security and Cooperation in Europe, "Russia," *Implementation of the Helsinki Accords: Human Rights and Democratization in the Newly Independent States of the Former Soviet Union* (Washington, D.C.: U.S. Government Printing Office, January 1993), p. 35-36.

¹¹According to the U.S. Department of State, after the breakup of the Soviet Union, the Russian KGB (Committee for State Security) "was broken into two organizations, the Foreign Intelligence Service (SVR) and the Ministry of Security. Internal security became the responsibility of the Ministry of Security. A presidential decree in December 1993 dissolved that Ministry and set up in its place a counterintelligence service under the direct control of the President." However, because the acronym KGB is commonly known, and the security system and its personnel remain largely the same as under the Soviet system in Russia (although less fully controlled by central authorities), this paper will continue to refer to the internal security system as the KGB. U.S. Department of State, "Russia," *Country Reports on Human Rights Practices for 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 1023.

met with hostility which could lead to further repercussions. In some cases the local authorities are either in sympathy or actual collusion with anti-Semitic groups.¹²

For Jews, the situation is particularly contradictory and uncertain. The state-sponsored anti-Semitism which characterized the Soviet and tsarist eras has ceased,¹³ and many Jews have prospered under the economic reforms.¹⁴ There has been a Jewish cultural and religious renaissance. Thousands of students attend Jewish schools, there are numerous Jewish publications, and 95 Jewish organizations in Moscow alone.¹⁵ Synagogues have been refurbished and reopened, and international conferences on Jewish studies have been held. Jewish children's camps, youth groups, and theater are widespread.¹⁶

At the same time, however, the higher visibility of the Jewish community has been accompanied by a revival of overtly expressed anti-Semitism at the societal level. Anti-Semitic attitudes are widespread among the Russian population. A 1991 poll of 4,200 Soviet citizens

¹²Letter from Viktor Yasmann, Radio Liberty, responding to request for information from INS Resource Information Center (Munich: 30 January 1993).

¹³U.S. Department of State, "Russia," *Country Reports on Human Rights Practices for 1992* (Washington, D.C.: U.S. Government Printing Office, February 1993), p. 892. Immigration and Refugee Board Documentation Centre, *CIS, Baltic States and Georgia: Situation of the Jews* (Ottawa, Canada: Immigration and Refugee Board Documentation Centre, 1992), p. 1.

¹⁴Brodsky, Peter, "Are Russian Jews in Danger?" *Commentary* (New York: American Jewish Committee, May 1993), p. 37.

¹⁵Immigration and Refugee Board Documentation Centre, *CIS, Baltic States and Georgia: Situation of the Jews* (Ottawa, Canada: Immigration and Refugee Board Documentation Centre, 1992), p. 4.

¹⁶Commission on Security and Cooperation in Europe, "Russia," *Implementation of the Helsinki Accords: Human Rights and Democratization in the Newly Independent States of the Former Soviet Union* (Washington, D.C.: U.S. Government Printing Office, January 1993), p. 39.

found that more than half wanted all Jews to leave the country.¹⁷ A survey of Moscow residents conducted in October 1992 (Moscow being widely considered the most liberal Russian city) revealed that anti-Semitism is widespread in the city: 18 percent qualified as hard-core anti-Semites (meaning they believed in a global Zionist plot against Russia), and another 25 percent thought such a conspiracy might exist. Based on the polling results, the survey's author concluded that "[G]iven the prevalence of anti-Semitic attitudes in the city, Moscow's 150,000 Jews and the 300,000 in the rest of Russia have reason to be anxious."¹⁸ Since freedom of expression is a relatively new right in Russia, it is not clear whether these attitudes indicate a rise in societal anti-Semitism in response to political turmoil and economic hardship, or simply a climate in which it is more openly expressed.

Anti-Semitic Rhetoric

At present, anti-Semitic attitudes have been expressed primarily, though not exclusively, at the rhetorical level: in verbal harassment and demagogic speeches, at public demonstrations, and through the distribution of anti-Semitic publications. A large number of right-wing, anti-Semitic groups have sprung up over the past few years, "Pamyat" being only one of the better known of

¹⁷Commission on Security and Cooperation in Europe, "Russia," *Implementation of the Helsinki Accords: Human Rights and Democratization in the Newly Independent States of the Former Soviet Union* (Washington, D.C.: U.S. Government Printing Office, January 1993), p. 39-40. U.S. Department of State, "Russia," *Country Reports on Human Rights Practices for 1992* (Washington, D.C.: U.S. Government Printing Office, February 1993), p. 892. Immigration and Refugee Board Documentation Centre, *CIS, Baltic States and Georgia: Situation of the Jews* (Ottawa, Canada: Immigration and Refugee Board Documentation Centre, 1992), p. 1, 6, 7, 13-14.

¹⁸Brym, Robert J.; Degtyarev, Andrei, "Anti-Semitism in Moscow: Results of an October 1992 Survey," *Slavic Review* (Columbus, OH: American Association for the Advancement of Slavic Studies, Vol. 52, No. 1, Spring 1993), p. 5, 11.

such groups. The Moscow-based Anti-Fascist Center estimates that there are nearly 100 nationalist and pro-fascist groups in Russia today.¹⁹ In addition, some "mainstream" organizations, such as the Russian Orthodox church, have supported or co-operated with causes and organizations which are openly anti-Semitic.²⁰ Sources including the *New York Times*, the *Washington Post*, and *National Public Radio* have noted that the anti-Semitic rhetoric employed by these groups, including charges that Jews are to blame for all Russia's problems, is reminiscent of Nazi Germany (in fact, many members of such groups idolize Adolf Hitler).²¹ In their speeches and publications, which are distributed openly on Russian streets, these extremists blame Jews for almost everything: creating communism, promoting unemployment through capitalist reforms, loss of the Russian empire, a Zionist-Masonic conspiracy to dominate the world, being a foreign and subversive element which harms Russian society, greater prosperity and special privileges unavailable to Russians, control of the news media, control of American foreign policy, control over President Yeltsin, staging the Holocaust to win sympathy for creation of Israel,²² responsibility for the Russian revolution and suppression of the Russian masses under communism, and also bringing about the collapse of the Soviet Empire. As the Union of Councils

¹⁹Special Edition on Russian Jews," *The Monitor* (Washington, D.C.: Union of Councils for Soviet Jews, Vol. 4, No. 29, 4 October 1993), p. 3.

