

Mass Terror and the Court: The Military Collegium of the USSR

MARC JANSEN & NIKITA PETROV

Abstract

Apart from its role in the Moscow show trials during 1936–38, the Military Collegium of the USSR Supreme Court under V.V. Ul'rikh also tried some 40,000 'enemies of the people' behind closed doors, sentencing most of them to death. These pseudo-trials of no more than a few minutes took place in prisons or NKVD offices in Moscow or (through the Collegium's assizes) provincial centres. There was no serious investigation of the evidence, and the court turned a blind eye to apparent cases of torture. The judges personally attended executions, occasionally even participating in them. The punishments had been determined beforehand by the political leadership under Stalin by way of lists, with the Military Collegium only 'legalising' the sentences. The defendants originated from the Soviet elite. The aim of this article is to throw more light on this side of the Collegium's activities, mainly based on archival sources. The article suggests that this quasi-legal procedure was adopted by the leadership under Stalin, in preference to purely administrative measures, because it was considered to be less likely to endanger the elite's loyalty.

We did not break the law, did not sign just like that. These are lies. Ul'rikh gave reports. There was a court, an indictment, there were sentences: everything as it should be, everything according to the law (Lazar' Kaganovich interviewed by G.A. Kumanev in Kumanev 1999, p. 116).

From an organ of justice, [the Military Collegium] was turned into an appendage of the power apparatus, a weapon of arbitrary rule and lawlessness, a terrible machine of mass repressions [Soviet military jurists N. Chistyakov and V. Maslov (1991, p. 76)].

THE MILITARY COLLEGIUM OF THE USSR SUPREME COURT played an essential rôle in Soviet political justice, particularly during the Stalin years and immediately after. It was formed in 1923 and Valentin Trifonov was appointed its first president, with Vasili Ul'rikh as his deputy. To begin with it was intended to be a court of first instance

This article is based on part of a study conducted by the authors into the Military Collegium of the USSR Supreme Court under Stalin (work in progress). We would like to thank M. Edman, F.J.M. Feldbrugge, J. Kirkpatrick and E. van Ree for their advice.

Political Justice In The Ussr

Cynthia M. Horne, Lavinia Stan



Political Justice In The Ussr:

Political Justice in the USSR Thomas A. Oleszczuk, 1988 An empirical study of the state apparatus of the Soviet Union as an instrument of oppression focusing on the repression of dissenters in Lithuania in the period 1969-1987 *Political Justice* Otto Kirchheimer, 2015-12-08 How have regimes used the agencies of criminal justice for their own purposes What characterizes the linkage of politics and justice Drawing on a wealth of foreign and domestic source material Otto Kirchheimer examines systematically the structure of state protection the nature of a strictly political trial including the trial by fiat of the successor regime and the forms of legal repression that states have used against political organizations He analyzes the Nuremberg trials the Communist purge trials and a number of Smith Act trials In two highly original chapters he also explores the political and judicial nature of asylum and clemency This study of the uneasy balance between abstract justice and political expediency is a contribution to constitutional and criminal law political science and social psychology Originally published in 1961 The Princeton Legacy Library uses the latest print on demand technology to again make available previously out of print books from the distinguished backlist of Princeton University Press These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905 **Political and Transitional Justice in Germany, Poland and the Soviet Union from the 1930s to the 1950s** Magnus Brechtken, Wladyslaw Bulhak, Jürgen Zarusky, 2019-09-02 **Ideology and System Change in the USSR and East Europe** Michael Urban, 2016-07-27 These studies cover a range of topics market reforms social justice ecology nationalism new political parties and more that are at the centre of the revolutionary changes under way in the former Soviet bloc The breadth of this book's subject matter is complemented by the variety of methods and approaches that it features historical interpretation linguistic analysis statistical analysis and political sociology The result is a genuinely interdisciplinary treatment of this important topic **Domination and Global Political Justice** Barbara Buckinx, Jonathan Trejo-Mathys, Timothy Waligore, 2015-02-11 Domination consists in subjection to the will of others and manifests itself both as a personal relation and a structural phenomenon serving as the context for relations of power Domination has again become a central political concern through the revival of the republican tradition of political thought not to be confused with the US political party However normative debates about domination have mostly remained limited to the context of domestic politics Also the republican debate has not taken into account alternative ways of conceptualizing domination Critical theorists liberals feminists critical race theorists and postcolonial writers have discussed domination in different ways focusing on such problems as imperialism racism and the subjection of indigenous peoples This volume extends debates about domination to the global level and considers how other streams in political theory and nearby disciplines enrich expand upon and critique the republican tradition's contributions to the debate

