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UNIVERSITY OF LOUISVILLE

TROTSKY AND THE MOSCOW TREASON TRIALS

A Dissertation

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Of Master of Arts

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By

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TREASON TRIALS

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TROTSKY AND THE MOSCOW TREASON TRIALS

INTRODUCTION

Someone has said that Hitler failed to conquer Russia because there was no strong internal ally, i.e. 'Fifth Column', to prepare for his armies. Such an opinion heaps enormous credit upon Joseph Stalin because he launched investigations and trials of alleged traitors as early as 1935. Some critics prefer to call the trials and resultant executions 'blood purges' since they also served the purpose of eliminating virtually all of Stalin's political opponents.

Long before the rest of the world learned by tragic experience about the infiltration methods of the Nazis, Stalin's government claimed that it had uncovered a fascist-supported conspiracy which aimed at paralyzing Russia from within in case of an armed invasion. When the first group of 'traitors' came to trial in August, 1936, the charges gained international importance and foreign diplomats and journalists watched the proceedings of this and two subsequent trials with increasing interest.

To some observers the trials represented an excuse by Stalin to rid himself of troublesome politicians who had some weight in public life by virtue of their past prominence in the Party and in the Russian Revolution. Among these were such men as Zinoviev and Kamenev, who at one time shared the Party leadership with Stalin; Rykov, former Prime Minister; Bukharin, one-time director of Izvestia, and many others.

Stalin was trying to kill off his former associates, his anti-Soviet critics claimed, in order to stand as the sole important figure surviving the Bolshevik Revolution and, thus, the unchallenged leader of the Russian state.

Other observers, who were already decrying the menace of fascism, appreciated the caustic rebuffs dealt the designs of Germany, Italy and Japan. They saw the detailed accounts of sabotage plots as a pattern of what was being done in France, Norway, Czechoslovakia. The experience of a second World War, including Hitler's unsuccessful attack upon the Soviet Union, may or may not be taken as justification of this indirect praise for Stalin's foresight. And as for the justice and validity of the charges against Zinoviev, Kamenev, Rykov and company it remains a matter for debate.

But one of the main purposes and results of the three Moscow trials, as fully recognized at the time, was the attempt by the prosecution to destroy once and for all any influence which Leon Trotsky might still have in Russia. It is this phase of the trials with which this study attempts to deal. The confessions of the accused built up a sordid tale of deceit and intrigue around Trotsky's name. With Trotsky as subject, one could read the record of the trials and construct a biography of villainy. And were it not

for Trotsky's own voluminous writings (he estimated them at 5,000 printed pages up to 1938) it is possible that posterity would remember him only as a Benedict Arnold or, to be more exact, an Aaron Burr.

The rather unconventional procedure of Soviet criminal trials, however, caused many disinterested voices to be raised in Trotsky's defense. They spoke for justice and asked that he be given the right to state his case. In the United States prominent publications like the Foreign Affairs Quarterly, Reader's Digest, Saturday Evening Post, American Mercury, the New York Times along with other newspapers opened their pages to anti-Soviet writers who described the trials with such terms as: "Stalin's vengeance on Trotsky" and the product of "Stalin's oriental vindictiveness." The Louisville Courier-Journal met the second Moscow trial with this sarcastic editorial on January 24, 1937:

"With Leon Trotzky safe from Soviet justice in his new-found haven in Mexico, Russia is putting on another one of those fantastic shows, a treason trial and a trial of alleged Trotzkyists. Karl Radek and sixteen others are facing Red judges on the charge of conspiring to overthrow the Stalin regime. Like Gregory Zinovieff and Leon Kameneff, they are leading figures in the Communist State. Unlike the two former rulers of the Soviet Union, they have been on friendly terms with the dictator until very recently, but like them their fate is sealed.

"Russian justice is that way. Once the accused is brought to trial, he is guilty. The proceedings are carried on only to allow the prisoner, or prisoners, to make an abject confession. The preliminary investigation and the work of the secret police leave no other recourse than admission of guilt. The preliminary questioning and the third degree of the OGPU with its warning that members of the victim's family will be punished unless he makes a clean breast of the case, foreshadow the doom to come.

".....How Radek fell from grace perhaps will never be known. His confession, if he makes one, will throw no light on the so-called Trotsky conspiracy. The charges and the argument of the prosecutor will offer no enlightenment. The fact that he fell from grace is the all-important thing and for this he no doubt is convicted in advance."

The list of authors who wrote in this vein is large: Max Eastman, Trotsky's former official translator; Albert Goldman, Trotsky's American lawyer; Alexander Barmine, former official in the Russian Foreign Office; "General" Krivitsky, who appeared before the Dies Committee as a former member of the OGPU; Isaac Don Levine and William Henry Chamberlain, rabid anti-Soviet feature writers for the Hearst Press, and James Burnham, who claimed the trials were an insidious attempt on Stalin's part to enlist the aid of France, Great Britain and the United States in a 'holy war'¹ against the Axis.

But the most important defense of Trotsky was made by himself--not in another book but in his personal testimony before an international commission of inquiry

which sat at his Mexico retreat in the Spring of 1938. The commission was headed by the eminent philosopher, Dr. John Dewey, who added stature to the humanitarian purpose of the cause, namely, to give a man who was convicted in absentia an opportunity to state his case.

This study will, therefore, treat a dual subject: the career of Leon Trotsky as revealed in the evidence at the Moscow trials compared with Trotsky's own defense and account of his political activity. There can be little reconciliation of the two fields of investigation because they lie at different poles. The truth probably falls in the realm of a compromise but it is difficult to ascertain and meaningless to search for. The thesis must rest content with uncovering and bringing together from a variety of sources the two interpretations of Trotsky's political activity. On the one hand, the official translations of the Moscow trial proceedings spin a tale of treason; on the other, a transcript of Trotsky's testimony before the Mexico inquiry commission presents his defense. Other authentic comment from reliable on-the-spot observers will be employed when advisable.

Such an undertaking presents a huge problem in planning. The plan of this study is as follows: first, a chapter on the Moscow trials; then a section on Trotsky's

counter-revolutionary activity from 1923 to 1936 as revealed in the testimony of the accused in the three trials; a chapter on Trotsky's rebuttal and defense, and a concluding section dealing with the question of the authenticity of the confessions and justice of the charges against the accused. The latter is pertinent to the subject of Trotsky because he himself denounced the trials as a "frame-up" and quoted many possible theories to explain why his former friends lied about him.

What emerges from the study is not a concrete conclusion. But instead, two irreconcilable set of 'facts' are presented--facts in the sense that both claim to be substantiated by evidence. The account seeks no conclusion and attempts to incorporate no bias. The nature of the case warrants neither.

(Needed footnotes are bound at the end. Where statements are made which seemingly need documentation but are not carried in footnotes, the material was taken directly from one of the four primary sources listed in the Bibliography. Pages numbers in the body of the text apply to the appropriate primary source material. For example, testimony quoted from Trotsky is taken from the Case of Leon Trotsky, report of the proceedings of the commission of inquiry; Material relating to one of the trials is lifted from the official report of trial proceedings published by the Soviet Government).

I. TRIED FOR TREASON

I. TRIED FOR TREASON

The story of the Moscow trials has its immediate inception in the murder of Comrade Sergei Kirov, secretary of the Communist Party in Leningrad. The event served to start the secret police on a trail of investigation which did not end until several years later.

At 4:27 p.m. on December 1, 1934, Kirov left his office in the Smolny Institute in Leningrad. He walked down a long marble-lined corridor leading to a chamber where he was to deliver a report on the Central Committee's decision to abolish bread-rationing. As he passed an intersecting corridor, a man sprang out, thrust a revolver at the back of his head and fired. Within three minutes, Sergei Kirov was dead.²

The assassin, Leonid Nikolayev, attempted to flee and then to shoot himself, but police seized him before he could do either.

The murder had an electrifying effect on other members of the Communist Party. Although Kirov was a relatively minor official, Stalin and other high officers personally visited Leningrad to lend prestige to the investigation. The Soviet press informed the world that the assassination was the work of "White Guardists", one hundred and four of whom were reported rounded up and shot within two weeks.

On December 28, Leonid Nikolayev and twelve of his alleged accomplices were placed on trial in a closed session of the Military Collegium of the Supreme Court of the U.S.S.R.³ Nikolayev, according to Soviet news dispatches at the time, confessed that a foreign consul in Leningrad paid him five thousand rubles for organizing the terrorist group to kill Kirov.

All members of the diplomatic corps demanded, since they were compromised, that the GPU reveal the name of the foreign official. Within a few days he was identified as the Latvian consul, Bisseneks, who left Russia immediately for Finland.⁴

The Military Collegium sentenced Nikolayev and his companions (including Kotolynov, Rummyantsev and Sossitsky) to be shot. After they were executed the investigation continued. The Party appointed a special investigator, N. I. Yezhov, who soon implicated political figures in Moscow with responsibility for the crime. Two weeks after Nikolayev's trial closed, the Military Collegium was called upon to try Grigori Zinoviev, Leo Kamenev and Ivan Bakayev on charges of "moral responsibility" for Kirov's death.

Zinoviev and Kamenev, both veterans of the early revolutionary struggle for power, admitted that they belonged to a "Moscow Center" of political opposition to the Party leadership and that they had been involved in activities which "created an atmosphere" conducive to "anti-Soviet activities." The verdict of the court:⁵

"The trial did not bring to light any facts furnishing grounds for qualifying the acts of the members of the Moscow Center in connection with the assassination of Comrade S. M. Kirov on December 1, 1934, as being a direct incitement to this heinous crime; nevertheless, the trial has completely confirmed the fact that the members of the counter-revolutionary Moscow center were aware of the terrorist sentiments of the Leningrad group and inflamed these sentiments."

Zinoviev was sentenced to ten years' imprisonment and Kamenev to five. Seventeen other persons received similar prison terms.

Continued investigation also implicated agents of the GPU in Leningrad. One week after the Zinoviev-Kamenev trial, the head of the Leningrad section of the secret police, Medved, and eleven of his fellow officers were put on trial for "having information on the plot against Kirov" but not taking "measures to discover and put an end to it."⁶ They also were given prison terms. The GPU's part in Kirov's murder became clearer only three years later when Henry G. Yagoda, chairman of the GPU,

confessed as a defendant in the third Moscow trial that he instructed the Leningrad section not to pursue investigation of the plot against Kirov. According to Yagoda's later confession, Nikolayev had been arrested in Leningrad before the murder. GPU agents found in his possession a gun and a chart showing the route Kirov traveled daily. When the news came to Yagoda in Moscow, he instructed Zaporozhez, assistant chief of the Leningrad section, to release Nikolayev.⁷ For some reason, this fact was not revealed in the trial of early 1935 and Yagoda continued as head of the GPU until the summer of 1937.

Leon Trotsky's name became involved in the trial of Kirov's assassin. Russian accounts of the trial quote Nikolayev as saying that the Latvian consul offered to transmit letters from the Leningrad terrorist group to Trotsky.⁸ (Trotsky had been living abroad since 1929). There was never a clear explanation given of the foreign connection with Kirov's murder; only the report and a hint that Trotsky was involved

1. The First Trial

The Soviet Government announced in the summer of 1936 that new evidence had been unearthed by agents investigating the Kirov murder which proved the existence

of a widespread plot to kill other Soviet Leaders. The new evidence allegedly showed that the Leningrad terrorist group was only a small section of a larger center for terrorist activity. The larger unit was directed in Moscow and was said to have the formal name of "Trotskyite-Zinovievite Terrorist Center."

At ten minutes past noon on August 19, 1936, sixteen members of the Moscow center went on trial before the Military Collegium (the section of the Soviet Supreme Court which handles crimes against the state) on charges of treason. Zinoviev and Kamenev were brought back from prison to be the leading defendants representing the Zinovievite faction. I. N. Smirnov, former Red Army officer and former associate of Trotsky, was the accused leader of the Trotskyites. Most of the others were confessed killers, spies and disgruntled politicians.

President of the court was Army Military Jurist V. V. Ulrich, who was assisted by Army Corps Military Jurist I. O. Matulevich and Jurist I. I. Nikitchenko. (From page 7 of the Case of the Trotskyite-Zinovievite Terrorist Center, printed in Moscow, 1936).