²⁰Letter from Micah Naftalin and Gideon Aronoff, Union of Councils, to John Evans, Director, Resource Information Center, Washington, D.C., 2 September 1994.

²¹National Public Radio, "A Comparison Between Russia and the Weimar Republic," *Morning Edition* (Washington, D.C.: National Public Radio, 23-24 June 1994). Charles Krauthammer, "Russian Earthquake," *Washington Post* (Washington, D.C.: 17 December 1993), p. A25. Charles S. Maier, "Is It 1933 All Over Again?" *New York Times* (New York: 18 December 1993) -- as reported on NEXIS database.

²²Tamayo, Juan O., "Russian Jews Fear Being Scapegoats," *Miami Herald* (Miami: 3 May 1993), p. 1A. Waksberg, David, *Soviet Anti-Semitism: Through Perestroika and Beyond* (Unpublished paper distributed by Union of Councils for Soviet Jews, 1993), p. 7. Brodsky, Peter, "Are Russian Jews in Danger?" *Commentary* (New York: American Jewish Committee, May 1993).

noted, some anti-Semitic groups are explicitly racist in their attacks on Jews: they object not to Jewish religion, culture, or perceived influence or economic privileges, but to the very fact that Jews exist in Russia -- an article by Russian Republican Party leader Nikolai Lysenko arguing that "Jewish blood would spoil Russian blood" is cited as an example.²³ These fascist parties are blunt about their plans for violence and terror against their enemies if they come to power.²⁴ Demonstrations of fascists marching under swastikas and crying "Death to the Yids" have been staged openly in St. Petersburg.²⁵

Even though such beliefs are obviously contradictory to each other, and are not shared by all Russians, it is unclear what effect the constant litany of anti-Jewish rhetoric is having on the general population, who may already be inclined to hold anti-Semitic views. Even somewhat more reputable, large-circulation periodicals carry anti-Semitic nationalist tirades.²⁶ The blood libel, an ancient anti-Semitic claim that Jews kill Christians and use their blood in Jewish rituals, was revived in *Sovetskaya Rossiya*²⁷ *Pravda*, the former flagship newspaper of the Communist Party, published an article on May 5, 1993, that accused Hasidic Jews of the ritual murder of three Russian Orthodox monks.²⁸ Nationalities expert Paul Goble notes that "... many former

²³Letter from Micah Naftalin and Gideon Aronoff, Union of Councils, to John Evans, Director, Resource Information Center, Washington, D.C., 2 September 1994.

²⁴Shogren, Elizabeth, "New Breed of Fascist Rises in Russia," *Los Angeles Times* (Los Angeles: 8 September 1992).

²⁵Barikhovskaya, Elena, "Russia: Where the Flag of Racism Flies Free," *The Guardian* (United Kingdom: 24 July 1992).

²⁶Waksberg, David, *Soviet Anti-Semitism: Through Perestroika and Beyond* (Unpublished paper distributed by Union of Councils for Soviet Jews, 1993), p. 8.

²⁷*RFE/RL Daily Report* (Munich: Radio Free Europe/Radio Liberty, No. 24, 5 February 1992).

²⁸"Russia," *The Washington Times* (Washington, D.C.: 20 September 1993), as reported on NEXIS database.

Soviet citizens ... still read the press as if it represent[s] official policy," and may not understand, in the absence of strong governmental denunciations of extremist rhetoric, that the Russian government does not necessarily support or agree with anti-Semitic rhetoric.²⁹

There is disagreement over how much support right-wing groups have among Russians and how serious a threat they pose to Russian Jews. Until recently, it was thought that these groups were marginal and enjoyed little popular support. Observers noted, for example, that only 1,000 Pamyat supporters turned out for a conference in Moscow in October 1992 -- a fairly small number in a city of 9 million people.³⁰ But the December 1993 elections, in which right-wing anti-Semitic groups won approximately a quarter of the votes, reflect a greater receptivity to right-wing nationalist arguments than hitherto thought. Some believe that right-wing newspapers are funded by the security forces (the former KGB), which share the nationalists' regret about the dismantling of the Soviet empire.³¹ One right-wing leader, Alexander Barkashov of Russian National Unity, claims to have 40,000 members across Russia and supporters in Parliament, the Ministry of the Interior, and the KGB.³²

²⁹Paul Goble, "The Privatization of an Ancient Evil: Anti-Semitism in the Post-Soviet States," *Testimony Prepared for the U.S. House of Representatives, Subcommittee on International Security, International Organizations and Human Rights* (Washington, D.C.: 15 June 1993), p. 2.

³⁰Lesser, Alexander, "Pamyat Denounces 'Zionists,'" *Washington Jewish Week* (Washington, D.C.: 15 October 1992).

³¹Brodsky, Peter, "Are Russian Jews in Danger?" *Commentary* (New York: American Jewish Committee, May 1993), p. 39.

³²Campbell, Matthew, "Russia: Neo-Nazis Rise Amid Ruins of Soviet Union," *Sunday Times* (London: 27 June 1993).