This volume brings together for the first time mostly original pieces on domination and global political justice by some of this generation's most prominent scholars including Philip Pettit, James Bohman, Rainer Forst, Amy Allen, John McCormick, Thomas McCarthy, Charles Mills, Duncan Ivison, John Maynor, Terry Macdonald, Stefan Gosepath, and Hauke Brunkhorst. **Politically Motivated Justice** Artem Galushko, 2021-03-31 The book addresses authoritarian legacies of politically motivated justice and its unwritten practices that have re-emerged in the recent trials related to both political and ordinary criminal charges against prominent opposition leaders in many former Soviet republics. Taking into account that in any country all trials are more or less related to politics, the author differentiates between trials on political issues, political trials that are not necessarily arbitrary and politicized, partisan trials, arbitrary trials against political opponents. The monograph thus adopts a broad definition of a political trial which includes all trials that are related to politicians and political matters such as elections, regime change, activities of parties and other political organizations. The focus lies on a separate group of partisan trials that are politicized, i.e. politically motivated, and which are used by governments to restrain political opposition and dissent. Primarily aimed at legal practitioners such as human rights lawyers, prosecutors and judges, as well as postgraduate researchers, teaching assistants and university law professors, readers can gain from the book information that is useful in assessing the interdisciplinary phenomenon of politically motivated criminal justice in transitional and authoritarian post-Soviet republics. Additionally, the volume is indispensable to readers that are interested in Eastern European Studies, Transitional Justice, Law and Society, Slavic Studies, and Theory and History of State and Law. Artem Galushko is a post-doctoral researcher at the Max Planck Institute for the Study of Religious and Ethnic Diversity in Germany. **Politics and Justice in Russia: Major Trials of the Post-Stalin Era** Yuri Feofanov, Donald D. Barry, 2019-07-23 Combining a journalist's view of major trials with a political legal analysis, this text gives a picture of the politics of justice in Russia. Coverage of major court cases ranges from the 1961 trial of the currency speculators to the Communist Party trial of 1992. **Stalin's Soviet Justice** David M. Crowe, 2019-06-13 From the show trials of the 1920s and 1930s to the London Conference, this book examines the Soviet role in the Nuremberg IMT trial through the prism of the ideas and practices of earlier Soviet legal history, detailing the evolution of Stalin's ideas about the trial of Nazi war criminals. Stalin believed that an international trial for Nazi war criminals was the best way to show the world the sacrifices his country had made to defeat Hitler, and he together with his legal mouthpiece Andrei Vyshinsky maintained tight control over Soviet representatives during talks leading up to the creation of the Nuremberg IMT trial in 1945 and the trial itself. But Soviet prosecutors at Nuremberg were unable to deal comfortably with the complexities of an open, western-style legal proceeding which undercut their effectiveness throughout the trial. However, they were able to present a significant body of evidence that underscored the brutal nature of Hitler's racial war in Russia from 1941-45, a theme which became central to Stalin's efforts to redefine international criminal law after the war. Stalin's Soviet Justice provides a nuanced analysis of the Soviet justice system at a

crucial turning point in European history and it will be vital reading for scholars and advanced students of the legal history of the Soviet Union the history of war crimes and the aftermath of the Second World War *Transitional Justice and the Former Soviet Union* Cynthia M. Horne, Lavinia Stan, 2018-02-22 A comprehensive overview of the efforts of state and non state actors in the former Soviet Union to redress the past **Soviet Criminal Justice Under Stalin** Peter H. Solomon, 1996-10-28 Soviet Criminal Justice under Stalin first published in 1997 is a comprehensive account of Stalin's struggle to make criminal law in the USSR a reliable instrument of rule Using recently declassified archives Peter Solomon tells the revealing story of non political justice on the local scene as well as in the center Contrary to conventional wisdom Solomon emphasizes the initial weakness of the Soviet state and the limits of Stalin's capacity to rule Solomon's study also offers new perspectives on collectivization the Great Terror the politics of abortion and the disciplining of the labour force This book should appeal to anyone interested in the political social or legal history of the USSR judicial reform in post Soviet states law in authoritarian regimes or comparative legal development

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