The setting of the trial is described by the former American ambassador to the Soviet Union, Joseph Davies, in his book, Mission to Moscow. He said that

the October Hall of the House of Trade Unions, where the trial was held, was a former fashionable club in the Czarist days. The three judges sat at the front of the hall in an elevated dias. Five feet below the dias was a well containing the witness stand and a desk for the court secretary. The defendants sat in four rows of four each in a jury-box affair to the right of the dias. On the opposite side of the well sat Prosecutor Andrei Vyshinsky. The large, high-ceilinged hall was always crowded with hundreds of workers--a different group at each session. The press gallery was filled with foreign officials as well as newsmen from both foreign and domestic news services. 9

Ulrich formally opened the court by introducing the accused and asking them if they objected to the composition of the court or the State prosecution. They indicated no objection. He then announced that all of the accused "have declined the services of counsel for defense" but added that "all rights of defense are extended to them personally, i.e., the right to put questions to witnesses and to the other accused, to petition the court in all matters of procedure, to deliver speeches in their own defense, etc." (Page 9)

The bulky indictment was then read by the
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secretary:

"...On the strength of newly revealed circumstances ascertained by the investigating authorities in 1936 in connection with the discovery of a number of terrorist groups of Trotskyites and Zinovievites, the investigation has established

that Zinoviev, Kamenev, Evdokimov and Bakayev, who were convicted in the "Moscow centre" case (1935), actually not only knew that their adherents in Leningrad were inclined towards terrorism, but were the direct organizers of the assassination of Comrade S. M. Kirov.

"...These newly revealed circumstances establish without a doubt that:

- 1) At the end of 1932 the Trotskyite and Zinovievite groups united and formed a united centre consisting of Zinoviev, Kamenev, Evdokimov and Bakayev (from the Zinovievites) and I. N. Smirnov, Ter-Vaganyan and Mrachkovsky (from the Trotskyites), all charged in the present case.
- 2) The principal condition for the union of these counter-revolutionary groups was their common recognition of the necessity for individual terrorism against the leaders of the CPSU and the Soviet Government.
- 3) Precisely from that time onwards the Trotskyites and Zinovievites, acting on direct instruction from Leon Trotsky, received by the united centre through special agents, concentrated their hostile activities against the CPSU and the Soviet Government mainly on the organization of terrorism against the most prominent leaders of the Party and the Government.
- 4) With this end in view the united center organized special terrorist groups, which prepared a number of practical measures for the assassination of Comrades Stalin, Voroshilov, Kaganovich, Kirov, Orjonikidz, Zhdanov, Kossior, Postyshev and others.
- 5) One of these terrorist groups, consisting of Nikolayev, Rumyantsev and others, who were convicted by the Military Collegium on December 28-29, 1934, carried out the foul murder of Comrade S. M. Kirov. (Pages 10-11)

The indictment then launched into a lengthy recital of the testimony already collected from the sixteen

defendants in pre-trial examinations. The indictment quoted volume and page number of the testimony collected and these volumes stood ready for use on the desk of Prosecutor Vyshinsky.

The essence of the charge was that a Trotskyite-Zinovievite terrorist center had been formally organized in 1932; that it had no political program of its own; that the accused readily admitted the success and greatness of Comrade Stalin's leadership, but were blinded by such great thirst for political control that they sank to terrorism and White-guardism.

"The accused in this case," the document said, "have fully admitted their guilt of the charges preferred against them. The only exception is I. N. Smirnov, who categorically denies that he took part in the terroristic activities of the united Trotskyite-Zinovievite centre." But testimony from seven other defendants and one witness was quoted to prove that Smirnov was lying. (Page 38)

Leon Trotsky and his son, L. D. Sedov, were dealt with also in the indictment:

"Having been exposed by the materials in the present case as having directly prepared and personally guided the work of organizing the terroristic acts against the leaders of the CPSU and of the Soviet State, they (Trotsky and Sedov) are subject to immediate arrest and trial by the Military Collegium, in the event of their being discovered on the territory of the U.S.S.R."

--(Page 38)

After the reading of the indictment, Comrade Ulrich asked the accused in turn if they were pleading guilty. Fourteen answered in the affirmative, but Smirnov and Holtzman denied personal participation in preparation of terroristic acts.

The first of the accused to testify is Mrachkovsky, whom the court record describes as "the man most in the confidence of Trotsky and personally closest to him." (Page 40) He blamed Trotsky with creation of the terrorist center through connection with Smirnov. He related that Smirnov brought instructions from Trotsky which he had obtained in Berlin in 1931 from Trotsky's son, Sedov, urging Trotsky followers to resort to terrorism. The message in effect said: "Until we put Stalin out of the way, we shall not be able to come back to power."

VYSHINSKY: "What do you mean by the expression: Until we put Stalin out of the way?"

MRACHKOVSKY: "Until we kill Stalin. At that very first meeting in the presence of Smirnov, myself, Ter-Vaganyan and Safonova, I was given the task of organizing a terrorist group, that is to say, to select reliable people. ...That period, 1931 to 1932 was spent in preparing people for acts against Stalin, Voroshilov and Kaganovich."

Dreitzer, next on the stand, collaborated Mrachkovsky's testimony and then launched into a

denouncement of Smirnov's vacillating position. He said the question of a united front with Zinovievites arose in 1932 and the Trotskyites sent a letter through Holtzman asking Trotsky's advice. Trotsky's reply came through a man named Gavin, instructing that the basis of the union should be terrorism.

Turning to Smirnov, Vyshinsky asked if it was he who received the letter through Gavin. Smirnov replied in the affirmative.

"There could be no acting on one's own," Dreitzer told the court. "No orchestra without a conductor. I am surprised at the assertions of Smirnov, who, according to his words, both knew and did not know, spoke and did not speak, acted and did not act. This is not true." (Page 51)

Dreitzer also told of two meetings he had with L. Sedov in a cafe in Leipziger Strasse in Berlin in the autumn of 1931. He was told by Sedov that instructions would be sent from Trotsky later. These instructions came three years later in a German cinema magazine brought from Warsaw by Sedov's sister. A letter in Trotsky's handwriting in invisible ink urged speeding of plans to assassinate Stalin and Voroshilov. Both Dreitzer and Mrachkovsky affirm that the letter was read by them and then

burned for reasons of secrecy.

Several lesser figures in this first trial testify to numerous attempts on the life of public leaders. Bakayev says he was involved in a plot against Stalin in October, 1934, together with Kamenev, Evdokimov and others.

Pickel said he participated in plans for two other attempts on Stalin's life. One took place in the autumn of 1932 under the direction of Zinoviev and the other in 1933 with Bogdan, Zinoviev's secretary, as the designated assassin. No details of the three plots are given in the court record, however.

Only very indirect hint at German interest in the Russian terrorist groups is contained in the first trial. Nathan Lurye, an admitted Trotskyite, confessed that he was a member of a terrorist group headed by a German engineer-architect, Franz Weitz, who supposedly had told Lurye in confidence that he had been sent to the USSR on instructions from Heinrich Himmler, then chief of the troops and later chief of the Gestapo.

V. Olberg, another of the accused, attempted to allign Sedov with the German secret police when he testified that Sedov secured a false passport from a Nazi agent in order to make an illegal entry into Russia for Olberg in order that he might carry out terrorist work. The passport, bearing the credentials of a Latin American

country, was introduced by Vyshinsky as the sole bit of documentary evidence to be introduced at the trial.

Holtzman, Fritz David and K. B. Bermin-Yurin, all first-trial defendants, told the court they met Trotsky in Copenhagen in late 1932 and received personal commissions to organize assassination plots against Stalin and other government officials.

The three principal figures of the first trial (Zinoviev, Kamenev and Smirnov) were saved until last to testify. Meanwhile, the sensational evidence unveiled by the accused in their testimony created nation-wide attention through the Soviet press. "Probably nothing since Lenin's death so universally stirred public emotion in Russia," said R. T. Miller, long-time correspondent of the London Daily Herald. "The man-in-the-street felt himself personally menaced and injured...and wanted corresponding vengeance. No one who knows Russians and talked to them, even casually ...could doubt this. For days there was scarcely another topic of conversation; a home, cafe, hotel, waiting room or tram car that did not clatter with the names on the indictment; a newspaper unopened to the report of the testimony. Sentiment was all but excluded from the court-room, however, and the conduct of the trial was exemplary." ¹¹

Before a packed house, Zinoviev described his part in the counter-revolutionary struggle, attributing it to baser motives than Kamenev or Smirnov would admit.

Zinoviev told the the court that "we were convinced

"that the leadership must be superceded at all costs, that it must be superceded by us, along with Trotsky. In this situation I had meetings with Smirnov who has accused me here of frequently telling untruths. Yes, I often told untruths. I started doing that from the moment I began fighting the Bolshevik Party. In so far as Smirnov took the road of fighting the Party, he too is telling the untruth. But it seems, the difference between him and myself is that I have decided firmly and irrevocably to tell at this last moment the truth, whereas, he, it seems, has adopted a different decision." (Page 72)

Kamanev was one of the more provocative defendants. His testimony outlined the plan of action by the Trotskyite-Zinovievite Terrorist Center, thereby implicating several prominent Russian leaders of the Right Opposition--Rykov, Bukharin and Tomsky. He also volunteered that Sokolnikov was a secret member of the center.

The following day of the trial, with the examination of the accused completed, Prosecutor Vyshinsky made an electrifying announcement. He said he had ordered investigation of Tomsky, Rykov, Bukharin, Uglanov, Radek and Pyatakov because of the testimony of Kamenev, Zinoviev and Reingold. Thus, the ground was laid for a second and third Moscow trial.

The morning of August 22 was devoted to Vyshinsky's long speech for the prosecution. He recapitulated the testimony, drew a hideous picture of terroristic activity

and warned persons contemplating terrorism to beware. He assailed Trotsky and generally extolled the virtues of the Communist Party program under the leadership of Stalin. One paragraph of Vyshinsky's long harangue will give its essence:

"During the preceding days of the trial, these gentlemen tried to strike a noble attitude. They, or at all events their leaders, spoke about their terroristic plot with a certain pose; they sought and expected a political evaluation of their crimes; they talked about political struggle, about some kind of political agreement as with some kind of alleged political parties. And, although they admitted that in reality they had no political platform, that they did not even feel the need to draw up a platform because, on their own admission, their platform could be written at one sitting in a couple of hours, nevertheless, they tried to pose as genuine political figures....And when they spoke about the interests of the working class, about the interests of the people, when they will speak about this, in their speeches for the defense and in their last pleas, they will lie as they have lied hitherto, as they are lying now, for they fought against the only people's policy, against the policy of our country, against our Soviet policy. Liars and clowns, insignificant pigmies, little dogs snarling at an elephant, this is what this gang represents." (Page 122)

After the accused had made their last pleas, the trial came to a close at 7 p.m. on August 23, four days after it began. The verdict, condemning all sixteen to be shot, was read at 2:30 p.m. the following day. Within 24 hours the sentences were executed.

2. Second Trial

Following through on his announcement of further investigations, Vyshinsky collected another 17 persons for trial before the Military Collegium. The principal defendant was Pyatakov, old-time associate of Trotsky. He was charged with using his strategic office as Assistant People's Commissar for Heavy Industry to formulate a sabotage program which would have paralyzed the Soviet Union in case of armed attack. Also on trial were Sokolnikov, former Assistant People's Commissar for Foreign Affairs, Radek, Serebryakov and Muralov--all of whom confessed previous association with the Trotskyite underground.

The trial opened on January 23, 1937 with Comrade V. V. Ulrich again presiding. The subject of this second trial was sabotage, just as terrorism had been the theme of the first. The principal difference in the two cases was the fact that Vyshinsky was now able to link the conspiracy to foreign connections. Germany and Japan are mentioned specifically by several of the accused. For the most part, however, Vyshinsky guards against direct accusations or denunciations of either of the two fascist powers.