Violence Against Jews

Despite the threats of violence and pogroms against Jews made by some anti-Semitic leaders, there has until now been no organized campaign of violence against Jews.³³ Individual acts of vandalism and violence against Jewish citizens and property have been reported: "...there are sporadic reports of people with 'Jewish faces' being assaulted on the streets and subways of Moscow."³⁴ These attacks do not appear to be centrally coordinated or systematic. According to one newspaper report, "[a]lthough exact figures are difficult to compile, many Jewish leaders in the area believe that physical attacks on Jews have been relatively few and do not appear to be the work of organized or co-ordinated groups."³⁵

Violent attacks on Jews by anti-Semitic individuals and organizations do occur, however: human rights monitors and academic researchers have compiled "numerous" cases of rapes, beatings, arson, and some murders in which the attackers either indicated that the motivation for the attack was anti-Semitic (for instance, by shouting anti-Semitic epithets), or the attacker was identified as belonging to an anti-Semitic organization (for instance, some attackers have worn the quasi-military uniforms of right-wing nationalist organizations). Compiling statistics on such attacks against Jews is difficult, however, as Jews are reluctant to report such incidents to local

³³Brodsky, Peter, "Are Russian Jews in Danger?" *Commentary* (New York: American Jewish Committee, May 1993), p. 37.

³⁴"Jews in Russia," *Chicago Tribune* (Chicago: 25 July 1993), p. 16.

³⁵Tamayo, Juan O., "Russian Jews Fear Being Scapegoats," *Miami Herald* (Miami: 3 May 1993), p. 1A.

authorities, and local authorities often refuse to investigate such cases or do only a cursory investigation.³⁶

Moreover, Jews are concerned that anti-Semitic violence could escalate rapidly in Russia's chaotic political environment. Human rights monitors note that Russia has no tradition of respect for individual rights to temper the inflammatory rhetoric that has emerged with greater freedom of expression in the post-Soviet era, and that the Russian government currently appears unable or unwilling to protect Jews, investigate abuses, or uphold laws guaranteeing the civil and human rights of minority ethnic groups in Russia. They believe the virulently anti-Semitic rhetoric of the right-wing groups may be the forerunner of a wave of violent action against Jews. Jewish leaders are now concerned that, as the Russian economy worsens and frustrated citizens cast about for scapegoats, an increasing number of Jews might become the victims of physical attacks. The rise of Cossack paramilitary groups is particularly frightening for many Jews, since these Russian shock troops were infamous for carrying out pogroms under the tsars.³⁷ Cossacks in the southern Don region recently demanded a ban on all 'Zionist' organizations.

³⁶One academic researcher, Peter Solomon, a professor of political science at the University of Toronto, noted that the motives behind police refusals to investigate reported abuses is not clear -- the motivation may be anti-Semitism, individual officers' fear of reprisals from anti-Semitic groups, or simple laziness. A representative of Helsinki Watch in Moscow noted that Russian police routinely refuse to deal with or investigate rape charges regardless of the victim's religious background or ethnic origin, or the motivation of the attacker, but also noted that in other violent crimes, ethnicity would be a factor in whether police refused to investigate or failed to investigate thoroughly. Documentation, Information and Research Branch, *Russia: Security Forces* (Ottawa: Documentation, Information and Research Branch, Immigration and Refugee Board, August 1993) -- as reported on RICINFO database. Documentation, Information and Research Branch, "Russia: Information on whether, between 1988 and 1992, Moscow police would refuse to respond to or investigate complaints of rape, beatings or the destruction of property because the victim was Jewish" (Ottawa: Documentation, Information and Research Branch, Immigration and Refugee Board, 5 April 1994), RUS17001.E. Letter from Micah Naftalin and Gideon Aronoff, Union of Councils, to John Evans, Resource Information Center, Washington, D.C., 2 September 1994.

³⁷"Jews in Russia," *Chicago Tribune* (Chicago: 25 July 1993), p. 16.

The statement above that attacks on Jews are not systematic or centrally co-ordinated does not mean that individual Jews do not face persecution from individual anti-Semitic or nationalist groups which the government is either unable or unwilling to halt or prosecute. Nor does it mean that, when such individual Jews become targets of such groups, they have adequate avenues for redress of grievances or protection from the state. As noted above, anti-Semitic groups often act with the consent or participation of local authorities or individual members of the security apparatus. Thus, no Russian Jew is automatically at risk, or automatically safe from risk.

Below are examples of the kinds of attacks on Jewish citizens and property that have taken place in Russia and that are publicly documented. As mentioned above, human rights monitors believe that many violent attacks against Jews are not publicly reported. This list is therefore not complete or necessarily representative of the proportion of attacks against persons and against property:

- ▶ There have been several incidents of vandalism at the Choral Synagogue in Moscow. On June 6-7, 1993, a stone was thrown through the synagogue's window.³⁸ On the afternoon of June 12, anti-Semitic hooligans smashed windows with rocks, daubed swastikas on the walls, and shouted anti-Semitic slogans. The police did not come until several days later.³⁹ On July 12, youths wearing black uniforms threw bricks through two of the synagogue's windows and tried to break down the main doors.⁴⁰ After these attacks, the synagogue reportedly hired a private security guard, because of the poor police response and the lack of coverage by major

³⁸*Israeli Consulate Bulletin* (New York: Israeli Consulate, 20 August 1993), p. 14. "Russia," *Jerusalem Post International* (Jerusalem: 24 June 1993).

³⁹"Anti-Semitism Rearing its Ugly Head in Russia," *National Public Radio Morning Edition Broadcast* (Washington, D.C.: 11 August 1993). "Russia," *Jerusalem Post International* (Jerusalem: 24 June 1993).

