JOHN DEWEY, THE “TRIAL” OF LEON TROTSKY AND THE
SEARCH FOR HISTORICAL TRUTH*

ALAN B. SPITZER

Consider the following historical text:

In 1937, new facts came to light regarding the fiendish crimes of the Bukharin-Trotsky gang. The trial of Pyatakov, Radek and others, the trial of Tukhachevsky, Yakir and others, and, lastly, the trial of Bukharin, Rykov, Rosengoltz and others, all showed that the Bukharinites and Trotskyites had long ago joined to form a common band of enemies of the people, operating as the “Bloc of Rights and Trotskyites.”

The trials showed that these dregs of humanity, in conjunction with the enemies of the people, Trotsky, Zinoviev and Kamenev, had been in conspiracy against Lenin, the Party and the Soviet state ever since the early days of the October Socialist Revolution.

The insidious attempts to thwart the Peace of Brest-Litovsk at the beginning of 1918, the plot against Lenin and the conspiracy with the “Left” Socialist-Revolutionaries for the arrest and murder of Lenin, Stalin and Sverdlov in the spring of 1918, the villainous shot that wounded Lenin in the summer of 1918, the revolt of the “Left” Socialist-Revolutionaries in the summer of 1918, the deliberate aggravation of differences in the Party in 1921 with the object of undermining and overthrowing Lenin’s leadership from within, the attempts to overthrow the Party leadership during Lenin’s illness and after his death, the betrayal of state secrets and the supply of information of an espionage character to foreign espionage services, the vile assassination of Kirov, the acts of wrecking, diversion and explosions, the dastardly murder of Menzhinsky, Kuibyshev and Gorky—all these and similar villainies over a period of twenty years were committed, it transpired, with the participation or under the direction of Trotsky, Zinoviev, Kamenev, Bukharin, Rykov and their henchmen, at the behest of espionage services of bourgeois states.

The trials brought to light the fact that the Trotsky-Bukharin fiends, in obedience to the wishes of their masters—the espionage services of foreign states—had set out to destroy the Party and the Soviet state, to undermine the defensive power of the country, to assist foreign military intervention, to prepare the way for the defeat of the Red Army, to bring about the dismemberment of the U.S.S.R., to hand over the Soviet Maritime Region to the Japanese, Soviet Byelorussia to the Poles, and the Soviet Ukraine to the Germans, to destroy the gains of the workers and collective farmers, and to restore capitalist slavery in the U.S.S.R.

These Whiteguard pigmies, whose strength was no more than that of a gnat, apparently flattered themselves that they were the masters of the country, and imagined that it was really in their power to sell or give away the Ukraine, Byelorussia and the Maritime Region.

These Whiteguard insects forgot that the real masters of the Soviet country were the Soviet people, and that the Rykovs, Bukharins, Zinovievs and Kamenevs were only tem-

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porary employees of the state, which could at any moment sweep them out from its offices as so much useless rubbish.

These contemptible lackeys of the fascists forgot that the Soviet people had only to move a finger, and not a trace of them would be left. The Soviet court sentenced the Bukharin-Trotsky fiends to be shot.

The People's Commissariat of Internal Affairs carried out the sentence.

The Soviet people approved the annihilation of the Bukharin-Trotsky gang and passed on to next business.¹

What should we make of this passage? Today, many readers, even in the Soviet Union, would simply say with Pierre Vidal-Naquet that "the history of the communist party of the Soviet Union that appeared under Stalin is a lasting monument of the most murderous historical lies." But as historians we might not wish to leave it at that. What seems self-evident now was the object of bitter debate and agonizing uncertainty then. The Stalinist version of the great purges of the 1930s was not only affirmed as revealed truth but glossed, as Vidal-Naquet observes, by "liberal, apparently scholarly versions of Stalinist history" ornamented by numerous references and bibliographical notes.² The trials were authenticated for world opinion by appeals to the "facts" established by inference from the evidence provided in great part by the confessions of the accused.

This paper will examine one of the most influential challenges to the authenticity of the trials, presented in public hearings before a "Preliminary Commission of Inquiry" headed by John Dewey (henceforth referred to as the Commission or the Dewey Commission). The Commission was the subcommittee of a body organized to allow Leon Trotsky — condemned in absentia as the soul of the conspiracy to overthrow the Soviet state — to present his side of the case. In effect, the Dewey Commission presided over something like a mock trial of Trotsky which simultaneously placed the entire system of Soviet political justice in the dock.³

The debate over the validity of the trials was a debate over the nature of the Soviet experiment, and one, as James T. Farrell and many others saw it, that posed stark, categorical alternatives:

At the time, I, as well as others, posed this question: if the official version of the Trials were true, then the co-workers of Lenin and leaders of the Bolshevik Revolution must be considered as one of the worst gangs of scoundrels in history; if the Trials were a frameup then the leaders of Soviet Russia were perpetuating one of the most monstrous frameups in all history. 4

This either/or had special poignancy for those thousands throughout the world, located on the political Left, whose attitude toward the Soviet regime was crucial to their political and moral self-definition.