Pyatakov was the first before the microphone. One observer said he "looked like a college professor¹² delivering a lecture." He quietly admitted that he was the leader of the Trotskyite organization and that he had been guilty of numerous crimes of sabotage. American Ambassador Davies attended the trial sessions regularly and felt the material of sufficient weight to give it priority in his report to Washington as well as a large place in his diary (Mission to Moscow). This is his summary of the principal defendants:

"SOKOLNIKOV: Round face, swarthy, and high forehead. He delivered himself of what might appear to be a dispassionate lecture upon his participation in the conspiracy, and expounded logically and clearly the reasons which prompted him and his associates to launch upon a plot with Japan and Germany; the basis of which was that there was no possibility of projecting their plans for the betterment of the Russian people internally because the Stalin government was so strongly entrenched that mass action within could not overthrow it and that historically they had reason to believe that their best chance was to rise to power through a foreign war and to create a smaller state out of the embers, because of the friendly disposition of the victors (Germany and Japan), and the probable attitude of the western powers of Europe in the resultant peace arrangements.

"SEREBRYAKOV: As mild-mannered a pirate as ever slit a throat (with a cherubic face), who casually recited horror after horror which he had projected. He seemed more or less resigned in his demeanor.

"MURALOV: A soldierly-looking man with a goatee, a shock of gray hair, and fine aquiline features. He conducted himself with fine dignity, and appeared manly and straightforward. There were many indicia of

truth speaking in the natural manner in which he told of his reasons for supporting Trotsky as one of his oldest and best friends and a great man, who had been a man "when others were mice," and again when he spoke of his reasons for refusal to confess, and his ultimate recantation.

"RADEK: (short and stocky with an aggressive and brilliant personality), rather dominated the courtroom. He was dressed like a peasant and his personality was accentuated by a fringe of whiskers underneath his chin. His attitude was that he was one of the political leaders in the plot and that, while he had not personally participated in these specific crimes...he had knowledge thereof, and did not seek to evade responsibility... He had several sharp colloquies with the prosecutor and did not come off second best."

Davies also reveals that the prevailing opinion among the entire diplomatic corps in Moscow, "with possibly one exception," was that the proceedings established clearly the existence of a political plot and conspiracy to over-
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throw the government.

After the direct examinations, Vyshinsky gave his lengthy concluding speech in which he asked death for all the accused. One paragraph of his speech seemed to rise above the surroundings and strike a note of unusual sincerity. "We are keenly interested," he said, "that the government of every country which desires peace, and is fighting for peace, should take the most determined measures, to put a stop to every attempt at criminal espionage, diversive, terroristic activities organized by the enemies of peace, by the enemies of democracy, by the dark fascist forces which are preparing

for war, which are preparing to wreck the cause of peace, and consequently, the cause of the whole of advanced, the whole of progressive humanity."¹⁴

The last pleas of the accused did not bother to ask for mercy except by the lesser personalities. The longest and most logical was that of Radek, who gave a chronological account of his entanglement with the conspiracy.

At 7:15 p.m. on January 29, the court retired to prepare its verdict. At 3 a.m. the three judges returned to the bench with the verdict: thirteen (including Pyatakov) were to be shot; Sokolnikov and Radek, prison terms of ten years each; and two lesser figures also imprisonment.

"Not until three in the morning did Judge Ulrich convene the last session to read the sentence," one observer said. "It was received in complete silence, without a stir of the audience. Of all the prisoners, only Radek betrayed a sign of emotion, as his grimly resigned face suddenly went blank at the news that he was to be spared."¹⁵

Why was Radek Spared? Some critics who discounted the validity of the trials claimed that Radek unwittingly mentioned the name of Tukhachevsky, Assistant People's Commissar of War, in his testimony. On the second day of trial Radek had said: "Vitaly Putna came to see me with some request from Tukhachevsky." Vyshinsky asked him the

next day why he had mentioned Tukhachevsky. Radek promptly denied that Tukhachevsky had any knowledge of his (Radek's) true role as a conspirator or had any connection with the anti-Soviet movement. In any event, further investigation sealed Tukhachevsky's fate. Four months after the trial he was demoted to a minor command on the Volga. And the following month he was brought to stand court martial along with seven other Red Army generals before the Military Tribunal of the Soviet Supreme Court. The trial was held behind closed doors. The Soviet announcement of the trial said the generals were accused of being in the employ of the military intelligence of a country "carrying on an unfriendly policy toward the U.S.S.R." The official¹⁶ report continued:

"The defendants systematically supplied secret information about the position of the Red Army to military circles of this (unfriendly) country.

"They carried on wrecking activities for weakening the Red Army to prepare for the defeat of the Red Army in case of attack on the Soviet Union...."

Each of the eight generals was found guilty and shot.

Radek also gave some information linking Trotsky with Rudolph Hess in preparation of plans for a German attack on Russia. This information will be stated presently.

Since the second trial had unfolded a story of international intrigue it made even more startling news in the political circles of the world than had the first. Foes of Naziism quickly pointed to the "Fifth column" movement which the trial allegedly uncovered and warned of approaching disaster for other nations. They saw the possibility of ousted and frustrated politicians in other countries following the pattern of Trotsky in making secret deals with the Nazis. These spokesmen praised and justified Stalin's stern action.

Ambassador Davies recorded a frank conversation he had with Foreign Minister Litvinov on July 4, 1937, relating to the trials. "The Soviet Government has to make sure through trials and executions," Litvinov told him, "that no trace of treason is left which would cooperate with Berlin or Tokyo at the outbreak of war. Some day the world will understand, will understand that what we have done was to protect the Government from
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menacing treason."

3. The Third Trial

In May, 1937, an official government statement said that Bukharin, Rykov and Tomsky--members of the former Right Opposition--had been ordered arrested for investigation on treason charges. Tomsky, evading arrest, committed

suicide. Bukharin and Rykov stayed in jail nearly a year while the Government pushed its investigation of the conspiracy to the last ditch. At last, on March 2, 1938, Prosecutor Vyshinsky felt certain he had uprooted the whole of the fascist-supported movement and placed 21 citizens on trial before the Military Collegium on charges of treason. Beside Bukharin and Rykov, the defendants included Krestinsky and Rakovsky (confessed Trotskyites) and G. G. Yagoda, chairman of the GPU.

Vyshinsky called this the third layer of the conspiracy and gave it the title: the "Bloc of Rights and Trotskyites." This third level of the conspiracy was the most powerful and the most secret. Its discovery (in trial proceedings) led to a full-dress exhibition of the foreign alliances behind the internal conspirators. Trotsky, as in the other two trials, is the arch criminal. The full picture of a threatening foreign pact is the theme of the third indictment. Foreign sponsorship had been only a vague suggestion in the first trial, and a strong probability in the second. But now it stood out in bold relief.

The details of the German-Japanese connection with the traitors is not as clear as it might be since their specific testimony on the subject was received at

an in camera session on March 9. The closed meeting is reported in the verbatim report of the trial, published¹⁸ by the Soviet Government, as follows:

"At the session in camera the accused Rakovsky, Grinko, Rosenboltz and Krestinsky gave evidence about their treasonable, espionage connections with certain official representatives of certain foreign states.

"The Court established both the exact identity of the representatives with whom the above-mentioned conspirators from the anti-Soviet "bloc of Rights and Trotskyites" were connected, and the states they represented.....

"At this session in camera, the accused G. G. Yagoda gave testimony in which he fully admitted to organizing the murder of Comrade M. A. Peshkov, stating that he had pursued personal as well as conspiratorial aims in committing this murder." (Page 624)

Vyshinsky's indictment in the third trial set forth the full story of the conspiracy as he saw it. It had five specific charges against the accused: 1) that the "bloc of Rights and Trotskyites was formed in 1932-33 on instructions of intelligence services of foreign states hostile to the USSR; 2) that the bloc anticipated receiving armed assistance from these foreign states; 3) that the bloc systematically engaged in espionage; 4) that the bloc performed diversionist acts in such spheres as finance, municipal development, industry, agriculture and railways, and 5) that the bloc

organized a number of terrorist acts against Soviet leaders and were actually responsible for the murders of S. M. Kirov, V. R. Menzhinsky, V. V. Kuibyshev and A. M. Gorky.

In connection with the latter charge, the third trial was somewhat sensational for its revelation of the career of Yagoda as a veteran political murderer. He is revealed to have been a secret member of the "bloc of Rights and Trotskyites" from the beginning, his membership being known only to the trio of top leaders-- Rykov, Bukharin and Tomsky. Yagoda continued as chairman of the GPU for three years after he aided in the assassination of Kirov (See page 11). According to his confession, he had been responsible for making Trotsky's exile to Siberia (in 1927) less severe because of his position as vice-chairman of the old secret police. In the summer of 1934 Yagoda decided it was time for his elevation to the post of chairman of the GPU. Vyacheslav Menzhinsky, the ailing chairman, was hastened to his death by a physician whom Yagoda engaged to prescribe wrong treatment for his illness.

Enlisting other physicians, Yagoda also planned in the same manner the early deaths of Valerian V. Kuibyshev, chairman of the Supreme Council of the National Economy; Maxim Gorky, the famed Russian writer; and Gorky's

son, Peshkov. The three physicians accused of perpetrating the murders--Dr. Lev G. Levin, Dr. I. N. Kazakov and Dr. D. D. Pletnev--were defendants in the third trial.

The Yagoda episode is only a bit of by-play from the primary function of the indictment in the third trial. Its purpose was to link the Right Opposition with the traitorous plans of the Trotskyites to betray Russia into the hands of the Germans. Both Rykov and Bukharin gave detailed testimony on agreements with Germany in the event of an attack by Germany upon the Soviet Union. Bukharin even described plans for arming and secretly training kuđak cadres (in a manner similar to the White Guard movement) for actual behind-the-line fighting.

As in the other trials, all the defendants took advantage of their right of last pleas. They each accepted full responsibility for criminal activity. But there was little of the sweeping plea for death which characterized the last pleas of defendants in the earlier trials. Most of the accused made long speeches in which they qualified their crimes and stoutly argued on accusations which they were inclined to deny.

The verdict was nevertheless severe: eighteen of the accused were condemned to be shot. Only Dr. D. D. Pletnev (sentenced to 25 years imprisonment); K. G. Rakovsky, (to 20 years), and S. A. Bessonov (15 years), escaped the death penalty.

This condensation of the action in the three famous Moscow treason trials has attempted to present only facts of an alleged conspiratorial movement as presented against the accused by Prosecutor Vyshinsky. Some of the debatable features of the testimony have been reserved for later discussion.

What this chapter attempted was to show the circumstances under which certain evidence relating to Leon Trotsky was given. A study of this testimony necessarily involves the background of the trials themselves--reaching as far back even as the Red Revolution. Only one question of importance remains: that of the validity of the trials and of a bona fide Nazi-sponsored conspiracy. Since this problem is directly related to Trotsky and his son, Sedov, they will be treated later.

In the three Moscow trials, 54 persons had been indicted and 47 had been executed. Other sources estimated that thousands of lesser figures during these years were rounded up and killed or exiled to Siberia. At any rate, by the end of 1938, on the eve of war in Europe, Stalin could boast to the world that there was no insidious internal foe in the Soviet Union--not even a feeble voice raised in opposition to his regime. Stalin now stood alone and supreme. If, as some critics charged, this was his purpose from the beginning, he had fulfilled his plan to the letter.

II. TROTSKY THE TRAITOR

II. TROTSKY THE TRAITOR

The chief criminal on trial in Moscow, although he was not present, was Leon Trotsky. Whatever the connection of the accused with a foreign-supported conspiracy, Trotsky continually was pushed to the fore by Prosecutor Vyshinsky as the arch fiend and plotter against the Soviet Union.

Above and beyond the practical issues of the trials, however, rose a clear stream of argument which contrasted Socialism as Trotsky believed in it with Socialism as Stalin practiced it. R. T. Miller said one of the "most important aspects of the trials was the gradual emergence of Trotsky's theory that 'Socialism cannot be built in one country' as the real culprit and arch defendant." Under Prosecutor Vyshinsky's skillful hand this conception grew to ignominious stature and the program of Stalin received frequent, if subtle, praise.