⁴⁰Birnbaum, Susan, "Jews Fearful as Moscow Synagogue Attacked for Second Time in Month," *Jewish Telegraphic Agency* (Stamford, CT: Ethnic Newswatch, 14 July 1993).

newspapers.⁴¹ In July, 1994, Moscow police received a threat that a bomb had been placed in the Choral Synagogue, although no device was found when the synagogue was searched.⁴²

- ▶ Just a few days before an April 7, 1994, Holocaust Day memorial service at a Jewish cemetery in St. Petersburg, 160 gravestones were overturned by vandals.⁴³ Jewish cemeteries in Penze,⁴⁴ St. Petersburg, Nizhny Novgorod, Krasnoyarsk, and Ekaterinenburg have been desecrated or destroyed.⁴⁵
- ▶ A Hasidic Jew from Israel was beaten by members of the right-wing group Pamyat. He was then taken into custody by police because he sprayed mace to deter his attackers.⁴⁶
- ▶ The 72-year-old cantor of the Moscow Choral synagogue was beaten up near the synagogue by thugs who asked if he were a rabbi. (He was wearing a skullcap that identified him as a religious Jew.)⁴⁷
- ▶ On June 17, 1993, an elderly man was attacked and robbed in Moscow by three young men shouting anti-Jewish epithets. He reported the attack to the police, but no arrest resulted. A young Jewish boy was reportedly beaten in same area a few days earlier.⁴⁸

The Situation of Jews Outside of Urban Areas

Information on the situation of Jews outside the major cities is scarce. According to the Canadian Immigration and Refugee Board Documentation Centre, "[t]here is no lack of reporting on the general situation for Jews in the Soviet successor states. More specific local information is

⁴¹"Russian Jews," *The Forward* (Moscow: 23 July 1993).

⁴²Letter from Micah Naftalin and Gideon Aronoff, Union of Councils, to John Evans, Director, Resource Information Center, Washington, D.C., 2 September 1994.

⁴³Letter from Micah Naftalin and Gideon Aronoff, Union of Councils, to John Evans, Director, Resource Information Center, Washington, D.C., 2 September 1994.

⁴⁴*The Monitor* (Washington, D.C.: Union of Councils for Soviet Jews, Vol. 3, No. 45, 13 November 1992).

⁴⁵"Russian Jews," *The Forward* (Moscow: 24 September 1993). *Israeli Consulate Bulletin* (New York: Israeli Consulate, 4 June 1993), p. 13.

⁴⁶*The Monitor* (Washington, D.C.: Union of Councils for Soviet Jews, Vol. 3, No. 7, 14 February 1992).

⁴⁷"Anti-Semitism Rearing its Ugly Head in Russia," *National Public Radio Morning Edition Broadcast* (Washington, D.C.: 11 August 1993). "Russia," *Jerusalem Post International* (Jerusalem: 24 June 1993).

⁴⁸*The Monitor* (Washington, D.C.: Union of Councils for Soviet Jews, Vol. 4, No. 22, 25 June-2 July 1993), p. 2.

very difficult to gather."⁴⁹ This lack of information should not be taken to mean that abuse of Jewish rights is not occurring. The possibility for abuse clearly exists, given rampant anti-Semitism in Russia and the weak central government control over many outlying areas.

Nationalities expert Paul Goble states, in fact, that "the areas of greatest danger for Jews are not the places of traditional Jewish settlement but rather in places where Jews are already small in number...."⁵⁰

Due to the chaotic and unstable political situation in Russia, the central government is not always able to enforce its decrees and laws throughout the country.⁵¹ There are numerous examples of local authorities simply ignoring decrees and laws adopted by the central government: not just in those republics and regions that have declared independence, such as Tatarstan and Chechnya, but even in areas that theoretically recognize the central government's authority. Local leaders in Moscow itself have rejected several attempts to repeal the residence permit (*propiska*) system.⁵² Laws outlawing free-market economic activities such as 'speculation' are apparently still being enforced in various parts of the country, despite Yeltsin's decree repealing them.⁵³ In

⁴⁹Immigration and Refugee Board Documentation Centre, *CIS, Baltic States and Georgia: Situation of the Jews* (Ottawa, Canada: Immigration and Refugee Board Documentation Centre, 1992), p. 25.

⁵⁰Paul Goble, "The Privatization of an Ancient Evil: Anti-Semitism in the Post-Soviet States," *Testimony Prepared for the U.S. House of Representatives, Subcommittee on International Security, International Organizations and Human Rights* (Washington, D.C.: 15 June 1993), p. 3.

⁵¹Brown, Kathryn, "Khabarovsk: Resurrecting the Nomenklatura," *RFE/RL Research Report* (Munich: Radio Free Europe/Radio Liberty, Inc., Vol. 1, No. 38, 25 September 1992), p. 28. U.S. Department of State, "Russia," *Country Reports on Human Rights Practices for 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 1032.

⁵²Helsinki Watch, "Russian Residence and Travel Restrictions," *Helsinki Watch Newsletter* (New York: Human Rights Watch, Vol. 4, No. 14, August 1992), p. 9-10.

⁵³Brown, Kathryn, "Khabarovsk: Resurrecting the Nomenklatura," *RFE/RL Research Report* (Munich: Radio Free Europe/Radio Liberty, Inc., Vol. 1, No. 38, 25 September 1992), p. 28. Commission on Security and Cooperation in Europe, "Russia," *Implementation of the Helsinki Accords: Human Rights and Democratization in the Newly*

other areas, local officials are reportedly placing obstacles in the way of free religious worship, despite a 1990 law guaranteeing freedom of conscience.⁵⁴ Irkutsk regional authorities are reportedly financing anti-Semitic publications, despite laws against such publications, and financing the Irkutsk Cossack army, known for its anti-Semitic and imperialist sentiments.⁵⁵

Until October 1993, the reluctance of local authorities to enforce new laws guaranteeing human rights or restricting the powers of government could be explained in part by the fact that many local and regional governments were still dominated by old-guard communists. No longer accountable to central Communist Party authorities, these local leaders were increasingly able to rule with a free hand.⁵⁶ Since October, the situation has become even more confusing. Many local governments and officials supported the conservative parliamentary opposition to President Yeltsin, and the president moved quickly after crushing parliament to remove local leaders who opposed him. However, it is not at all clear how successful Yeltsin has been at re-establishing control over outlying areas. His actions have reportedly generated considerable resentment in the provinces, and some of the local leaders he dismissed were subsequently elected members of parliament in the December 1993 elections. The situation differs from region to region, and information is scarce. What is clear is that the struggle between center and periphery, and

Independent States of the Former Soviet Union (Washington, D.C.: U.S. Government Printing Office, January 1993), p. 34.

