

# "Trial Procedure Flimsy and Vicious"

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Living exponent of Marxism, of the teachings of Lenin, the genius of the October revolution, has been emphasized by the exposure of the hideous crimes and betrayal of principle by the Stalinist.

The Commission's report is an 80,000 word document, soon to be published in book form, continuing the series of publications begun with the report of the preliminary hearings held by the Commission in Mexico City and published by Harpers as "The Case of Leon Trotsky."

## Signatories of Report

The final report is signed by Professor John Dewey, Chairman; Suzanne LaFollette, editor and author, secretary; John Chamberlain, formerly of the staff of The New York Times; Alfred Rosmer, former member of the Executive Committee of the Communist International and former editor-in-chief of L'Humanité; Professor Edward Alsworth Ross, Department of Sociology of the University of Wisconsin.

Otto Ruehle, biographer of Karl Marx, former member of the German Reichstag and close political associate of Karl Liebknecht and Rosa Luxemburg; Benjamin Stolberg, labor journalist; Carlo Tresca, editor of Il Martello; F. Zamora, liberal Mexican publicist; and Wendelin Thomas, former member of the German Reichstag; John Finerty, counsel to the commission, concurring.

Contradicting the assertions of the English jurist, D. N. Pritt and others, the Commission reported that "the conduct of the Moscow trials violated Soviet law at every important point." In support of this statement the report cited an official Soviet textbook on criminal law by Professor M. S. Strogovich, published in 1936, and edited by the state prosecutor himself, A. Y. Vishinsky.

## Contradicted Precepts of Soviet Law

In this Professor Strogovich writes that "denunciation—the testimony of a defendant implicating another defendant or extraneous individuals—is regarded under Soviet law as 'the least meritorious' category of evidence.

The Commission found that it was upon precisely this category of evidence, entirely uncorroborated by documentary proof, that Trotsky and Sedov were declared convicted in both verdicts. Professor Strogovich declares that whereas "The Fascist criminal trial fixes its course upon the admission of guilt by the accused, extorting this admission by all sorts of violence and torture," the Soviet procedure requires that "the testimony of the accused, particularly his admission of guilt, like every other piece of evidence, is subject to verification and careful evaluation as a result of juxtaposing it with all the other evidence gathered in the case."

The Commission found that despite this stated requirement of Soviet law, no other evidence of any importance was presented in either case than the confessions of the accused and of self-inculcating witnesses.

Besides Dr. Dewey, the full commission was represented at the meeting by the following members: LaFollette, Stolberg, Finerty, Thomas, Tresca and Chamberlain. Each told why he joined the commission and how the inquiry was conducted.

The Commission members made quite clear their opposition to the political and theoretical position

of Trotsky and the 4th International.

In presenting the report of the commission, Dr. Dewey declared in part:

## Dr. Dewey's Speech

"It is not too much to say that, particularly as this new evidence accumulated, the members of the Commission have been without exception appalled by the utterly discreditable character of the whole Moscow trial proceedings, at once flimsy and vicious. Others, like a distinguished colleague of mine who declined to share our labors, may still take the position that it is impossible to prove a negative, hence, in that technical sense impossible to prove Trotsky guiltless of the fantastic charges made against him.

"It is, however, possible to prove beyond reasonable doubt, the existence of a frame-up, and I submit that the Commission has done just that.

"The implications of this finding are of course profoundly disturbing. These implications are not a matter of intellectual speculation; they have been fulfilled and demonstrated by the events which followed close upon the trials.

"The continuing arrests and executions of Soviet officials and citizens on charges of terrorism, wrecking, sabotage, 'Trotskyism,' etc. have strengthened the suspicion of thousands of genuine friends of revolutionary Russia that the present regime is seeking to identify political opposition to itself with criminal activity against the Soviet Union and people.

"Still more shocking is the systematic use by the Communist parties throughout the world of the vicious 'Trotskyist-terrorist-fascist amalgam' as a means of destroying political opposition and even of justifying gross frame-ups and assassinations, as in Spain in the case of Andres Nin and others.

"Even in this country, the Communist Party and its labor and liberal sympathizers have used this strictly amoral tactic, indistinguishable from the tactic of Fascism, to slander and persecute opposition, with a resulting confusion and disruption of the forces of economic and political progress which cannot be too strongly condemned.

## Cannot Be Ignored

"This is no strife of personalities or of political factions, which the American public can afford comfortably to ignore. It signifies the repudiation by a disciplined political organization, world-wide in scope and influence, of the principles of truth and justice

upon which the foundations of civilization are laid.

"It signifies an extraordinary corruption of the idealistic heritage of the Russian Revolution. It signifies a danger against which our own people must guard themselves without illusion and without compromise."

Much of the new documentary evidence obtained by the Commission focused upon the testimony given at the trials by Holtzman, Pyatakof, and Vladimir Romm. At the first trial E. S. Holtzman testified that on the invitation of Leon Sedov, Trotsky's son, he went to Copenhagen during Trotsky's stay there from November 23 to December 2, 1932; that by previous arrangement he met Sedov in the lobby of the Hotel Bristol and went from there with him to see Trotsky. The Commission found that there was no Hotel Bristol in Copenhagen in 1932, and that Sedov was not in Copenhagen during his parents' stay there.