1. Stalin and Trotsky

The polarity of the ideologies of Stalin and Trotsky was an ancient issue in the Soviet Union. Stalin's point of view had prevailed over Trotsky's as the national policy more than a decade before--winning such a total

triumph that there was no room left in the Soviet Union for Trotsky. But Trotsky continued an intensive literary attack upon Stalin from outside the Soviet Union. One of his best and clearest statements of his hatred for Stalin is contained in his book, The Revolution Betrayed. It said:


"The historian of the Soviet Union cannot fail to conclude that the policy of the ruling bureaucracy upon great questions has been a series of contradictory zigzags. The attempt to explain or justify them by 'changing circumstances' obviously won't hold water. To guide means at least in some degree to exercise foresight. The Stalin faction has not in the slightest degree foreseen the inevitable results of the development; they have been caught napping every time. They have reacted with mere administrative reflexes. The theory of each successive turn has been created after the fact, and with small regard for what they were teaching yesterday. On the basis of the same irrefutable facts and documents, the historian will be compelled to conclude that the so-called "Left Opposition" offered an immeasurably more correct analysis of the processes taking place in the country, and far more truly foresaw their further development.

"The bureaucracy conquered something more than the Left Opposition. It conquered the Bolshevik Party. It defeated the program of Lenin, who had seen the chief danger in the conversion of the organs of the State "from servants of society to lords over society," It defeated all these enemies, the Opposition, the Party and Lenin, not with ideas and arguments, but with its own social weight. The leaden rump of the bureaucracy outweighed the head of the Revolution."

Trotsky's theory of Socialism was primarily a concern in international politics. He favored allying the Soviet Union with labor parties and Governments in other

countries and taking care of domestic development as a side function. Stalin, more in keeping with his lack of experience in world politics and travel abroad, was inclined to agree with the Soviet Premier Rykov, a Right Bolshevik, that the government must take account of the wishes of the governed. This meant immediate relief for problems confronting the peasants and workers. Trotsky was in ardent pursuit of the long-awaited, long-postponed world revolution; Stalin was prepared to soft-pedal the world revolution (at least, to postpone it still further) in order to adopt a program of internal construction.²⁰

Following the death of Lenin in 1924, Stalin and Trotsky were the two outstanding figures in the Politburo-- the nine-member all-powerful governing body of the Communist Party. A Marxist, but originally a Menshevik, Trotsky had been vice-president of the first soviet attempt in 1905. He then led the life of an exile in Europe and the United States until the March Revolution of 1917 made possible his return. During the first years of the Bolshevik regime he won distinction as Commissar of Foreign Affairs (where he forged the Brest-Litovsk treaty) and as an organizer of the Red Army to fight against White-guardists from his post as Commissar for War.



Stalin, a Georgian, was the very antithesis of the Jewish Trotsky. His first official post had been People's Commissar for Nationalities, a post in which he represented the minorities in Russian population. In 1923 he was elected acting General Secretary of the Central Committee, in which post the strong hand fell to him at Lenin's death on January 21, 1924. He shared his power with two others: Trotsky's brother-in-law, Kamenev, and one of Kamenev's closest friends, Zinoviev. But the driving force in this triumvirate was Stalin.

Trotsky and Stalin clashed frequently in council meetings. Stalin did not harangue his colleagues; he carefully followed all that was said, and by the time that he summed up he was able to take his stand on ground where he knew he would be supported. Trotsky might make the moves and the mistakes, but Stalin would wait for him and outplay him. Lenin's opinion of both men is said to have been: "Trotsky, a kind of mountebank of whom you could never be certain; Stalin, one who might spoil everything by his roughness."

At the tenth Bolshevik Party Congress of March, 1921, the Central Committee headed by Lenin passed a resolution outlawing all factions in the Party as a menace to the unity

of the revolutionary leadership. It specifically warned "Comrade Trotsky" against "factional activities" and stated that "enemies of the State" were penetrating the Party and calling themselves "Trotskyites."²⁴

With the exception of Lenin, no Russian was better known outside the Soviet Union than Trotsky. His international connections placed him on equal footing with Lenin whenever the Russian revolution was mentioned.

The crushing blow to Trotsky's own ambitions came with Stalin's election to the secretaryship. Trotsky had to be satisfied with the smaller responsibility of Foreign Commissar. When the issue of a successor to Lenin faced the Party Congress in May, 1924, the 748 delegates voted unanimously to retain Stalin as General Secretary. The blunt repudiation of Trotsky caused even his erstwhile companions to vote against him. Bukharin, Zinoviev and Kamenev were compelled to side publicly with the majority.²⁵ Trotsky accused them of "betraying" him.

Trotsky's close followers during this period (according to his own record and the testimony in the Moscow trials) included Yuri Pyatakov, radical son of a rich Ukranian family who had fallen under Trotsky's influence in Europe; Karl Radek, a Polish "leftist" journalist who became associated with Trotsky in Switzerland; Nicolai

Krestinsky and Grigori Sokolnikov, who entered the Soviet Foreign Office under Trotsky's auspices, and Christian Rakovsky, a Bulgarian by birth, who had lived in most European countries and was the wealthy financial backer of the Rumanian Socialists. An even closer group of associates surrounded Trotsky as a sort of vanguard. They included Nicolai Muralov, commander of the Moscow Military garrison, Ivan Smirnov, Sergei Mrachkovsky, Ephraim Dreitzer and Blumkin, the terrorist who murdered German Ambassador Mirbach. With the exception of Blumkin, all the above were defendants in the Moscow trials and their former association with Trotsky expressly recalled.

After losing his bid for power in 1924, Trotsky joined forces with Bukharin, who headed a group called "Left Communists" and Grigori Zinoviev, a leftist agitator who led his own group called "Zinovievites." This trio, together with Kamenev, formed the opposition deviation which both openly and secretly dissented from the majority line of the Party policy.

In April, 1925, Trotsky went to the Caucasus for his political health and was removed from the key post of Commissar for War, where he had gained influence with a number of key Army men. He was allowed to return to Moscow

two months later and in December, 1925, he engaged in a stand-up fight against Stalin at the Party Congress. Stalin easily defeated Trotsky's candidates, Zinoviev and Kamenev by a vote of 559 to 65. Zinoviev, who had been a virtual dictator in Leningrad, was thus dethroned and his Leningrad leadership systematically smashed.

In 1926 the struggle for world revolution was reaching the critical stage in other nations. A decade of "Red" scare had made revolution along Marxist lines improbable in such countries as England, eventhough the labor movement was making strides. Stalin may have reasoned that abortive attempts at revolution abroad, in the face of failure, were promoting fascism. At any rate, he turned to home construction and soon initiated the first five-year plan. Trotsky continued to stand for Bolshevik orthodoxy and claimed priority for the world revolution. Zinoviev and Kamenev, while primarily internationally-minded like Trotsky, employed different tactics. They played the role of opportunists, cringing and apologizing when rebuked, only to start their factional activities over again.

The true picture of internal dissension in the Communist Party from 1924 to 1927 is not wholly clear. For a long time the Party seemed unwilling to display its dirty linen outside its ranks. The Bolsheviks reasoned that they were few enough in a hostile world and could ill afford to be

seen quarreling among themselves. One commentator described this period as three years of "incessant public controversy. This took various forms. There were repeated debates in the principal legislative organs, such as the Central Executive Committee of the All-Union Congress of Soviets...There were hot arguments in many of the local soviets...There was a vast (oppositionist) literature of books and pamphlets, not stopped by censorship, and published, indeed, by the state publishing houses." ²⁶

In his autobiography, My Life, Trotsky describes the working of his oppositionist movement, including the well-known system of "fives", sometimes called "cells". He watched his secret following grow until, by the fall of 1927, he was willing to risk his bid for power in an all-out demonstration. He planned a demonstration to coincide with the tenth anniversary of the Bolshevik Revolution on November 7. As workers marched through the streets of Moscow that holiday morning, Trotsky's propaganda leaflets showered down on them from high buildings. Small bands of Trotskyites soon appeared in the streets waving banners and placards. Stalin's forces moved swiftly to enforce the long-neglected law against factional activity. Muralov, Smirnov, Wrachkovsky, Dreitzer, Kamenev, Pyatakov, Zinoviev, Radek and Trotsky himself were

placed under arrest. At the Party Congress the following month they were expelled from the Bolshevik Party and those who did not publicly recant were sent into exile. Trotsky was sent to Alma Ata, capital of the Kazakh Soviet Republic in Siberia, near the border of China. Bukharin, who had wisely refused to take part in Trotsky's putsch, went quietly about the formulation of a new opposition movement, which became publicly known as the Right Opposition.

Unable to stop Trotsky's opposition work even in Siberia, Stalin's secret police escorted Trotsky to the western frontier on January 22, 1929, and pushed him across. He left Russia, never to return, still shouting that he wanted it recorded that he left against his will.

Having disposed of the Lefts, Stalin set about to eliminate all factions opposing his leadership. He soon dealt a death blow to the Rights--Bukharin, Rykov and Tomsy--letting them know that they were not powerful enough to fight on equal terms against him. At the beginning of 1929, Bukharin, author of the ABC's of Communism, and Tomsy, head of the Trade Unions, demanded Stalin's resignation, but the event was saved from a public showdown. Stalin stood alone among the leaders of the Party and he seemingly had the masses of the Party's rank and file solidly behind him. One year later, the other Right leader, Rykov, was replaced

as premier by Stalin's most devoted follower and friend,
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Molotov.

2. High Treason

Chronologically, Trotsky's arrival at Constantinople from Russia should mark the beginning of the era of political double-dealing and treason with which the Moscow trials deal. But two stories of treasonable activities ante-date his banishment. At the third Moscow trial, Trotsky's old-time associate, Nicolai Krestinsky, confessed that Trotsky had made a deal with the military intelligence of the German Reichswehr as early as 1922. In return for 250,000 gold marks annually he promised to supply the Germans with military information about the Red Army. He planned to use the money to support his opposition forces. Krestinsky said that he had completed the deal for Trotsky with German General Hans von Seeckt, commander of the Reichswehr, while serving in the Russian embassy in Berlin in 1922. The payments continued without interruption, he
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said, until he left Berlin in 1930.

"The monetary subsidy was paid in regular installments several times a year, mostly in Moscow, but sometimes in Berlin.

"If for some reason the money was not paid in Moscow, I received it in Berlin myself directly from General Seeckt; and I used to take it to Moscow myself and hand it to Trotsky."--Krestinsky.

The third trial also revealed how Trotsky was able to continue a widespread secret correspondence with his sympathizers during his exile at Alma Ata. The Government, aware of what he was doing, warned him that his activity was seditious and must be ended. His refusal led to his later banishment. What made possible this activity, as the third trial showed, was the kindly treatment accorded him by the Assistant head of the secret police, Yagoda. Yagoda confessed that he had decided to be on the winning side in the struggle and he made things easier for Trotsky in belief that he would eventually wrest power from Stalin.²⁹ Trotsky boastfully describes the methods of secret correspondence from Alma Ata in his autobiography. He also told the inquiry group in Mexico that he wrote microscopically on postcards, introducing some of these for inspection.³⁰

Trotsky's presence in Turkey caused an internal political storm. The Turkish Government finally settled by giving Trotsky a haven on the island of Prinkipo. The liberal German writer, Emil Ludwig, who interviewed Trotsky at Prinkipo, asked him how large was his following in Russia. His reply: "It is difficult to estimate...scattered ...underground. When an opportunity is presented from the

outside...perhaps a war or a new European intervention --when the weakness of the Government would act as a stimulus," that, said Trotsky, would be the signal for him to come into the open again.³¹

John Gunther in his interview entitled Trotsky at Elba said that Trotsky had "lost Russia, or at least for a while... His chief aim is to hold out, to hope for Stalin's downfall in Russia, and meantime to bend every bit of energy to unceasing perfection of his counter-Communist organization abroad."³²

The main exercise of Trotsky's life in exile seems to have been his extensive literary attack upon Stalin. He employed a large staff of secretaries and helpers, writing books, articles and publishing a regular paper which set forth the thesis that Stalin had "betrayed the purpose of the revolution." His work readily found space in European and American magazines and newspapers. His first book, the autobiography, appeared originally as a series of anti-Soviet articles in newspapers of Europe. Other books followed in rapid succession: Soviet Economy in Danger, The Revolution Betrayed, The Failure of the Five Year Plan, Stalin and the Chinese Revolution, The Stalin School of Falsification and others. His regular journalistic efforts were incorporated in the Bulletin

of the Opposition, which Trotsky testified was smuggled into Russia by secret Trotskyite centers for distribution.

