

MP
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JUSTICE /1800/
Lawyers /1805/
PERSECUTION AND PURGES /2200/
Morale and Political pressure

LAWYERS PURGE IN BULGARIA

SOURCE PARIS : Bulgarian refugee

DATE OF OBSERVATION : Current

EVAL. COMMENT : Prior to 9 September 1944, Bulgaria had a democratic and Western law system, and the highly respected judges and lawyers were a group of non-political persons, who remained unaffected by political trends.

As early as September 1944, during the terror of mass executions, the Communists found strong resistance from the above mentioned class, and took steps to reform the Bulgarian code of laws after the Soviet fashion. The Ministry of Justice acted as a puppet whose strings were manipulated by militia and state security organization. The lawyers associations were purged. In 1948, during the elections for membership to the bar, when only 20 per cent of the votes went to the Communists, the newly formed bar was dissolved, the anti-Communists were removed from office and Communists were elected to fill the vacancies. As a result of this defeat the Communists found it necessary to introduce a new law, barring all anti-Communist lawyers from this profession /see Item 2364/52./

The information about the present organization of the lawyers in Bulgaria corresponds with the "Decree for Lawyers Practice," published in the official "Izvestia na Presidiuma na Narodnoto Sabranie," issue No. 49 of 10 June 1952.

No information is available here about the details of the purges, which took place prior to the formation of the lawyers collectives, nor about the internal regime of these collectives. The reported persons are known to this office.

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A recent law published in Bulgaria suppresses the liberty to choose one's own lawyer and forbids the lawyer to deal directly with the client. He must follow the instructions of the Collective to which he belongs. The Secretary of the Collective fixes both the conditions of defense and the lawyer's fee. The lawyer is given at the end of the month whatever fees he has earned minus taxes and charges which total about 30 per cent.

The purge which took place before the formation of the lawyers' collective and the internal regime of these collectives has not, however, been published. There are about 40 lawyers' collectives in SOFIA, each comprising between 15 and 40 members.

This law provides for the purging of members of the bar who participated in Fascist activity prior to 1944, who had a poor reputation in the courts or in society or who were "dissolute". Article 2 of the law makes 7 classifications of such crimes and includes Fascism, doubtful morality, bad reputation and commercial activity.

A Commission composed of three members - a representative of the judges, a representative of the public prosecutor and a representative of the Order of Lawyers, was formed for first appeals. A High Commission composed of a judge of the Supreme Court of Appeal, an attorney from the Supreme Court of Appeal and a lawyer of the Superior Council of the Order, was also formed.

The procedure was as follows: The fate of the lawyers in general was put into the hands of a few lawyers who were Communist Party members. The personal file of each lawyer, held by the Militia, was examined. All lawyers who had belonged to various political groups such as: Malinov's Democrats, the Agrarians of the GITCHEV-VERGIL DIMOV faction, Professor TZANKOV's movement and other groups, were excluded. Next crossed off the list were the names of lawyers who had belonged to the two opposition factions - NIKOLA PETKOV's Agrarian and the TCHECH-MEDJIEV-LOULTCHEV Socialist group. The names of lawyers who had appeared for the defense in trials before the People's Courts, were also expelled. It will be remembered that a violent polemic broke out between the Party newspaper RABOTNICHESKO DELO and the newspapers of the Fatherland Front Parties apropos of these

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trials. The Communists declared that the crimes of the accused were so heavy that no self-respecting progressist lawyer would defend them. The other papers, IZGREV, ZEMLEDELSKO ZNAME and NAROD, declared that all prisoners have the right to a lawyer of their own choice. Party influence was not strong at this time and the Communists deemed it wiser to submit to public opinion. But they revenged themselves by striking off the list of lawyers the names of those who had defended the accused at this trial. Besides, the Communist lawyers had been forbidden to defend any of the cases.

Personal rancour against colleagues has been an important factor in this purge of the lawyers. This may happen at all times, but is particularly marked at present when the order of the days is "revolutionary hatred."

The lists prepared on this basis were presented to the first commission which registered the results and communicated them to each lawyer separately, evoking a motive taken by chance from among those mentioned under article 2 of the law. Of 48 Jewish lawyers in SOFIA 25 were struck off the list for Fascist activity between 1939 and 1944. The lawyers in question were actually in concentration camps on German orders at this time.

The following Communist lawyers were in charge of the purges: Dr. Liuben DUKMEDJIEV, Atanas ARMIANOV, D. VAPZAROV, Stephane MANOV, Nedeltcho BRANEV, Stephane VELITCHOV, Sv. KIRADJIEV, Kl. MECHKOV, N. MECHKOV, Nikola KOINOV, N. RAITCHEV, Naiden MALEEV, A. LAZAROV and many others. There were 3000 lawyers in SOFIA alone to be investigated. The results were that 2,100 lawyers were purged leaving only 985 to form the Collectives. Ezra BENATOV, Leo KOEN and Eduard ARIE were entrusted with the task of purging the Jewish lawyers.

The lawyers were tried according to methods similar to those employed by the Spanish Inquisition. The accused had no idea of why he was being tried. He was sentenced to be struck off the list of lawyers on various accusation. The lawyer had a right to make an appeal within a month to the High Commission, but he was asked to prove that certain accusations were false without knowing what they were. Certain lawyers attempted to make an appeal and to have it signed by judges and colleagues certifying that they had led a decent life, were not dissolute, etc. according to these vague accusations. In rare cases this was effective if the lawyers in question had not been politically active or if the accusations

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had been the result of personal rancour. KUTSAROV and L. DANAILOV and a few others were reinstated in these circumstances.

In theory the High Commission confirmed the decisions of the ordinary commission. Members of the first commission were: Judge N. UNDZHIEV, the Attorney IVANTCHEV and the lawyers BRANEV and VELITCHOV in turn. Naiden RAITCHEV, PETROV and Svetoslav KIRADZHIEV were members of the High Commission.

The following famous lawyers were purged at this time: Dr. P. DZHIDROV and his son, N. DZHEROV, Vlasaki MANOV, Iv. GUMNEROV, Secretary of the Order, Dr. KIOSEIVANOV, brother of the former President of the Council, Professor DIKOV, Anguel DERZHJANSKI, MAZANKIEV, T. STOILOV, PAPANTCHEV, DRAGOLOV, FAINOV, ex-Secretary General of the Ministry of Propaganda. The last named was however reinstated by the High Commission on the intervention of the former minister and President of the Council, Kimon GEORGIEV and Dimo KAZASSOV. His downfall was the result of a series of articles he had published in the newspaper IZGREV, organ of the ZWENO Party, to which he belonged, wherein he favored the accused at the Peoples Court and another article where he stated that there were no more Fascists in Bulgaria and that the "Hate Revolution" was no longer necessary. He lost his post at the Ministry, was excluded from the Committee of the Fatherland Front from the bar, but was, reinstated because of the valuable services he had rendered the regime.

These purged lawyers were deported from SOFIA to provincial towns and villages where they were forced to work on the railways, on the roads or on the farms. They were refused permission to work in offices, even as office boys. They were kept under constant police supervision and their neighbors avoided them for fear of being suspected of reactionary sympathies. Those who were lucky enough not to have been interned in concentration camps are still living the life of outcasts. Many of them have been interned, especially those who belonged to the new opposition parties. Their appartments and houses have been confiscated by the Government and handed over to loyal party members. They were given three days notice to leave their homes.

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