⁵⁴Commission on Security and Cooperation in Europe, "Russia," *Implementation of the Helsinki Accords: Human Rights and Democratization in the Newly Independent States of the Former Soviet Union* (Washington, D.C.: U.S. Government Printing Office, January 1993), p. 35-36.

⁵⁵*The Monitor* (Washington, D.C.: Union of Councils for Soviet Jews, Vol. 4, No. 5, 5 February 1993).

⁵⁶Brown, Kathryn, "Khabarovsk: Resurrecting the Nomenklatura," *RFE/RL Research Report* (Munich: Radio Free Europe/Radio Liberty, Inc., Vol. 1, No. 38, 25 September 1992), p. 31.

between conservatives and reformers, is far from over. Such uncertainty and flux contains the potential for serious human rights abuses.

For example, a Radio Liberty analyst reported in early 1993 that local officials in some areas are taking advantage of the weakness of the central government to harass 'inconvenient' people.⁵⁷ These may be individuals who blow the whistle on political corruption, Jews or other ethnic minorities, particularly those from the Caucasus, business competitors who threaten local officials' economic interests, as well as victims of personal vendettas. Whatever the motivation, the effect of harassment by local officials is doubly devastating because of the continued existence of the residence permit (*propiska*) system, which prevents individuals from simply moving to another area. Helsinki Watch cites the case of Inessa Finger, a lawyer in the provincial town of Kurchatov, who has been prevented from practicing law by local authorities for reasons that appear to relate to personal animosities or to the fact that she is partly Jewish. Because she is effectively prevented from moving to a new location by the residence permit system, she is unable to practice her profession.⁵⁸

The Soviet-era internal passport system is apparently still in effect in Russia, despite efforts to abolish it. Under this system, citizens require a *propiska*, or residence permit, in order to establish residence in most major cities. Only with such a permit can a resident gain access to education, housing, medical care, and other services that are still for the most part provided by the

⁵⁷Letter from Viktor Yasmann, Radio Liberty, responding to request for information from INS Resource Information Center (Munich: 30 January 1993).

⁵⁸Helsinki Watch, "Russian Residence and Travel Restrictions," *Helsinki Watch Newsletter* (New York: Human Rights Watch, Vol. 4, No. 14, August 1992), p. 7.

government.⁵⁹ A new law that was scheduled to come into force in October 1993 replaced the *propiska* system with a system in which one simply registered one's residence with the police. But Moscow Mayor Yurii Luzhkov announced in August 1993 that he did not intend to implement the new law, since too many immigrants were flooding into the city. This incident represented the second time Moscow authorities were able to thwart central government attempts to dismantle the residence-permit system. In 1991, a constitutional oversight committee declared the *propiska* system unconstitutional, but Moscow authorities refused to implement the decision.⁶⁰ Moscow city authorities have used the *propiska* laws as an excuse to round up and evict Central Asians and the Caucasians (Azeris, Armenians, Georgians, etc.) from Moscow, some of whom were in the city legally but were singled out because of their ethnicity or physical appearance.⁶¹ Given Goble's conclusion above that Jews are more likely to be safe in areas where there is a relatively large Jewish community, and given that the continued existence of the *propiska* system prevents all Russian citizens, including Jews, from relocating to most urban areas (where the larger Jewish communities live), internal relocation is usually not a realistic option for escaping harassment or violence.

⁵⁹Helsinki Watch, "Russian Residence and Travel Restrictions," *Helsinki Watch Newsletter* (New York, Human Rights Watch, Vol. 4, No. 14, August 1992), p. 1-3.

⁶⁰*RFE/RL Daily Report* (Munich: Radio Free Europe/Radio Liberty, Inc., 27 August 1993).

⁶¹Documentation, Information and Research Branch, "Russia: Information on police arrest or prosecution of persons living at a Moscow address which does not match the Moscow address shown on their residence permit (*propiska*) and on police refusal to accept or deal with complaints filed by these persons," (Ottawa: Documentation, Information and Research Branch, Immigration and Refugee Board, 8 April 1994), RUS17000.E.

Government Response to Societal Anti-Semitism

Although Soviet-style state-sponsored anti-Semitism has ceased, there has been some criticism of the Yeltsin government and other officials for failing to take a strong stand against societal anti-Semitism. Yeltsin has reportedly been reluctant to single out anti-Semitism for condemnation, despite pleas from Russian Jews.⁶² Some believe that he has been reluctant to appear to be favoring the Jews for fear of antagonizing the growing right-wing nationalist movement. Among incidents cited as demonstrating Yeltsin's appeasement of right-wing and nationalist elements are anti-Semitic statements by Russian Parliamentary Chairman for Information and Communication Mikhail Poltoranin, the amnesty of the 1991 and 1993 coup leaders, the acquittal of the leader of the 1991 military coup, General Valentin Varennikov, and President Yeltsin's positive comments about the "blatantly anti-Semitic" art exhibit of Ilya Glazunov.⁶³

Nevertheless, the Yeltsin government is clearly more supportive of Jewish rights than its Soviet or tsarist predecessors. The Russian foreign ministry strongly denounced the May 5, 1993, *Pravda* article charging Jews with the ritual murder of Christians, and promised to "take all the measures necessary for the effective guarantee of the rights of Russian citizens, regardless of their nationality or religion."⁶⁴ *Pravda* subsequently apologized for publishing the article.⁶⁵

⁶²"Anti-Semitism Rearing its Ugly Head in Russia," *National Public Radio Morning Edition Broadcast* (Washington, D.C.: 11 August 1993).