Poignancy of a different sort might inform our own reading of those Stalinist texts in the light of recent powerful arguments that have undermined our confidence in historical objectivity, in universal standards of truth, and even in “the viability of the search for stable and determinate meanings,” leaving us, and Vidal-Naquet, with the question: On what grounds might we refute “murderous historical lies”? 5

This question is put with exemplary clarity by Hayden White with reference to the history of the Holocaust:

It is often alleged that “formalists” such as myself, who hold that any historical object can sustain a number of equally plausible descriptions or narratives of its processes, effectively deny the reality of the referent, promote a debilitating relativism that permits any manipulation of the evidence as long as the account produced is structurally coherent, and thereby allow the kind of perspectivism that permits even a Nazi version of Nazism’s history to claim a certain minimal credibility. Such formalists are typically confronted with questions such as the following: Do you mean to say that the occurrence and nature of the Holocaust is only a matter of opinion and that one can write its history in whatever way one pleases? Do you imply that any account of that event is as valid as any other account so long as it meets certain formal requirements of discursive practices and that one has no responsibility to the victims to tell the truth about the indignities and cruelties they suffered? Are there not certain historical events that tolerate none of that mere cleverness that allows criminals or their admirers to feign accounts of their crimes that effectively relieve them of their guilt or responsibility or even, in the worst instances, allow them to maintain that the crimes they committed never happened? In such questions we come to the bottom line of the politics of interpretation which informs not only historical studies but the human and social sciences in general.

Having posed the issue with such precision, White rather speaks around it, approaching it by way of Vidal-Naquet’s denunciation of the obscene cottage industry engaged in the fabrication of denials of the historical reality of the Holocaust. White apparently accepts Vidal-Naquet’s assertion of a factual bedrock, “a terrain of positive history [where] true opposes false quite simply, independent of any kind of an interpretation.” He then qualifies this rather striking concession to the authority of the world outside of the observer with the caveat that “the distinction between a lie and an error or a mistake in interpretation may be more difficult to draw with respect to historical events less amply documented than the Holocaust.”

However, the essential question that White poses to historical interpretation does not bear on the degree of documentation but on how it functions for the interpreter. Historical interpretations that pretend to complete objectivity or neutrality inescapably conceal a political agenda, usually favorable to the status quo: "one of the things one learns from the study of history is that such study is never innocent ideologically or otherwise, whether launched from the political perspective of the Left, the Right, or the Center." We are left, it seems, with a politically charged historical discourse constrained to some extent by the authority of those brute facts where, in Vidal-Naquet's words, quoted by White, "true opposes false quite simply, independent of any kind of interpretation."

The problematic nature of the relation between a politicized historical rhetoric and the presumed authority of brute fact was starkly outlined in the irreconcilable interpretations of the purge trials that tore apart the political Left in the 1930s. In the Soviet version, the "facts" of the case were authenticated by the deadly authority of Stalinist discourse. No one in those years who fell within the orbit of the Soviet regime needed a Foucault to remind them of the integral relation of "knowledge" and power.

The language of Marxo-Stalinism had its peculiar structure and its linguistic figures—its tropes, modes, and emplotments: in Hayden White's words, its own "strategies of explanation . . . with an ideological implication that is unique to it." We might then simply stand on White's "moral and aesthetic" grounds for preferring alternative versions of the past and choose to reject this one. We suspect, however, that White would not wish to insert such a text under his rubric of "mutually exclusive, though equally legitimate, [my emphasis] interpretations of the same set of historical events or the same segment of the historical process." That was scarcely how contemporaries in any camp would have then disposed of it.