Prosecutor Vyshinsky took note of Trotsky's literary attack during the course of the Moscow trials. Vyshinsky said anti-Soviet writers and politicians had served to intensify the antipathy toward and mistrust of the Soviet Union. They had added to the growing fear of a "Bolshevik menace" and this fear, in turn, was helping to produce fascism in Europe.

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3. Vyshinsky's Case

Before Hitler's rise to power, Trotsky's son, Sedov, took an apartment in Berlin. Another representative of Trotsky in Berlin was Krestinsky, who was still attached to the Russian embassy there. In 1930, however, Krestinsky was made Assistant Commissar of Foreign Affairs and returned to Moscow. Sedov's presence in Berlin, therefore, was necessary to continue Trotsky's long-standing contact with the Reichswehr (according to the evidence of the third trial).

Trotsky said of his son's presence in Berlin: "Leon was always on the lookout...Avidly searching for connecting threads with Russia, hunting up returning tourists, Soviet students, assigned abroad, or sympathetic functionaries in the foreign representation. To avoid compromising his informant...and to evade the GPU spies, he would chase for hours through the streets of Berlin."

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I. N. Smirnov, a defendant in the first trial and one-time Red Army officer who had denounced Trotsky after being sent into exile and later pleaded for readmission to the Party, came to Berlin in 1931 as a consulting engineer on a trade mission. Smirnov's confession stated that he met Sedov in Berlin and learned of Trotsky's plans for an all-out offensive against Stalin. Smirnov protested vainly during the August, 1936, trial that he had not engaged in terrorism, but repeatedly admitted that he had brought Trotsky's instructions from Sedov urging a united front of all opposition groups in the Soviet Union and a campaign with a primarily militant character. Smirnov was to arrange also for messengers to bring news regularly to Sedov in Berlin.³⁵

While in Berlin, Smirnov hunted up another of Trotsky's old friends, Yuri Pyatakov, who had renounced his allegiance to Trotsky after the abortive 1927 putsch and gradually won his way back into the Party. He was stationed in Berlin as head of a Soviet Trade Mission. Here is part of Pyatakov's account of his meeting with Sedov:³⁶

"...Sedov said that Trotsky had not for a moment abandoned the idea of resuming the fight against Stalin's leadership; that there had been a temporary lull owing partly to Trotsky's repeated movements from one country to another, but that this struggle was now being resumed, of which he, Trotsky, was hereby informing me...After this, Sedov asked me pointblank: 'Trotsky asks, do you, Pyatakov, intend to lend a hand in this fight?'

I gave my consent....Sedov went on to outline the nature of the new methods of struggle: there could be no question of developing a mass movement; if we adopted any kind of mass work we would come to grief immediately; Trotsky was firmly in favor of the forcible overthrow of the Stalin leadership by methods of terrorism and wrecking...."

In his position as a trade commission executive, Pyatakov was also asked by Sedov to help provide funds for Trotsky's work. Pyatakov confessed that he did so by several methods of subterfuge. One of these was described by an American engineer, John D. Littlepage, who was employed at this time for some work by the Soviet Government. In an article in the Saturday Evening Post in 1938 he said that Pyatakov negotiated a contract with a Berlin manufacturing concern, Borsig and Demag, in which cast bases were substituted for light steel as called for in the contract, thus raising the price per pound, but making it possible for the firm to make a substantial refund to Pyatakov which he in turn could give to Trotsky. Littlepage also tells of observing sabotage work in mines of southern Kazakstan which were conducted on Pyatakov's personal instructions.³⁷

Trotsky's messages and instructions began spreading through the seething underground oppositionists all through the year 1932. Among some of the old Trotskyites the new line proved alarming. The journalist, Karl Radek, was near panic until a letter from Trotsky in February, 1932,

told him that the struggle had reached a new phase in which "we shall be destroyed together with the Soviet Union,³⁸ or we must raise the question of removing the leadership."

Thus, the question of terrorism was one of the cardinal decisions taken by the Trotskyite centers. The conspiracy began taking the form of small, independent terrorist groups. Smirnov's was the first and most active. It contained two of Trotsky's old comrades, Serge Mrachkovsky and Ephraim Dreitzer. They allegedly organized small cells of professional gunmen, according to their confessions, while Pyatakov was seeking out other conspirators to conduct an all-out sabotage campaign. The terrorists made up one layer of the plot--the layer Vyshinsky claimed to have laid bare in the first treason trial of August, 1936. Pyatakov's organization was the second, not too closely connected with the terrorists. It was smashed by the second trial.

The most important layer of the conspiracy was the one uncovered by the third trial (March, 1938). It consisted of a few choice persons in the Red Army, Krestinsky and Sokolnikov (for the Trotskyites) and Bukharin and Rykov (from the Rights). This group, highly secret, was the nucleus of the new Government which Trotsky intended to bring to power with the aid of German and Japan attacks upon Russia. They were the foundation of the conspiracy.

According to Krestinsky's confession, he met Trotsky at Merano, a health resort in the Italian Tyrol, in October, 1933, and there it was decided to extend the existing agreement with the Reichswehr (the one made in 1922) into a wide agreement which would amount to an alliance of designs against the Soviet Union.

Trotsky's reasoning, Krestinsky said, was that Hitler was attempting to penetrate the Reichswehr and that it might be possible to come to terms with the German Government as well. Another conclusion was that: "We were receiving a small sum of money from the Reichswehr and they were receiving espionage information which they would need during an armed attack. But the German Government, Hitler particularly, wanted colonies, territory, not just information. Trotsky said Hitler was prepared to settle for Soviet territory instead of colonies for which he would have to fight England."³⁹

Trotsky saw in this situation a basis for making a deal with Hitler by which he would come to power in a smaller Soviet state while Hitler would get the Ukraine. "As for us," Trotsky allegedly told Krestinsky, "we do not need the 250,000 gold marks, we need German armed forces in order to come to power." Krestinsky said Trotsky then described the possible aid which a strong united opposition inside the Soviet Union might contribute to insure a German victory in war. Trotsky's instructions were for consolidation

of Trotskyite forces with the Rights and he suggested the name of Tukhachevsky as the man to head the military part of the conspiracy. Lastly, Trotsky told Krestinsky of the necessity for an agreement with the Japanese and mentioned Sokolnikov, then working in the People's Commissariat of Foreign Affairs, as the logical person to conduct such negotiations.

That Trotsky did make an agreement with the Nazis was the startling revelation made by Pyatakov and Radek in the second trial. Pyatakov said he made a secret airplane trip from Berlin to Oslo in 1936 to see Trotsky--a meeting which Trotsky denied ever took place. He said Trotsky had concluded a five-point agreement with Rudolph Hess:⁴⁰

1. To guarantee a generally favorable attitude toward Germany and necessary collaboration in important international questions.
2. To agree to territorial concessions (the Ukraine).
3. To grant concessions to German industrialists.
4. To create favorable conditions in the U.S.S.R. for private German enterprise.
5. To develop extensive diversive activities in war industries and at the front in event of a German attack upon Russia.

All this Trotsky allegedly promised in return for German aid in restoring him to power in Russia.

Radek collaborated Pyatakov's tale of a visit to Oslo and the secret agreement with Germany. Radek said he at one time talked to a military representative of Germany who informed him of the agreement between Trotsky and Rudolph Hess regarding concessions Trotsky would make to the Nazis if he were returned to power in Russia. He also described a conversation he had with Pyatakov after the latter's return from his visit with Trotsky in 1936: ⁴¹

"VYSHINSKY: Did you ever speak to Pyatakov, or with someone else, about the date when the possible war would approach?

RADEK: When Pyatakov returned from Oslo, I put a number of questions to him concerning foreign policy. He informed me that Trotsky had told him it was not a matter of a five-year period, not of one year or two years at the most. It was a matter of war in 1937. When I asked Pyatakov: 'Did Trotsky tell you this as his own assumption?' Pyatakov replied: 'No, Trotsky said that he had got this in his conversation with Hess and other semi-official persons in Germany with whom he had dealings.'

Both Radek and Pyatakov said Trotsky appeared willing to guarantee to the Germans complete freedom for an advance into the Balkan and Danube countries. The plans for war in 1937 were contingent upon diplomatic negotiations to secure British neutrality and to build up the growing fascist following in France so that an agreement could be made or a swift blow struck to put France out of action.

Several lesser personalities among the accused at Moscow testified to direct association with Trotsky or his son. Ephraim Dreitzer, defendant with Smirnov in the first trial, said he had two meetings with L. Sedov in a cafe in Leipziger Strasse in Berlin in the autumn of 1931. He was told by Sedov that instructions would be sent him from Trotsky later. The letter came in invisible ink via a German cinema magazine nearly three years later. It urged speeding of plans to assassinate Stalin and Voroshilov. Mrachkovsky, who collaborated Dreitzer's words, said he read the letter before it was burned.⁴²

V. Olberg, another first-trial defendant, said he was sent to Russia by Sedov on a false passport which Sedov secured from a Nazi agent. Olberg said he was living in Berlin from May, 1931, until the end of 1932 and met Sedov there "nearly every week, and sometimes twice a week." Late in 1932, when Leon Trotsky was stopping in Copenhagen enroute to Norway, Olberg said he planned to make a visit to Trotsky along with Sedov. "Our trip did not materialize," he testified, "but Suzanna, Sedov's wife, went to Copenhagen. On her return she brought a letter from Trotsky addressed to Sedov, in which Trotsky agreed to my going to the U.S.S.R. and expressed hope that I would succeed in carrying out the

mission entrusted to me. Sedov showed me this letter." ⁴³

E. S. Holtzman, who followed Olberg on the stand, said he was also in Berlin at the time Sedov proposed to make a trip to Copenhagen to see his father. His testimony contrasts with Olberg's when he states that both he and Sedov made such a trip. Holtzman said he met Sedov in Berlin after bringing a message from Smirnov and identifying himself over the telephone with the secret password: "I have brought greetings from Galya." Holtzman said he wanted to see Trotsky and prevailed upon Sedov to let him go with him to Copenhagen.

"I told Sedov that we could not go together for reasons of secrecy. I arranged with Sedov to be in Copenhagen within two or three days, to put up at the Hotel Bristol and meet him there. I went to the hotel straight from the station and in the lounge met Sedov.

"About 10 a.m. we went to Trotsky... I told him that I intended to leave Copenhagen that day and would leave for the U.S.S.R. within several days. Then Trotsky, walking up and down the room in a rather excited state, told me that he was preparing a letter for Smirnov, but as I was leaving that day he would not write it. I must say that throughout this conversation I was alone with Trotsky. Very often Trotsky's son, Sedov, came in and out of the room."

There is an obvious discrepancy between the accounts of Olberg and Holtzman which escaped the attention Prosecutor Vyshinsky and was incorporated in the official record of proceedings. Trotsky attempted to use this

discrepancy as proof that both men were lying, since their stories were pure fabrication.

K. B. Bermin-Yurin, accused in the first trial, also confessed to a conversation with Trotsky in Copenhagen at the end of 1932 in which Trotsky commissioned him to carry out an assassination plot against Stalin.

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"He said the act should, if possible, be timed to take place at a plenum or at the congress of the Comintern, so that the shot at Stalin would ring out in a large assembly. This would have a tremendous repercussion far beyond the borders of the Soviet Union and would give rise to a mass movement all over the world. This would be an historical political event of world significance. Trotsky said that I should carry on the work independently. I replied that I did not know anybody in Moscow....I said that I had an acquaintance in Copenhagen named Fritz David, and asked whether I might not get in touch with him."

Fritz David, another defendant, admitted that he was instructed in Copenhagen by Trotsky to work out an assassination plot against Stalin with Bermin-Yurin.

Two other Moscow trial defendants confessed to direct contact with Sedov. They were Alexei Shestov, an engineer on Pyatakov's trade mission, and Sergei Bessonov, a member of the Berlin Trade Representation of the U.S.S.R. Bessonov confessed that he became a "liaison point" between the Russian Trotskyites and Sedov.

Shestov

Shestov later returned to Russia with Pyatakov and was appointed by him to organize espionage and sabotage acts in Siberia mines and railroads. Shestov confessed that Trotskyites, aided by German espionage experts, conducted extensive sabotage activity.