⁶³Letter from Micah Naftalin and Gideon Aronoff, Union of Councils, to John Evans, Resource Information Center, Washington, D.C., 2 September 1994.

⁶⁴*Israeli Consulate Bulletin* (New York: Israeli Consulate, 30 August 1993).

⁶⁵"Russian Jews," *The Forward* (Moscow: 25 June 1993).

Anti-Semitic publications are against the law in Russia (article 74 of the criminal code prohibits incitement to ethnic hatred), and the government has taken a number of organizations and publications to court on such charges. In August 1992, the general prosecutor initiated criminal proceedings against a number of openly anti-Semitic papers.⁶⁶ During the first six months of 1993, the Russian government brought charges of inciting ethnic hatred and inciting the forcible overthrow of the government against 13 nationalist, anti-Semitic publications. Nationalist Yurt Belyaev (Russian National-Socialist Party) was arrested on April 14, 1993, for publishing a number of anti-Semitic articles in 1992.⁶⁷ Nikolai Detkov, a Pamyat member and leader of a raid by Pamyat on the offices of the newspaper *Moskovsky Komsomolets* was arrested. The St. Petersburg prosecutor also filed criminal charges against the local publisher of Hitler's *Mein Kampf*, Victor Bezverkhy, a former university professor.⁶⁸

However, critics have claimed that prosecution of such offenses has been selective and sometimes half-hearted.⁶⁹ For instance, the state prosecutor failed to institute criminal proceedings against organizers of an anti-Semitic show on Ostankino television on June 29, 1992. The anti-Semitic newspaper *Russian Resurrection* was permitted to publish for more than six months after a suit was brought against the newspaper in November 1991.⁷⁰ Critics have also

⁶⁶U.S. Department of State, "Russia," *Country Reports on Human Rights Practices for 1992* (Washington, D.C.: U.S. Government Printing Office, 1993), p. 892-893.

⁶⁷"Update on Jews in the CIS, Georgia, and the Baltic Republics" (New York: Israeli Consulate, 6 May 1993).

⁶⁸*The Monitor* (Washington, D.C.: Union of Councils for Soviet Jews, Vol. 4, No. 1, 8 January 1993). *The Monitor* (Washington, D.C.: Union of Councils for Soviet Jews, Vol. 4, No. 5, 5 February 1993).

⁶⁹Immigration and Refugee Board Documentation Centre, *CIS, Baltic States and Georgia: Situation of the Jews* (Ottawa, Canada: Immigration and Refugee Board Documentation Centre, 1992), p. 14.

⁷⁰*The Monitor* (Washington, D.C.: Union of Councils for Soviet Jews, Vol. 3, No. 32, 14 August 1992).

claimed that even when charges have been brought, they have rarely resulted in convictions.⁷¹ For instance, none of the prosecutions involving the 13 publications mentioned above resulted in a conviction.⁷² According to the National Conference on Soviet Jewry, there was no indication that these cases were proceeding as of February 1993.⁷³ Victor Bezverkhy was acquitted by a court that accepted his argument that he only published *Mein Kampf* to make money (even though he leads a fascist group). Literally dozens of anti-Semitic publications continue to be available on the streets even though they are illegal.⁷⁴

Jewish leaders also claim that the police have been slow to respond to reports of anti-Semitic vandalism or violence. The Israeli consulate has reported several cases in which local authorities took no action after Jews received anti-Semitic letters threatening them with injury.⁷⁵ After vandals attacked the Moscow Choral Synagogue, the police at first refused to come because they did not consider the incident serious, according to Vladimir Fyorderosky, chairman of the Committee of Jewish Religious Associations.⁷⁶

⁷¹Ruskin, D., "Russian Procurator's Office Protects Fascists," *Challenge* (Moscow: August 1992).

⁷²National Conference on Soviet Jewry, *Newswatch* (New York: National Conference on Soviet Jewry, 28 September 1993).

⁷³National Conference on Soviet Jewry, "Overview of the Current Situation in the FSU," *Newswatch* (New York: National Conference on Soviet Jewry, February 1993), p. 5.

⁷⁴"Russia," *The Washington Times* (Washington, D.C.: 20 September 1993), as reported on NEXIS database.

⁷⁵*Soviet Jewry News* (New York: Israeli Consulate, 8 April 1992).

⁷⁶"Anti-Semitism Rearing its Ugly Head in Russia," *National Public Radio Morning Edition Broadcast* (Washington, D.C.: 11 August 1993). "Russia," *Jerusalem Post International*, 24 June 1993.

Redress of Grievances

In contrast to the Soviet era, when citizens essentially had no recourse if the government abused their rights, Russians today do have some avenues for remedying such violations. At present, however, these avenues are not sufficiently institutionalized to ensure redress of grievances or significantly deter abuse by governmental or nongovernmental forces.

In theory, citizens may challenge abuse of their rights in the courts. Until the October 1993 coup attempt, they were able to petition the Constitutional Court if all other remedies failed (the court has been inactive since October 1993, but may soon be revived). However, in a largely unreformed judicial system in which judges are often 'in the pocket' of politicians, it is unclear how effective the courts can be in checking abuse.⁷⁷ In tsarist Russia and in the Soviet Union, the courts were traditionally used to protect state power, not to dispense justice and protect individual rights. Without an independent judiciary, which would involve either retraining or replacing most Russian judges, many of the Russian government's guarantees of human rights will be meaningless; citizens will continue to have no real recourse if their rights are violated. Despite some preliminary steps toward reform, the Russian judicial system is still far from independent and hence is not yet capable of guaranteeing individual rights against encroachments by the state.⁷⁸

⁷⁷Brown, Kathryn, "Khabarovsk: Resurrecting the Nomenklatura," *RFE/RL Research Report* (Munich: Radio Free Europe/Radio Liberty, Inc., Vol. 1, No. 38, 25 September 1992), p. 28.