## Checked Dates Closely

One of the most important witnesses against Trotsky and Sedov in the second trial was Vladimir Romm, former Washington correspondent of Ivestia, who claimed to have met Trotsky in the Bois du Bologne in Paris at the end of July, 1933.

The Commission cited a mass of cohesive evidence covering the movements of Trotsky from his departure from Turkey on July 1933 to October 9th of that year, which conclusively disproved Romm's testimony. The Commission declared that, despite six separate efforts on its behalf, two of them by high French officials, it was unable to obtain the existing police records of Trotsky's movements at this period. In every case the answer was that "for reasons of State" the record could not be given out.

On the charges of sabotage, the Commission presented new evidence in the form of a long and completely documented deposition by Ivar Windfeld-Hansen, the Danish engineer mentioned as "Wienfeld" an alleged Trotskyist saboteur, by the accused Hrasche in the January trial.

This deposition and the documents submitted with it prove that from the time of his arrival in Russia in 1932, Mr. Windfeld-Hansen warned the Soviet authorities that the chemical fertilizer industry was headed toward disaster.

The complete text of the Abstract of the Commission of Inquiry's full report is published on pages 5, 6, 7, and 8 of this issue of the Socialist Appeal.

# Report Cabinet Absolves Jailed P.O.U.M. Leaders

LONDON, England.—A report was received here from Fenner Brockway, leader of the British Independent Labor Party that the People's Front regime in Spain was forced to absolve five arrested P.O.U.M. leaders of charges of espionage.

According to the report, the Minister of Justice, Senor Irujo, informed the People's Front cabinet that after a thorough investigation into the charges made against the P.O.U.M. leaders, he and his advisers have concluded that there is no case against them to present to the Special Tribunal for espionage.

The cabinet voted, seven to two, to liberate the prisoners

quietly one by one, Brockway says.

The two voting against the freedom of the P.O.U.M. leaders were the representatives of the Stalinist party.

Putting pressure on the cabinet, the Stalinists forced a reconsideration of the question and it was finally agreed to keep the prisoners in confinement without penal conditions, but not to proceed with the trial.

The Stalinists indicated that a failure to vote for their proposals would be considered a major issue in the Kremlin and might affect the "co-operation" between Spain and the Soviet state.

# Dewey Broadcasts on Trials; Hits Minneapolis Frame-Up

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dict for workers and free-minded people in the United States.

"There is the question which is constantly asked: What of it?," Dr. Dewey said. "What difference does it make to us in the United States? I want to tell you why the Moscow trials and our inquiry have a claim on the attention of every American citizen, especially those who call themselves progressives, liberals or who are interested in labor. I want to tell you why the Russian situation, as it is illustrated in the Moscow frame-ups and the blood purges reported almost daily in the columns of the press, are living events, in the consequences of which the American people and our democracy is involved."

Calling attention to the fact that the frame-up artists have already intervened with disastrous results in the internal life of the Spanish working class and the anti-fascist front, Dr. Dewey said that the method of branding Trotskyists and other opponents as "Fascists" is being carried into every other country by the Stalinists by means of propaganda around the fake court proceedings in Moscow. He pointed out that a start in this direction has already been made in the United States.

## Brands Frame-Up in Minneapolis

"Only the other day," he continued, "a trade union official was murdered in Minneapolis, which is certainly an American city. 'Already Communists and their sympathizers are asking us to

believe that, because Moscow courts held Trotsky guilty of conspiring with Hitler and Japan, therefore Minneapolis workers friendly to Trotsky assassinated Corcoran. When unionists who are not in any way connected with Trotsky ridiculed the charge, they were at once denounced as Trotskyite stooges. This is a fresh example of the way what went on in Russia is used to disrupt the ranks of labor in this country. It won't be the last time. American labor and progressive groups are going to be asked over and over again to decide local questions on the basis of charges against Trotsky and Trotskyites in Moscow."

While making clear that he was opposed to Trotsky's political views, the eminent educator expressed the opinion, concurring with Trotsky's, that the results of the inquiry and the establishment of the true facts cannot help reaction, but on the contrary, are the surest way of aiding the progress of humanity. The brief summary he gave of the Commission's findings, and his appeal to every thinking man and woman to read the facts contained in the full report and judge for themselves, were especially pertinent and effective.

The reply attempted by Corliss Lamont, Chairman of the "Friends of the Soviet Union" and a Stalinist apologist, sounded feeble in its hysteria, by contrast to Dr. Dewey's sober presentation.

Another powerful blow has been struck against Stalinist reaction, a blow which is bound to resound the world over.

# Truth

The International Commission investigating the charges made against Leon Trotsky and his son Sedov in the Moscow trials has found them Not Guilty. Truth is truly on the march. The historical significance of these findings can be translated into every day political action through the Socialist Appeal which has always stood for the TRUTH.

Even the capitalist press has been forced to accept and publish the innocence of Leon Trotsky and Sedov. The Appeal which is official organ of the American section of the 4th International knew the truth long before it

was rammed down the throats of the capitalist press and the Stalinist frame-up artists.

The Socialist Appeal must continue to spread the truth—not only about the Moscow Trials—but about every phase of the struggle of the international working class with the international bourgeoisie and the Comintern.

If you want the truth to be known you can do your part by subscribing at once to the Socialist Appeal or by contributing toward its maintenance. A blank is provided below.

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