There were some who did simply reject the Stalinist version on what Richard Rorty might now identify as ethnocentric grounds. Their intellectual solidarity—to use another Rortyian term—entailed the conviction that Stalinist discourse was integrally false. Few however would have argued, like Rorty, that "people think that intellectuals have to give a reason why these dictators [Hitler and Stalin] were wrong. This seems to me to be a ludicrous hope." It seemed very important then, especially to those aligned in the socialist and democratic camp, to know whether and wherein Stalin was right or wrong, and this was important not only

9. Joel Foreman and Richard Rorty, "The Humanities: Asking Better Questions, Doing More Things: An Interview with Richard Rorty," *Federation Review* 7 (March/April 1985), 17. Rorty's point is, "The fact that the Nazis were bad is so clear and evident that I cannot imagine getting more conviction on the subject from one's study in literature, history, or philosophy."
in the abstract but with reference to specific issues of great political and moral significance. One could not simply assume that Stalinists lied about, or were wrong about, everything, and that their liberal and social-democratic antagonists were correct. Representatives of liberal and democratic regimes such as Anthony Eden and Léon Blum who defended the noninterventionist policy in the Spanish civil war were wrong and the Soviet apparatchiks, apologists, and international fellow travelers who called it a farce were right.

While there were a great many people whose minds were made up about the validity of the Purge Trials prior to the examination of evidence, there were many who were convinced in the light of what they perceived as evidence, and others who waited to be convinced. Ambassador Davies, whose duty was to report the truth about the trials to Washington, became convinced of their authenticity; John Dewey, who agreed to head a commission of inquiry into the case of Leon Trotsky, would conclude that the trials were a cynical travesty.

I do not intend to retell the fascinating story of the mock trial of Leon Trotsky convened in Mexico City in April 1937 by the commission chaired by John Dewey, nor to beat Stalinism with an old stick, but to examine the arguments through which contemporaries justified their conclusions as to the truth of contradictory histories of a recent past. The Dewey Commission was not convened to write history, and the recent past it examined was remembered as well as recorded, but issues raised with regard to the grounds for the justification of historical propositions are as applicable to the conclusions of the Commission as to any historical text.

In March 1936 an American section of an international committee for the defense of Leon Trotsky had been organized to allow Trotsky to answer the accusations leveled against him at the Moscow trials. The question of Leon Trotsky’s guilt or innocence was practically and symbolically central, not only to an evaluation of the purge trials, but to the reading of the history of Russia since 1917—practically, because, if the charges brought against Trotsky were false, the entire structure based on the confessions of the accused, which assigned Trotsky a central role, would disintegrate; symbolically because Leon Trotsky had become the great protagonist of a modern political Paradise Lost, expelled from the workers’ paradise but still “going to and fro on the earth and walking up and down on it.”

As the Preliminary Commission of Inquiry had been organized by the Committee for the Defense of Leon Trotsky, it was predictably dismissed as a tool of the “Trotskyites.” This did not plausibly dispose of John Dewey, who was certainly not a Trotskyist, who refuted Trotsky on various occasions, and who, in his seventy-eighth year, was venerated as an icon of liberal rectitude. He could, of course, be dismissed as deluded or, even better, senile. It would be difficult to argue the latter, given the publication in 1938 of Logic, The Theory of Inquiry, Dewey’s magnum opus in technical philosophy.

The organization and procedures of the hearings in Mexico City would be vulnerable to the criticism of those who opposed the Commission’s conclusions.
The Commission disclaimed any pretense at conducting a trial; it was to function "solely as an investigating body" to decide whether "Mr. Trotsky had a case warranting further investigations." As its critics would emphasize, however, the commissioners functioned as something like magistrates and jurors, setting the ground rules, interposing questions, and drawing conclusions.

There were four members of the Preliminary Commission in addition to Dewey: Benjamin Stolberg, a journalist with labor connections and a qualified admirer of Trotsky; Susan LaFollette, niece of Senator Robert LaFollette, writer for The Nation, and art critic; Otto Ruehle, a German Marxist emigré with distinguished socialist credentials; and Carleton Beals, a left-wing journalist and widely read author of books on Latin America. His abrupt resignation from the Commission, and condemnation of its procedures, would supply powerful ammunition to its detractors.

Trotsky was "represented" by a labor lawyer, Albert Goldman, as if in a conventional adversarial procedure, but the Commission's attorney, John Finerty, did not so much play the role of a prosecuting attorney as that of a European examining magistrate orchestrating a search for the truth. This too would be a target. The arguments over procedure certainly did bear on evaluations of the Commission's conclusions, but ultimately the burden of conviction would be borne by the arguments over the substance of the hearings.

