

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. Kumaney in Kumaney 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

**Barbara Buckinx, Jonathan Trejo-
Mathys, Timothy Waligore**



Political Justice In The Ussr:

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 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 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

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 *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 postgraduates 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

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

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 linguist analysis statistical analysis and political sociology The result is a genuinely inter disciplinary treatment of this important topic

Transitional Justice and the Former Soviet Union Cynthia M. Horne, Lavinia Stan, 2018-02-22 In the twenty five years since the Soviet Union was dismantled the countries of the former Soviet Union have faced different circumstances and responded differently to the need to redress and acknowledge the communist past and the suffering of their people While some have adopted transitional justice and accountability measures others have chosen to reject them these choices have directly affected state building and societal reconciliation efforts This is the most comprehensive account to date of post Soviet efforts to address distort ignore or recast the past through the use manipulation and obstruction of transitional justice measures and memory politics initiatives Editors Cynthia M Horne and Lavinia Stan have gathered contributions by top scholars in the field allowing the disparate post communist studies and transitional justice scholarly communities to come together and reflect on the past and its implications for the future of the region

Problems of Communism , 1977 **Political Trials in Theory and History** Jens Meierhenrich, Devin Owen Pendas, 2016 This book presents an empirically rigorous and theoretically

sophisticated account of political trials *Political (In)Justice* Anthony W. Pereira, 2005-10-23 Why do attempts by authoritarian regimes to legalize their political repression differ so dramatically Why do some dispense with the law altogether while others scrupulously modify constitutions pass new laws and organize political trials *Political In Justice* answers these questions by comparing the legal aspects of political repression in three recent military regimes Brazil 1964 1985 Chile 1973 1990 and Argentina 1976 1983 By focusing on political trials as a reflection of each regime's overall approach to the law Anthony Pereira argues that the practice of each regime can be explained by examining the long term relationship between the judiciary and the military Brazil was marked by a high degree of judicial military integration and cooperation Chile's military essentially usurped judicial authority and in Argentina the military negated the judiciary altogether Pereira extends the judicial military framework to other authoritarian regimes Salazar's Portugal Hitler's Germany and Franco's Spain and a democracy the United States to illuminate historical and contemporary aspects of state coercion and the rule of law **Soviet Law After Stalin** Donald D. Barry, George Gingsburgs, Peter B. Maggs, 1979 *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 **ABA Journal**, 1956-06 The ABA Journal serves the legal profession Qualified recipients are lawyers and judges law students law librarians and associate members of the American Bar Association *Abuse of Psychiatry for Political Repression in the Soviet Union* United States. Congress. Senate. Committee on the Judiciary. Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws, 1972 **The Organs of Soviet administration of justice: their history and operation** Samuel Kucherov, 2024-05-06 **The Soviet High Command: a Military-political History, 1918-1941** John Erickson, 2013-07-04 An objective and documentary history of the earliest origins and formative years of the Workers Peasants Red Army from the Civil War to the initial disasters of the war with Germany the Great Patriotic War culminating in the battle for Moscow in November December 1941 *Civil Society and the Search for Justice in Russia* Christopher Marsh, Nikolas K. Gvosdev, 2002-01-01 More than a decade has passed since path breaking policies aimed at liberalizing post Soviet society were first introduced in Russia Today these promises of freedom equality and justice remain largely unfulfilled and Russia's political system continues to exhibit signs of the deep rooted problems that may well retard if not completely derail any possibility of future reform Against this stark background *Civil Society and the Search for Justice in Russia*

explores the various dimensions of Russia's civil society the meaning of and search for justice the role of the Orthodox church as a principal unifier in civil society the need for new freedoms for women and ethnic minorities and the role of mass education and the free press in inculcating and articulating new civic values Expertly blending the historical with the theoretical the recent with the empirical this work offers new insight and analysis into the ability of a nascent Russian civil society to engage effectively with the twenty first century Russian state to ensure social religious and political justice

Departments of Commerce, Justice, State, the Judiciary, and related agencies appropriations for fiscal year 1986 United States. Congress. Senate. Committee on Appropriations. Subcommittee on Commerce, Justice, State, the Judiciary, and Related Agencies, 1986 **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

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