The foregoing is Prosecutor Vyshinsky's case against Leon Trotsky, told as summarily and dispassionately as possible. Trotsky had his inning in 1938 and what he said in rebuttal is the subject of the next section.

III. TROTSKY TESTIFIES

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In 1932 Trotsky was granted a visa for a visit to France. He left Turkey, spent several weeks in France and then left for the new haven which had been offered him in Oslo. Enroute to Oslo he stopped for a speaking engagement and broadcast to the United States at Copenhagen. Four years later he was forced to leave Norway and Mexico then offered him refuge. He arrived in Mexico on January 13, 1937 and set up headquarters at a private villa in Coyoacan.

From the safety of his American refuge, Trotsky continued to pour out a steady stream of words against the Stalin "bureaucracy". In December, 1937, an article bearing Trotsky's name appeared in the Hearst Press. It stated that Stalin was so firmly seated at the helm of the Soviet state that the only way to remove him "is by assassination."⁴² Trotsky later protested that the article was a forgery.

In the United States, an American Committee for the Defense of Leon Trotsky was organized due largely to the work of anti-Soviet sympathizers. Its sponsors persuaded prominent personalities to join the crusade under

the humanitarian purpose of giving Trotsky a reasonable sounding-board for his defense. The most famous of these personalities was Dr. John Dewey, who agreed to head a preliminary commission of inquiry to receive testimony from Leon Trotsky in Mexico. The hearings opened on April 10, 1938.

Purpose of the commission was set forth by Dewey in his opening statement: "To give Trotsky an opportunity to give his side of the case, since he was condemned by the Soviet Supreme Court without benefit of a trial. (From the Case of Leon Trotsky, page 3).

The verdict of the commission was announced seven months later after further hearings in New York and Paris (Sedov was in Paris at the time). Dewey⁴⁷ analyzed the verdict in these words:

"As a result of its prolonged, thorough and impartial investigation--for none of its ten members is a Trotskyite or affiliated in any way with his theories and activities--it (the commission) found Trotsky and his son innocent of the charges brought against them.

"...We found that Trotsky never instructed the witnesses or any of the other accused in the Moscow trials to engage in sabotage or to enter into agreements with foreign powers against the Soviet Union. On the basis of all the evidence, we found that Trotsky never recommended, plotted, or attempted the restoration of capitalism

in the U.S.S.R. It was clearly established that the prosecutor at the trials, fantastically falsified Trotsky's role, before, during, and after the October Revolution. In short, the commission's report proves the Moscow trials to be a frame-up."

Members of the commission in Mexico had been Carleton Beals, author; Otto Ruehle, a former Socialist member of the German Reichstag; Benjamin Stolberg, journalist, and Suzanne La Follette, an anti-Soviet writer. Questioning attorney was Albert Goldman, Trotsky's American lawyer. In his opening statement, Goldman argued that the testimony to follow would show Trotsky's innocence "beyond all doubt," despite the virtually impossible task of proving a negative proposition. He proceeded by taking up the testimony of the Moscow trials bit by bit.

A careful reading of Trotsky's testimony throws some legitimate doubt upon some of the minor facts confessed by the defendants at the Moscow trials. But, for the most part, his arguments about evidence was confined to squibbling over minor parts. He notes the disparity in the stories of Olberg and Bermin-Yurin and Holsman and summarily argues that the accused were acting out roles of a fictitious plot authored by Soviet authorities.

Trotsky's testimony fell on two planes. On one squibbled over small details. On the higher plane he attempted to prove by his voluminous writings that his philosophy of Socialism was so antithetic to fascism that it would have been unthinkable for him to deal with Hitler. Between these planes Trotsky tells the story of his life in graphic detail and his role as the hero of the revolution does not suffer in the telling. He accuses Stalin of trying to distort the true story of Trotsky's participation in the early days of the Party and the revolution.

But Trotsky does not go so far as to deny that there was no anti-Soviet conspiracy in the Soviet Union. Since he had been away from 1929 on, he had no way of knowing what the accused had been doing. Taking up the list of the accused, name by name, he denied that he was even remotely connected with any of them after the 1927 demonstration when they all denounced him and recanted. Goldman told the commission that they could find Trotsky innocent without making the assertion that the Moscow trials were a frame-up.⁴⁸

At least one member of the commission failed to sympathize with Trotsky's story. At the end of the fifth day, Carleton Beals handed in his resignation:

"The important purpose, among others, for which I became a member of the commission, namely: to give Mr. Trotsky the opportunity which every accused person should have, to present his full case to the world, has been fulfilled to the extent possible with the present arrangements. Unfortunately, I do not consider the proceedings of the commission a truly serious investigation of the charges."

--Page 417

A public statement by Beals the next day asserted in part: "The hushed adoration of the other members of the committee for Mr. Trotsky throughout the hearings has defeated all spirit of honest investigation...The very first day I was told my questions were improper...The cross-examination consisted of allowing Trotsky to spout propaganda charges with eloquence and wild denunciations, with only rare efforts to make him prove his assertions...The commission may pass its bad check on the public if it desires, but I will not lend my name..."

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Typical of the eloquent harangues with which Trotsky assailed Stalin and defended his own philosophy is this section of his summary statement before the inquiry commission:

"In the years from 1923 to 1933, with respect to the Soviet state, its leading Party and the Communist International, I held the view expressed in those chiseled words: Reform, but not Revolution... I have defended the raising of the living standard of the masses against excessive privileges at the top; systematic industrialization and collectivization in the interests of the toilers; finally, internationalism against nationalist conservatism. I have attempted to explain theoretically why the isolation of the Soviet state, on the basis of a backward economy,

has extruded the monstrous pyramid of the bureaucracy, which has almost automatically been crowned by an uncontrolled and "infallible" leader.

"....The Moscow authorities did not indict me in a single one of the trials. And that is, of course, not accidental. To indict me they would have had to summon me before the court, or to demand my extradition. For this purpose they would have had to announce the date of the trial, and to publish the indictment at least some weeks before the opening of the court proceedings. But Moscow could not even go that far....They could have asked my extradition only by opening the question in a French, Norwegian or Mexican court, before the eyes of the world press. But that would have meant for the Kremlin to court a cruel failure! For this very reason, the two trials were not a prosecution of myself and my son, but only a slander against us, carried out by means of a legal process, without notification, without summons, behind our backs." (Page 475)

Trotsky argued that none of the crimes on which the accused were indicted at Moscow would have been advantageous to the Opposition, but conversely would have served the GPU as a starting-point to extract confessions from political opponents. He cited the murder of Kirov as meaningless politically, but claimed that it was engineered by the GPU. Actually, the third trial revealed that the GPU was involved in the Kirov assassination.

Trotsky makes much of such points as the omission of Molotov's name from the list of those scheduled to be executed by terrorists despite his high political post. He said there were persistent rumors of friction between Stalin and Molotov in 1936 and Stalin did not propose to

to lend any extra prestige to Molotov by including him on the agenda of near martyrs. However, Molotov's name does appear among those planned for assassination in the testimony of the second trial and Trotsky argued that this indicated that Stalin and Molotov had patched up their differences.

Trotsky scoffed at the sabotage charges made against the accused in the second trial:

"The crudest part of the judicial frame-up, alike in design and execution, is the charge of sabotage against Trotskyites. This aspect of the trial, which constitutes one of the most important elements of the whole amalgam, has convinced nobody. The world learned, from the indictment and the proceedings, that all Soviet industry was virtually in the control of a 'handful of Trotskyites'....Of what did the acts of sabotage really consist? In Pyatakov's confession it was revealed that: (a) Plans for new factories were too slowly drafted, and revised time and again; (b) the construction of factories took far too long, and caused the immobilization of colossal sums; (c) enterprises were put into operation in an unfinished state; (d) there were disproportions among the various sections of new plants, with the result that the productive capacity of the factories was reduced in the extremes; (e) the plants accumulated superfluous reserves of raw materials, etc. etc...."

--(Page 503-504)

Trotsky also made much of the discrepancy between the testimony of V. Olberg and E. S. Holtzman, one of whom said Sedov made a trip from Berlin to Copenhagen to see Trotsky and the other said the trip did not materialize. He also denied that Pyatakov made a flight to Oslo in 1936

and produced an affidavit from Oslo airport officials stating that no German plane landed at Oslo within six months of the time when the visit allegedly was made.

The whole of the second trial's validity is disposed of in Trotsky's reasoning by Vyshinsky's failure to substantiate beyond doubt the confessions of Pyatakov and Radek. "The function of Radek and Pyatakov was to demonstrate the direct connection between the criminals and myself," Trotsky declared. "'All the testimony of the other accused rests on our testimony,' Radek confesses. In other words, it rests upon nothing. It has crumbled into dust. It is hardly necessary to demolish a building brick by brick, once the two basic columns on which it rests are thrown down. Messrs. Accusers, crawl on your bellies in the wreckage and gather up the chips of your masonry." (Page 570)

In the course of the Mexico proceedings, Trotsky introduced innumerable documents as evidence, including most of the "more than 5,000 printed pages written by me since I left the Soviet Union."

It is hardly worthwhile to quote the numerous charges hurled against the validity of the Moscow trials by British and American critics. They are based primarily upon conjecture and were inspired for the most part by long-time prejudices and antipathies. The information

of "General" Krivitsky, who claimed to have been at one time an important member of the Russian secret police, is untrustworthy (eventhough given before the House Committee on Unamerican Activity) because he later admitted that much of what he had said was pure fabrication.

One of the more credible bits of evidence in Trotsky's behalf was contained in a series of articles appearing in the New York Times in December, 1937. They were written by Alexander Barmine, who asserted that "these trials have been prepared for the extermination en masse of those of the Communist Party in Russia who carried on the struggle for freedom, wrought the revolution, fought the civil war, and assured the victory of the workers' State."⁵⁰

Barmine's story carries weight because he quit his post as Charge d'Affaires at Athens when he became afraid that Stalin was preparing to include him in the list of Soviet Foreign Office leaders scheduled to be exterminated. He described the "purge" of the Foreign Office as follows:

"Litvinov was my chief....Litvinov is still there, titular head of the Foreign Service. But of his three under-secretaries, Gregory Sokolnikov is in prison, Karakhan was executed and Nicolai Krestinsky disappeared.

"Of his ambassadors and ministers only three remain--Ivan M. Maisky in London, Jacob Surita in Paris, and Alexander A. Troyanovsky in Washington. It is a curious fact that all three came to the Bolshevik side after the revolution had been victorious....

"He (Litvinov) was in time past a courageous revolutionary who had Lenin's confidence....What tragic fate has overtaken him to see his best collaborators, his closest friends, disappear--to see the whole framework of his service broken and to be obliged now to approve what has been done, even to praising the executioners of his associates." (51)

Barmine said he came to his conclusions about Stalin quite reluctantly and even tried to justify Stalin for the first trial. But, he wrote, the further Stalin went with his accusations, the more absurd the whole thing became. His particular distrust of Stalin is demonstrated in the following story which I have been unable to corroborate with other material.

"Bukharin anticipated his fate probably before the others of the Old Guard. At his last meeting with Kamenev, before the latter was arrested, he said: 'we are all lost. This monster, this sinister Genghis Khan, will strangle us. If we resist he will crush us. If we submit he will pick us off one after another.'

"That prophecy has proved only too true. Bukharin was dismissed from the post of director of Izvestia and arrested with Rykov some days after the trial of Pyatakov and Karl Radek. As they were still members of the central committee of the Party, Bukharin and Rykov were called before a full meeting last February (1937). They refused in spite of pressure to confess the absurd crimes that were imputed to them.

"It is said that at the close of the

meeting, which was fierce and noisy, Rykov broke down and wept. Bukharin not only defended himself, he accused. For a few minutes he seemed about to carry the meeting with him when Stalin shouted: 'Take them back to prison! Let them defend themselves there!'" (52)

Trotsky's testimony was petty, though quite extensive. His literary supporters, for the most part, were non-authoritative and typical propagandists. But Barmine's words appeared to incorporate in essence what countless less authoritative writers said in a flood of articles, books and pamphlets.

"Those who seek to understand all this tremendous drama," Barmine concluded, "should never forget that Stalin has an Asiatic mind. He has never been outside Russia. These others whom he destroyed were men of wider experience and view than he and as such were inimical."