⁷⁸Hohenlohe, Conrad B., "Human Rights in the Soviet Union: A Historical Perspective," *New Outlook* (Tel Aviv: American Committee on U.S.-Soviet Relations, Vol. 2, No. 4, Fall 1991). Thornson, Carla, "Toward the Rule of Law: Russia," *RFE/RL Research Report* (Munich: Radio Free Europe/Radio Liberty, Inc., Vol. 1, No. 27, 3 July 1992), p. 41-42.

The courts are still dependent on local authorities and vulnerable to influence and pressure from government officials.⁷⁹

Citizens may also take their grievances to the Human Rights Committee, formed in 1990 by the executive branch of the Russian government and originally headed by former dissident Sergei Kovalev (Kovalev is now the Parliamentary Ombudsman for Human Rights). In addition to fostering human rights in Russian legislation and policy, the Committee receives and reviews between 20 and 30 human rights complaints per day from individual citizens. It often succeeds in bringing cases to the attention of appropriate government agencies, although it has no powers of enforcement. In addition to the federal committee, about one third of local organs of government have their own committees dealing with human rights issues. It is not clear how effective their work is, since all of these bodies reportedly suffer from underfunding and lack sufficient legal staff to deal with the large number of complaints they receive. The position of Parliamentary Ombudsman for Human Rights now held by Kovalev also lacks any enforcement power.⁸⁰

If all else fails, citizens may complain to the media about violations of their rights. It is by no means assured, however, that media coverage will lead to a righting of wrongs, especially in outlying areas. With the judiciary under the control of local officials, these officials may feel they

⁷⁹U.S. Department of State, "Russia," *Country Reports on Human Rights Practices for 1992* (Washington, D.C.: U.S. Government Printing Office, February 1993), p. 886-887. Lawyers Committee for Human Rights, *Human Rights and Legal Reform in the Russian Federation* (New York: Lawyers Committee for Human Rights, 1993), p. 71-76. One example of successful redress against anti-Semitism occurred when Soviet-born Israeli scientist Herman Branover won a libel suit in a Moscow District Court against Pamyat, which had claimed that he had called on Jews to massacre Gentiles. This verdict was upheld by the City Court of Moscow in June 1993. *Israeli Consulate Bulletin* (New York: Israeli Consulate, 20 August 1993), p. 14.

⁸⁰Lawyers Committee for Human Rights, *Human Rights and Legal Reform in the Russian Federation* (New York: Lawyers Committee for Human Rights, 1993), p. 48-49. Letter from Stephanie Marks, Coordinator, Asylum Program, Lawyers Committee for Human Rights, to John Evans, Director, Resource Information Center, 28 July 1994.

can afford to ignore accusations made in the press.⁸¹ Thus, while some fledgling avenues of redress do exist, continued distrust of the government ingrained during the Soviet era, and the limited effectiveness of such avenues to date, may well deter individuals from reporting incidents to the police, filing civil suits against attackers, or going to the press.

The Effects of Recent Political Developments

Russian politics are currently so volatile that it is hard to predict whether conditions for Jews will improve or deteriorate. The showdown between Yeltsin and Parliament in October 1993 contained disturbing anti-Semitic elements -- such as accusations that Yeltsin was in the pay of Jews or the Israeli government, or was favoring Jews over other ethnic groups. The events frightened many Jews, who felt that they were only saved by the failure of the right-wing putsch. Many Jews believed that, had it succeeded, anti-Semitic leaders would have ruled Russia.⁸²

With the victory of the pro-Yeltsin forces over the conservative opposition, the situation seemed to have improved somewhat for Jews. The far right appeared to be discredited, and many of its newspapers and organizations were banned by Yeltsin. Moreover, Yeltsin showed greater interest in cooperating with the Jewish community, which supported him almost unanimously during the conflict. The State Commission on Nationalities set up a joint committee with the main Russian Jewish organization, *Vaad*, to discuss representation of the Jewish community in the new

⁸¹Brown, Kathryn, "Khabarovsk: Resurrecting the Nomenklatura," *RFE/RL Research Report* (Munich: Radio Free Europe/Radio Liberty, Inc., Vol. 1, No. 38, 25 September 1992), p. 31.

⁸²"Russian Jews," *The Forward* (Moscow: 15 October 1993), p. 1.

Russian parliament. Previously, the government appeared to prefer to appease the Russian nationalist right, and was unwilling to be seen as too closely identified with Russian Jews.

However, the long-term effects of such changes in policy are not yet clear.⁸³

The unexpectedly high level of Russian societal support for right-wing nationalists and communists, as reflected in the December 12, 1993, parliamentary elections, has once again thrown Russian politics into turmoil. It is too soon to tell how the societal attitudes reflected in the election results will affect Russia's political future. Yeltsin has said that he intends to continue on his current path of political and economic reform despite the election results, but he may be chose to adopt a certain amount of nationalist rhetoric, or may overlook abuses against unpopular ethnic minorities, whether Jews, Caucasians or Central Asians, in order to appease the far right.

JEWS AS A NATIONALITY

In many of the successor states of the former Soviet Union, including Russia, Jews are seen as a nationality, and under certain conditions as holding real or imputed political opinions. They cannot be classified just as a religious group. Due in part to an extreme level of religious intolerance during the Soviet era, many Jews do not practice, or even know much about, Judaism. There is little question that the renaissance of Jewish religious and cultural practices has fueled a backlash against Jews as they became a more visible and active minority. Moreover, the nearly unanimous support Jewish religious and political leaders offered for all reform and democratization measures since the Gorbachev era, and their strong support for Boris Yeltsin

⁸³"Russia," *Jewish World* (New York: 15-21 October 1993), p. 3.

during his political crises in 1993, means that right-wing, nationalist, and fascist groups may impute to all Jews a strong pro-democracy political opinion. However, while some prominent political activists and religious Jews have been physically attacked or killed, so too have Jews who do not participate in any groups or activities related to their nationality, and who have no particular knowledge about Judaism or about Jewish cultural or political groups. Thus, while prominent Jewish activists may be somewhat more at risk than Jews who are not widely known, any Jew, because of his or her nationality and imputed or real political opinion, shares a certain level of risk. Non-Jewish spouses of Russian Jews face these same risks if their relationship to a Jewish person is known.

