



LEGAL STORYTELLING  
IN THE SOVIET UNION:

THE SEMENCHUK CASE OF 1936

Anna Lukina  
University of Oxford

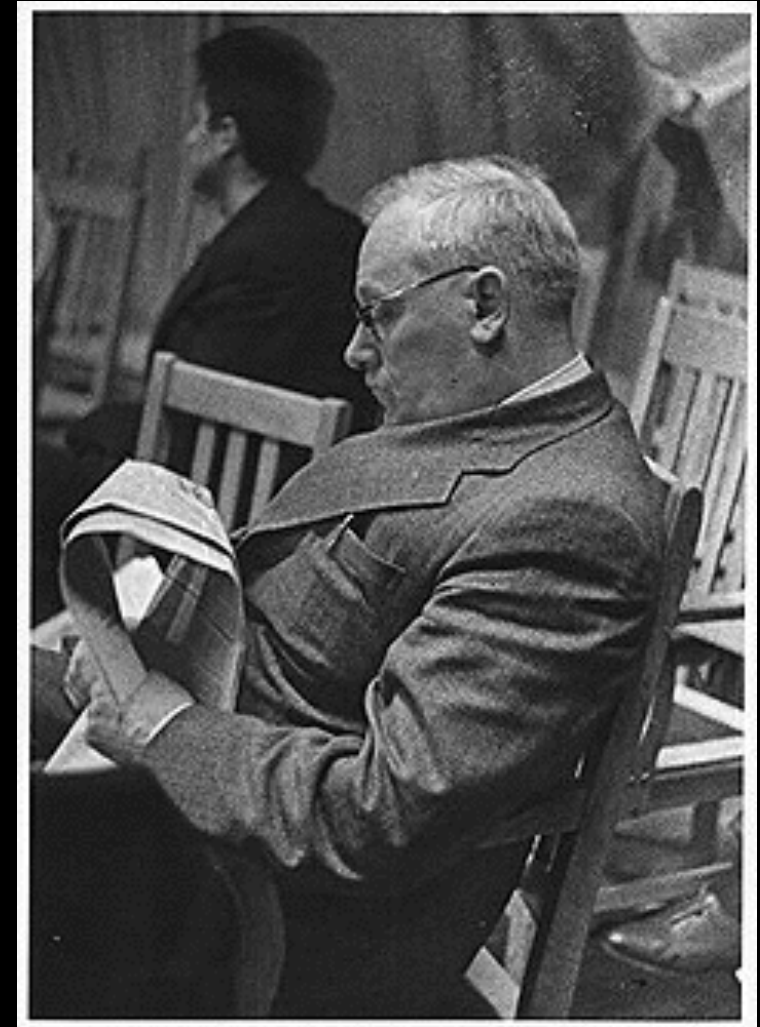


# LEGAL NARRATIVES

- A legal narrative can include legal rules, their application in courts, policy debates, and scholarly considerations (Weisberg)
- Working definition: the account of events produced by the defence or the prosecution (Rideout)
- A Soviet legal narrative can be defined as ***a chronological account of the facts of a specific case, which was presented as the primary story, in a Soviet court***

# HISTORICAL CONTEXT

- 1930s were characterised by shift to legalism, emphasis on legal institutions (such as courts) in order to achieve state aims (part of the "Socialism in one country" policy)



Andrey Vyshinsky, the prosecutor in the Semenchuk case and the mastermind behind the 1930s legal reform  
(as well as the Moscow Trials!)

# SOVIET LEGAL NARRATIVE



"Soviet court is the People's court" (1951)



Stalin and the 1936 Constitution

- Populist appeal
- Focus on character
- *Mens rea*
- Political motives involved

# THE SEMENCHUK CASE (1936)

- Semenchuk and Startsev (defendants) were charged with **banditism** for their activities on the polar station
- Mistreating indigenous population, depriving them from food, and finally murdering Dr Wolfson who spoke up



Semenchuk,  
the head of  
the polar station



Dr Feldman, Dr Wulfson's widow

# THE PROSECUTOR'S NARRATIVE

- Defendants: "adventurist", "highwayman" (Semenchuk); "liar", "coward", but at the same time sly (Startsev)
- Wulfson: "honest and sincere person", "selfless"
- Crimes: "colonialist", "Tsarist"
  - **ACCEPTED BY THE COURT:**
    - "mercilessly-soulless" crimes
    - "tried to revive the practices of capitalists in relation to indigenous people"

# DEFENCE'S NARRATIVE

- **Kaznacheev (Startsev's attorney):**
  - "half-barbarian", easily led and has no motive of his own
- **Semenchuk himself:**
  - Wulfson: lazy, required a "servant"
  - Overall harsh conditions: drunkenness, lack of food for hunting
- **Komodov (Semenchuk's attorney):**
  - accepted the banditism charges (and added to them), but denied murder charges



# ALTERNATIVE EXPLANATION

- This case was an instance of a repeated phenomenon caused by mismanagement of the polar stations by authorities higher up (documented by Slezkine and McCannon): drunkenness, lack of political literacy, etc. Mistreatment of native population was also a normal occurrence in the Soviet practices.
- Blame was pushed on individual perpetrators in order to distract the public from broader flaws.

## ***Chelyuskin* drowning: example of Soviet failures**

(depicted by Reshetnikov, 1973)





# CONCLUSION

- The Semenchuk Case was probably not decided perfectly, but this is not the issue posed by the paper
- Rather, it presented a perfect illustration of the Soviet legal practices: narrative was given primacy over legal analysis and investigation of the facts