IV. TRAIL TO TRUTH

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Oddly enough, some of the most reasonable doubt on the validity of the trials arises in contemplation on some of the salient features of the investigation proceedings of the prosecution. Trotsky mentioned some of these arguments in his testimony, but they were more fully expounded by other writers.

To the Western mind, the most remarkable part of the whole thing is that the trials should have been held at all. In view of the fact that all the accused had confessed before they were ever brought to trial, all that would have been necessary under an American or English court would be the reading of the indictment, a formal plea of guilty and the passing of sentences.

As both Trotsky and Barmine noted, the trials were primarily a propaganda agency for demonstrating that Stalin was on the job in defending the workers' cause against all enemies. Had the accused been tried in closed court and shot, the noisy cry of "purge" which followed the trials might have been heard loudest inside the Soviet Union. Under the circumstances, several reasons suggest themselves for the holding of the trials. First of all, the accused included men of such political prominence and

influence that only their own words in open court would have been sufficient to convince the whole Russian populace that they were guilty to treason. There is also the possibility that the Soviet regime was attempting to sound a warning to all would-be conspirators, high and low, that they could not escape.

On the basis of the official records of the court proceedings, the trials are a curious phenomenon to Western readers. There is little of the careful pyramiding of evidence, the pains-taking building of a case, so typical of American courts. Most of the testimony occurs with the assumption of numerous facts contained in the volumes of unpublished testimony on the prosecutor's desk. Joseph Davies said "there is little in the Russian criminal procedure, as represented in the official reports of the first two trials, that indicates their primary purpose was to ascertain the truth. An American, perhaps, can be excused from such a harsh judgment if one considers that he is likely to be predisposed to judge adversely because of the differences in court procedure. A perusal of the two trial proceedings, nevertheless, leave the definite impression that the trials leave more unsaid than has actually been said."

The Russian criminal procedure is not without its admirers among westerners, however. The correspondent Miller says that "fullest examination of the accused is made before a case comes to trial. The most familiar and conspicuous features of the British and American trial, cross-examination and taking of evidence, occurs here--as in most European countries--before any court proceedings take place. Cases are usually not tried unless or until the Prosecutor has obtained enough evidence to make a conviction reasonably certain....But whereas a plea of guilty in English Common Law requires only a brief statement from the prisoner before sentence is passed, in Russia the prosecutor must prove his whole case in court." ⁵⁵ It is hardly necessary to add that Miller's admiration of the Soviet regime is virtually unqualified.

1. The Confessions

The most pertinent question connected with the validity of the evidence produced by Vyshinsky hinges on the question of how he was able to obtain such abject confessions, and having persuaded the accused to confess,

whether or not the confessions were confined strictly to the truth. Trotsky did not presume to explain or discuss the practical side of the confessions. "Why did the accused, after twenty-five, thirty, or more years of revolutionary work, agree to take upon themselves such monstrous and degrading accusations? How did the GPU achieve this? Why did not a single one of the accused cry out openly before the court against the frame-up? In the nature of the case, I am not obliged to answer these questions." ⁵⁶ He probably did not know the answers and hints as much when he tells the inquiry commission that they probably will not uncover the inquisitorial technique of the Moscow trials. "The accused are not Trotskyites, nor Oppositionists, nor fighters, but docile capitulators. The GPU had educated them for these trials for years," Trotsky continued. "The GPU had educated them for these trials for years. That is why I think it extremely important, for the understanding of the mechanics of the confessions, to bring out the psychology ⁵⁶ of the capitulators as a political group." The key word in this statement is "psychology" because one of the most feasible theories about the confessions states that the accused were subjected to mental conditioning that insured their saying what Vyshinsky wanted them to say.

There were also sensational theories about how the confessions were obtained. Davies discloses
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the story of a theory relating to drugs:

"The _____ Ambassador called. He is very bitter against the Soviet regime. As to Radek's trial which is the sensation of the Diplomatic Corps this week, he thinks it is all a put-up job and an internal fight among the old Bolsheviks. He believes that the confessions were induced by all manner of threats and physical police methods. He told me quite an extraordinary tale which he had just heard. He said that a Polish citizen had been arrested in the Ukraine on the charge of being a spy. The Polish Embassy, so he understood, had been unsuccessful in securing his release so the Polish Government arrested two prominent Soviets in Poland. It resulted in an interchange of prisoners at the border. The Pole appeared to be a very sick man and was taken under observation and hospitalization by Polish medical experts. They arrived at the conclusion that he had been doped unconsciously by having utropin or some such drug administered to him in his food for the purpose of weakening his will. It is the first concrete statement that I have heard in connection with this general rumor as to the use of drugs--and this was hearsay and from a biased source."

Barmine also dealt with the question of the confessions and analyzed why they had to be made. "They served to satisfy the masses that Stalin was protecting the Soviet workers and the revolution against "traitors". He added that they proved to all future victims that "confession" was useless and expressed the opinion that

the prosecution would find it impossible to obtain further confessions. Three months later, however, the third and most notorious of the Moscow trials was held. For the defense against the numerous theories of how spurious confessions were obtained, R. T. Miller again sums up: "The defendants testified freely at all times, and were permitted to interrupt each other to corroborate or contradict testimony. Their manner was, without exception, that of men who were describing facts. The notion that they were acting out previously assigned parts is difficult, for anyone who saw them, to credit.... They admitted guilt and threw themselves on the mercy of the court. Were they dosed with a mysterious 'talking drug' or tortured? To believe so is impossible. Nimble witted Radek, surly Muralov, the jaunty gangster Shestov-- these were certainly not narcotized or mutilated men. Were they secretly promised clemency in return for confessing? No serious observer believes this either. Radek, for instance, was at liberty long enough after Zinoviev's execution to know his fate only too well. And even if some Machiavellian authority had actually promised such commercial mercy, it is hard to think that shrewd Sokolnikov and Pyatakov would have been trapped by so obvious a swindle.

They confessed because the State's collection of evidence forced them to. No other explanation fits the facts." ⁵⁸

In the 1937 trial, Radek offers a clue to the actual procedure of the investigation and it seems logical enough to have some basis in fact. He stated that the chief examining official told him: "You are not a baby. Here you have fifteen people testifying against you. You cannot get out of it, and as a sensible man you cannot think of doing so. If you do not want to testify it can only be because you want to gain time and look it over more closely. Very well, study it." (The official apparently appealed to Radek's most vulnerable areas: his pride and self-respect). "For two and one-half months I tormented the examining official," Radek continued. "The question has been raised here whether we were tormented while under investigation. I must say that it was not I who was tormented, but I who tormented the examining officials and compelled them to perform a lot of useless work." ⁵⁹

John Gunther, another observer at the Moscow trials and not always reliable for accurate reporting, said the defendants were anything but glib and Vyshinsky had to drag every bit of evidence from the accused against their reluctant wills. ⁶⁰

Legally, there is little to argue on against the verdict in the Moscow trials. Charles A. Beard in giving his reason for declining an invitation to serve on the Committee for the Defense of Leon Trotsky said⁶¹ that "confessions are not wholly reliable evidence." He concludes, however, that the verdict rendered in the Moscow trials on the basis of the evidence given was the only verdict possible. Charles Warren, author of a standard book on the U. S. Supreme Court and an assistant attorney general under Woodrow Wilson, and Seth W. Richardson, assistant attorney general under Herbert Hoover,⁶² both concurred with Beard's view. Moreover, two English attorneys, D. N. Pritt and Dudley Collard, sat in on the Moscow trials at the invitation of the Soviet Government⁶³ and both attested to the integrity of the proceedings.

To return to Davies' view that Americans would be likely to judge the trials harshly because of differences in procedure, several incidents during the trial accentuate these differences. A reading of the court record, with its multilateral development of the case, leaves the impression that Prosecutor Vyshinsky does not bother to be either logical or conclusive. He holds the big club in the form of bound volumes of testimony of the accused before him on his desk. If any defendant decided

to stray from his original story, Vyshinsky had only to pick up a book and read the accused his own words in a previously-signed confession. Unbiased observers in all parts of the world reasoned that, if the accused had been forced, drugged or bribed into making a confession, they could have cried out in open court against injustice.

Oddly enough, just such an incident occurred in the third trial. (Whether it was planned to answer the critics or not is as enigmatical as almost any other question connected with the trial).

On the very first day of the third trial (1938) Krestinsky snarled the procedure by declaring that the whole volume of pre-trial testimony which he had signed was untrue and that he had signed it only in order to reach an open court where he could defend himself. All through that first day Krestinsky was adamant, maintaining that he was not a Trotskyite:

VYSHINSKY: You were not a Trotskyite?

KRESTINSKY: No.

VYSHINSKY: Never?

KRESTINSKY: Yes, I was a Trotskyite until 1927.

VYSHINSKY: And when did you stop being a Trotskyite in 1927?

KRESTINSKY: Just before the Fifteenth Party Congress.

VYSHINSKY: Recall the date.

KRESTINSKY: I date my rupture with Trotsky from November 27, 1927, when, through Serebryakov, who had

returned from America and was in Moscow, I sent a sharp letter containing sharp criticism.

VYSHINSKY: That letter is not in the records.

KRESTINSKY: The Letter I am referring to is in the possession of the Court Investigator, because it was taken from me during the search, and I request this letter to be attached to the records.

VYSHINSKY: The records contain a letter dated July 11, 1927, taken from you during the search.

KRESTINSKY: But there is another letter of November 27...

VYSHINSKY: There is no such letter.

KRESTINSKY: That cannot be....(Page 53)

Using the same technique he had employed against Smirnov two years before, Vyshinsky turned to Rosengoltz:

VYSHINSKY: Do you take it that Krestinsky was a Trotskyite.

ROSENGOLTZ: He is a Trotskyite.

Following this amazing bit of drama on the first day, an equally amazing shift has occurred by the time court reconvenes the next day. Vyshinsky put Rakovsky on the stand to testify that Krestinsky actually did write a letter to Trotsky on November 27, 1927, which denounced Trotsky and the whole Opposition. Vyshinsky was forced to backtrack because Krestinsky's letter had appeared in Izvestia and Pravda at the time. Rakovsky then went on to say that the letter was part of the whole plan to deceive the Party. Krestinsky really intended to work his way back into the Party while working always secretly for Trotsky. The prosecutor then wheels on Krestinsky:

VYSHINSKY: Accused Krestinsky, did the accused Rakovsky understand the contents of your letter properly?

KRESTINSKY: He did.

VYSHINSKY: I have to make the following request of the court. The documents taken from Krestinsky during the search have at my request now been examined. Among them was a copy of his letter to Trotsky dated November 27, 1927, the very letter to which Krestinsky referred yesterday, and of which Rakovsky is speaking. (Page 155)

The clever prosecutor by only two words from the accused Krestinsky had wriggled from an embarrassing position. He then rubbed his victory further by asking Krestinsky why he dared to make a statement the previous day "which cannot be regarded otherwise than as a piece of Trotskyite provocation in court." Krestinsky's reply: "Yesterday, under the influence of a momentary keen feeling of false shame, evoked by the atmosphere of the dock and the painful impression created by the public reading of the indictment, which was aggravated by my poor health, I could not bring myself to tell the truthInstead of saying, 'Yes, I am guilty,' I almost mechanically answered, 'No, I am not guilty.' In the face of world public opinion, I had not the strength to admit the truth that I had been conducting a Trotskyite struggle all along. I request the court to register my statement that I fully and completely admit that I am guilty of all the gravest charges brought against me

personally, and that I admit my complete responsibility for the treason and treachery I have committed." (Pages 157-8)

Vyshinsky's victory in court was won. But the episode only adds fuel to the question of what methods of obtaining confessions from the defendants was used. What took place with Krestinsky between court sessions on the first and second days. Something overnight convinced him and resolved his obstinate denial into docile admission of guilt. From the record itself, it is impossible to determine whether Krestinsky was telling the truth on the first day or the second day. Should the Moscow trials ever be prove a fabricated job, Krestinsky's momentary rebellion will take on even greater significance.