PROSPECTS FOR THE FUTURE

As a result of the uncertainties described above, many Jews feel great foreboding about the future. They are especially concerned about what will happen if Russia's economic situation deteriorates further. Twenty-five percent of Russians voted for the far-right nationalist leader Vladimir Zhirinovsky in December 1993, a result many observers attribute to the painful results of the Yeltsin government's economic reforms. It should be noted that Zhirinovsky urged his supporters to vote in favor of Yeltsin's proposed new Constitution, which shifts almost all power to the office of the President. While Yeltsin may use this power responsibly, the situation for Jews could worsen dramatically overnight if a right-wing leader such as Zhirinovsky were to become president. According to one American observer, "[i]f Yeltsin's government should be

replaced by one in which the alliance of nationalist and fascist elements plays a larger role, Russian Jews may well face much more than verbal abuse from the extremist press.⁸⁴

Part of the problem is that the democratic and human rights gains of the past few years have not been institutionalized. There is no real system of checks and balances on either the national or local level. The new constitution approved in the December 12, 1993, referendum perpetuates this problem by providing for an extremely strong presidency: a right-wing dictator could exploit the absence of checks and balances for abusive purposes.

A further problem is that many of the Soviet-era institutions that formerly repressed the citizenry, most notably the state security and law enforcement agencies, continue to exist, usually with the same staff. These security services have not received appropriate retraining for operating in a democracy, and according to credible reports, many are currently participating in human rights abuses against their own political and personal enemies.⁸⁵ These institutions could therefore be easily exploited by a less democratically inclined Russian leader. At the same time, the institutions charged with protecting human rights, such as the judiciary, remain weak and ineffective. Without serious reform of Russian institutions, therefore, human rights guarantees will be entirely dependent on the benevolence of the current leadership. If the current government is replaced, much or all of the progress achieved in the area of human rights could be lost, and Jews could face persecution from the government as well as nongovernmental forces.

⁸⁴Brodsky, Peter, "Are Russian Jews in Danger?" *Commentary* (New York: American Jewish Committee, May 1993), p. 37, 40.

⁸⁵Human Rights Watch, "Russia," *Human Rights Watch World Report 1993: Events of 1992* (New York: Human Rights Watch, December 1992), p. 249. Lawyers Committee for Human Rights, *Human Rights and Legal Reform in the Russian Federation* (New York: Lawyers Committee for Human Rights, 1993), p. 3.

APPENDIX

Determining with absolute certainty which asylum applicants are Jewish, or married to Jews, is impossible without access to their security files in Russia and interviews with neighbors, friends, colleagues and relatives in Russia. Moreover, as societal hostility has replaced officially-sanctioned discrimination as the greatest threat to the security of Russian Jews, it is less important to establish whether the applicant has paperwork stating that he or she is Jewish or has a Jewish-sounding last name, and more important to recognize that any applicant who could be perceived by anti-Semitic groups as Jewish could potentially be at considerable risk. Many of the violent attacks which now occur, including rapes, beatings, and killings, are because an individual "appears" Jewish to a group of right-wing or anti-Semitic assailants.⁸⁶

Without access to documents about applicants and interviews with their acquaintances in Russia, there is no way to prove absolutely that an asylum applicant is, or is not, Jewish. Below are certain facts and considerations which may assist Asylum Officers in determining which issues to raise with applicants claiming asylum on the basis of their Jewish nationality or religion.

- ▶ If the applicant has a birth certificate or internal passport from the Soviet era identifying the applicant as Jewish, there is no particular reason to doubt that the applicant is Jewish. Soviet officials were not known to issue such documents to non-Jews, and having documentation identifying one as Jewish meant considerable state-sanctioned and unofficial discrimination and harassment.
- ▶ It is possible that a Jewish applicant could have an internal passport which states that he or she is of Russian (or another non-Jewish) nationality if the applicant has one parent who is not Jewish. Many Jews chose to identify themselves with the nationality of their non-Jewish parent to avoid bureaucratic discrimination and harassment. Birth certificates

⁸⁶"Russia," *Chicago Tribune* (Chicago: 25 July 1993), p. 16. U.S. Department of State, "Russia," *Country Reports on Human Rights Practices for 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 1032.

require that the nationality of both parents be listed, and if the two are different, the parents may choose to list the child as either nationality on the birth certificate and internal passport. If both of the applicant's parents are half Jewish, or one is half Jewish and the other of a different nationality, such as Russian, a birth certificate could list both parents, and the child, as non-Jews. They would, however, be known as partly Jewish by neighbors and by the state bureaucracy.

- ▶ Unlike many western European countries, there were no laws to prevent Jews from adopting typically Russian names if they chose to do so, although they would not legally have the option to describe themselves as non-Jews if their parents were both Jewish. There is, obviously, also the possibility that an applicant could have obtained documentation as a Russian national on the black market, in an effort to lessen exposure to discrimination and harassment. Moreover, while there are no legal barriers to obtaining an official copy of one's birth certificate, there are a variety of reasons why a Jewish applicant might have chosen not to do so: the Russian bureaucracy is notoriously inefficient, corrupt, and slow. Applicants could have assumed that by requesting their birth certificates, they could be tipping off the security services to their plans to leave the country permanently. In summary, while an explanation may be requested for applicants who claim to be Jewish but have no documentation to establish the fact, there is no certain method by which the applicant can "prove" he or she is Jewish, or that an Asylum Officer can "prove" that he or she is not. The applicant may have a reasonable explanation, and such information should be elicited in the interview if the Asylum Officer has doubts about the applicant's nationality.

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