The crowning observation on the methods of obtaining the confessions appears to be the one contained in the frank and precise final plea of Nicolai Bukharin in the third trial. His first-hand analysis is worth repeating at length:

"It seems to me that when some American and West European intellectuals begin to entertain doubts and vacillations in connection with the trials taking place in the U.S.S.R., this is primarily due to the fact that these people do not understand the radical distinction, namely, that in our country the antagonist, the enemy, has at the same time a divided, dual mind.

"Repentance is often attributed to diverse and absolutely absurd things like Thibetan powders and the like. I must say of myself that in prison, where I was confined for over a year, I worked, studied, and retained my clarity of mind. This will serve to refute by facts all fables and absurd counter-revolutionary tales.

"Hypnotism is suggested. But I conducted my own defense in court, orientated myself on the spot, argued with the State Prosecutor; and anybody, even a man who has little experience in this branch of medicine, must admit that hypnotism of this kind is altogether impossible.

"This repentance is often attributed to the Dostoyevsky mind, to the specific properties of the soul (L'ame slave). But that is not the case here at all. "L'ame slave" and the psychology of Dostoyevsky characters are a thing of the remote past in our country, the pluperfect tense.....

"I shall now speak of myself, of my reasons for repentance....For three months I refused to say anything. Then I began to testify. Why? Because while in prison, I made a reevaluation of my entire past. For when you ask yourself: "If you must die, what are you dying for?"--an absolutely black vacuity suddenly rises before you with startling vividness. There was nothing to die for, if one wanted to die unrepented.

"And, on the contrary, everything positive that glistens in the Soviet Union acquires new dimensions in a man's mind. This in the end disarmed me completely and led me to bend my knees before the Party and the country.

"And when you ask yourself: 'Very well, suppose you do not die; suppose by some miracle you remain alive, again what for? Isolated from everybody, an enemy of the people, in an inhuman position, completely isolated from everything that constitutes the essence of life...." And at once the same reply arises.

"I happened by chance to get Feuchtwanger's book from the prison library. There he refers to the trials of the Trotskyites. It produced a profound impression on me; but I must say that Feuchtwanger did not get at the core of the matter. He stopped halfway, not everything was clear to him. His arguments are absolutely false.

"I am about to finish. I am perhaps speaking for the last time in my life...." (Pages 777-8)

In many respects, Bukharin's words amount to irrefutable argument. And yet there is something too neatly convenient for propaganda purposes, something too smug, something that fails to convince beyond any doubt. This same lack characterizes the whole of the official report of the court proceedings. Perhaps it is only as Davies put it: "more left unsaid than actually had been said." But it is abundantly clear to most readers that the case Vyshinsky built up against the accused in court was far from convincing. The Russian document is its own worst recommendation.

2. Was Trotsky Guilty

It would be hard to believe that Trotsky did not, until the day of his untimely death in 1940, by fair means and foul, work with tireless energy toward

the restoration of his leadership in the Soviet Union. Neither is it wholly impossible to believe that Trotsky would not stoop to agreements with capitalistic countries to play the role of an opportunist. In either case, he would not be wholly out of character. He had dealt with the Germans at Brest-Litovsk.

On the other hand, it seems illogical that Trotsky was as formidable an enemy to the Soviet leadership as Vyshinsky pictured him. In the second trial, a handful of Trotskyites were pictured as having virtual control of all Soviet industry eventhough the prosecution could not deny that the conspirators had no formal and regular meetings and all their contacts were casual and accidental. If the various members of the plot were working on their own initiative, Trotsky would scarcely have been able to master-mind the conspiracy from afar. There was not the close-knit organization to paralyze the Soviet Union or even direct its forces into diversive channels. As John Dewey observed: "You know, it would be ridiculous, this whole Trotsky business, if its effects had not been so disastrous. Whatever you think about it, it is a fantastic supposition that Trotsky, an exile, with a couple of secretaries at most, constantly under police surveillance and driven from one country to another, should be able to upset Russia."

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The least that can be charged of the Soviet charges is that they grossly exaggerated Trotsky's true role and importance. It may be true also, as Trotsky attempted to prove, that Pyatakov did not meet him in Oslo; that Vladimir Romm, the Russian correspondent, did not meet him in Paris; that Bermin-Yurin, Holtzman and Fritz David did not talk to him in Copenhagen, eventhough they testified to that effect. Perhaps these men were lying. If Trotsky's evidence is valid to the slightest degree, there is no question but that they were lying.

What made them consent, if they did, to relate untruths regarding Trotsky--assuming that Vyshinsky invented Trotsky's connection with the conspiracy to help kill his influence in the Soviet Union. One of the most widely discussed theories on this point attributes the cause to psychological, as Bukharin and Radek testified. The GPU may have confronted each new suspect with the ancient ruse of signed accusations from other defendants. By police method, physical or psychological, the will of the suspect was worn away until all that remained of importance for him to live for, the ideal that had been the fuel of his mind and sould for decades, was the Socialistic society and its one nationalistic expression, the Soviet Union. By the time the victim reached the futile dilemma confessed by Bukharin, he would have remembered every conversation with every person--Trotsky above all--which had even slightly resembled

dissatisfaction or disapproval of the Party leadership. Resigned to sure death, the victim had a choice of making one last eloquent gesture in behalf of the Communist Party and the Soviet Union, namely, to heap recrimination upon themselves for ever disagreeing with Stalin, to admit profusely the superiority of the Stalin policy and, finally, to help indict, even to the point of outright lying about, Stalin's arch foe and accuser, Leon Trotsky. It is a confused, disorderly mass of data which the reports of the Moscow represents. The confusion in the minds of the accused may have been reflected in a loss of chronological perspective. For this reason, the defendants are not able to distinguish the struggle of 1923-27 from the struggle of 1932-36 as demonstrated by those who speak in consecutive sentences about one and then the other.

Theoretically, it is possible to conceive of Trotsky as entirely unrelated to the conspiracy, which may actually have existed. It was been suggested that Trotsky's role may have been a clever invention by the defendants to help divert attention from the real character of the conspiracy. This would fit in with the picture of the accused in the various trials attempting to protect others who had not been discovered. This line of reasoning could conceivably remove the question of Trotsky's guilt from the

whole field of consideration of the trials. This possibility seems remote, however. Trotsky fought a heated fight and lost. The enigma of his true ~~role~~ in counter-revolutionary activity after 1929 is part of the legacy of his turbulent career.

NOTES

1. Chamberlain's views were contained in an article appearing in Contemporary Japan, published in Tokyo, 1938, under the title "The Russian Purge of Blood."
2. Michael Sayers and Albert E. Kahn, The Great Conspiracy. (Boston, 1946), page 250. This is book is only one known to this author which has tried to reconstruct the story of the Russian trials on the basis of available documents. When this project was begun, I did not know that such a work had been attempted. However, as the title implies, this volume adopts the thesis of the validity of the trials and is written in the form of propaganda.
3. The Military Collegium is that section of the Supreme Court of the U.S.S.R. charged with the function of trying crimes against the State.
4. This information comes from Trotsky's testimony before the international commission of inquiry, a report of which is printed in a volume called The Case of Leon Trotsky. (New York, 1937), page 334.
5. Sayers and Kahn, The Great Conspiracy, page 252.
6. Case of Leon Trotsky, page 336.
7. Sayers and Kahn, The Great Conspiracy, page 255.
8. Case of Leon Trotsky, page 335.
9. Joseph Davies, Mission to Moscow. (New York, 1941), page 51. Davies' description is with relation to the second trial (January, 1937) but the conditions are precisely the same in both instances as news service dispatches of the time indicate.
10. The accused were officially charged with violation of articles 58.8, 19 and 58.8, and 58.11 of the Criminal Code of the R.S.F.S.R., which had been adopted in 1927.

11. R. T. Miller, the Moscow correspondent for a London newspaper, wrote a provocative defense of the Moscow trials in the preface to a volume of the court proceedings of the second trial published in London by the Anglo-Russian Parliamentary Committee --W. P. Coates, The Moscow Trial. (London, 1937). This is the only record of the second trial in the English language available at the Library of Congress. Translations of proceedings in the first and third trials were available from the Moscow publishers.
12. Davies, Mission to Moscow, page 38.
13. Ibid., page 51
14. Coates, The Moscow Trial, page 208.
15. Ibid., page 10.
16. The Great Conspiracy, pages 305-306.
17. Davies, Mission to Moscow, page 167.
18. The report of the third trial is the most complete of documents available on the Moscow proceedings since it is a verbatim record. The volume--The Case of the Bloc of Rights and Trotskyites, published by the People's Commissariat of Justice, (Moscow, 1938), has certain advantages over the previous records. The testimony of Krestinsky, for example, is a word-by-word picture of the heat-lightning interchanges between prisoner and prosecutor. In the record of court proceedings which the Soviet Government published after the first trial similar incidents (such as Smirnov) were treated summarily with a statement like this: "Prosecutor Vyshinsky completely exposed Smirnov." The fiery exchange between Radek (in which he was said by Davies not to have always come off second best) is dimmed also by the treatment of the British edition. The reason for a verbatim report on the third trial may have grown out of criticism directed at Moscow for its summary report of the first two trials. Moscow had lost prestige because its documentation of the trials were unconvincing. In any event, the third trial report is a welcome innovation to students of the trials.
19. Leon Trotsky, The Revolution Betrayed. (New York,

- 1937), page 86. This volume was from material originally published in The American Mercury.
20. Sir Bernard Pares, Russia. (New York, 1941), 124.
 21. Ibid., 122.
 22. This statement is attributed by Pares to Bazhanov, secretary of the Politburo.
 23. Pares, Russia, page 124.
 24. Sayers and Kahn, The Great Conspiracy, page 196.
 25. Ibid., page 201.
 26. Sidney and Beatrice Webb, Soviet Communism--A New Civilization? Quoted by Pares.
 27. Pares, Russia, 128.
 28. Case of the Bloc of Rights and Trotskyites, page 9. Quoted in court by Vyshinsky from the unpublished pre-trial testimony (Vol. III, page 15) taken from Krestinsky.
 29. Ibid., page 569.
 30. Case of Leon Trotsky, 348.
 31. Emil Ludwig, "Trotsky in Exile"--an article appearing in Living Age, February, 1930.
 32. John Gunther, "Trotsky at Elba," an article in Harper's Magazine, April, 1932.
 33. Case of the Trotskyite-Zinovievite Terrorist Center. (Moscow, 1936), 131.
 34. The Great Conspiracy, 220. This passage is quoted from an obscure pamphlet by Trotsky, Leon Sedov: Son-Fighter-Friend.
 35. Ibid., 225.
 36. The Moscow Trial, 21.

37. John D. Littlepage, from an article in The Saturday Evening Post, January, 1938.
38. The Great Conspiracy, 236.
39. Bloc of Rights and Trotskyites, 276.
40. Coates, The Moscow Trial, 61
41. Ibid., 38.
42. Case of the Trotskyite-Zinovievite Terrorist Center, 51.
43. Ibid., 87.
44. Ibid., 99.
45. Ibid., 94.
46. The Great Conspiracy, 312.
47. Agnes E. Meyer, "Significance of the Trotsky Trial--an interview with John Dewey." Originally published in The Washington Post. But also contained in International Conciliation, No. 337, February, 1938.
48. Case of Leon Trotsky, 447.
49. The Great Conspiracy, 313-314.
50. The New York Times, December 24, 1937. Barmine's article was reprinted also in International Conciliation, February, 1938, under the title, "A Russian View of the Moscow Trials."
51. Ibid., December 26, 1937.
52. Ibid., December 28, 1937.
53. Ibid., December 28, 1937.
54. Davies, Mission to Moscow, 49.
55. Ibid., page 51.

56. Case of Leon Trotsky, 483.
57. Mission to Moscow, 51. This passage is an entry in Davies' diary on January 30, 1937.
58. Coates, The Moscow Trial, 10.
59. Ibid., 222.
60. John Gunther, Inside Europe. (New York, 1940), 553.
61. The Case of Leon Trotsky, 464.
62. Mission to Moscow, 51. This information is volunteered by Davies in a footnote.
63. Case of Leon Trotsky, 467.
64. Meyer, "Significance of the Moscow Trials"--an article in International Conciliation, February, 1938, page 58.

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8. The Saturday Evening Post. An article by John D. Littlepage, January, 1938.
9. The Washington Post. An interview with John Dewey on the significance of the Trotsky trial, December 19, 1937.