There were three sorts of arguments brought to bear on the results of the investigation in Mexico City which I shall label, at some risk of parody, pragmatic, hermeneutic, and epistemological. By pragmatic I intend arguments that spoke to the possible consequences of the trial, and therefore "what was good in the way of belief" to those somewhere on the political Left; by hermeneutic I refer to interpretations of the meaning of the trials and the commission hearings in the larger historical context, and with reference to the values and perspective of the interpreter; and I apply epistemological to the treatment of the evidence regarding what allegedly occurred.

A prologue to the pragmatic argument over the findings of the Dewey Commission appeared two months before the inquiry in Mexico City in an "open letter to American liberals" published in The Daily Worker and printed a month later in Soviet Russia Today. This manifesto, signed by many distinguished figures on the American Left, was intended to warn American liberals against the machinations of the American Committee for the Defense of Leon Trotsky, notably its organization of an investigation of the Moscow trials, pointing out "the real nature" of the committee as a Trotskyist front and therefore an ally of fascist and reactionary enemies of the Soviet Union which "should be left to protect itself against treasonable plots as it saw fit." The open letter concluded:

We ask you [the American liberals] to clarify these points, not merely because we believe that the Soviet Union needs the support of liberals at this moment when the forces of fascism, led by Hitler, threaten to engulf Europe. We believe that it is important for the

10. The Case of Leon Trotsky, xv.
progressive forces in this country that you make your position clear. The reactionary sections of the press and public are precisely the ones to seize most eagerly on the anti-Soviet attacks of Trotsky and his followers to further their own aims. We feel sure that you do not wish to be counted an ally of these forces.11

The argument as to consequences was, of course, a principal line of the Communist and fellow-traveling press, but it also weighed heavily in the balance of all those whose primary concern was the inexorable advance of fascist power. Even for those who knew the trials were wrong, Alfred Kazin recalls, "the issue was not so simple. . . . The danger was Hitler, Mussolini, Franco. . . . Although I had been revolted and disgusted by still more Moscow trials. . . . Fascism was still the major threat to peace."12

According to the editors of The New Republic, to open the question in the manner of the Dewey Commission would simply add to the confusion over the trials. "Meanwhile, there are more important questions than Trotsky's guilt"—among them, "the question of whether American liberals and progressives are going to work toward the end they have in common, or whether they are going to dissipate their influence by quarrels among themselves over questions that concern them at second hand."13

When Malcolm Cowley, influential editor and literary critic of The New Republic, set down his reminiscences, "without apologies or recriminations," as he puts it, of the political line he followed in the 1930s, he drew a distinction between two "factions" on the left. One group was essentially anti-Stalinist and the other anti-Hitlerite. The latter, Cowley recalls, was primarily concerned with promoting the anti-Nazi alliance which included the Communists. Whatever one thought of Stalin's brutality, vindictiveness, and so forth, "the only sound policy was to check Hitler by any possible means and with the greatest number of allies, including Beelzebub." That wasn't precisely how Cowley had characterized Stalin at the time. In comparing the great Bolshevist antagonists in the April 7, 1937, issue of The New Republic, Cowley wrote, "it is now a question of war and peace and the world that our children are going to live in. Stalin with all his faults and virtues represents the Communist revolution. Trotsky has come to represent the 'second revolution' that is trying to weaken it in the face of attacks from the fascist powers."14

Like many other liberals whose primary loyalty was to a viable Popular Front, Cowley was not only concerned with the practical political consequences of one's reading of the purge trials and therefore of the Soviet system, but also for its meaning—its implications for the intelligibility of the political universe and one's relation to it. A judgment on the trials was an interpretation, a making sense

of patterns of political behavior in the light of each individual's moral and political location. This was an issue raised at the Mexico City hearings and elsewhere by Trotsky and his partisans, who argued that a reading of Trotsky's career and indeed the history of the Bolshevik revolution which granted the allegations of counterrevolutionary conspiracy and betrayal to the fascist powers was simply unintelligible.

The Dewey Commission did give some credence to this argument although it was also available to those antagonists who were happy to quote Trotsky against himself. In various published documents Trotsky had asserted the Soviet bureaucracy would not relinquish power without a fight and could only be removed by "a revolutionary force." Considering this issue from a broader, "more objective," liberal perspective, some would argue that Trotsky and his followers as completely consequential political actors had no choice but to take up any method, even to the point of alliance with fascist enemies of the Soviet Union, that might bring down the regime that incarnated the betrayal of the workers' cause. Indeed, the regime had given them no choice, and Stalinist despotism was in effect a self-fulfilling prophecy of the treasonable activity of its proponents who were afforded no other outlet. Thus, one could combine the acceptance of the essential authenticity of the trials with the criticism of an authoritarian regime that equated opposition to conspiracy. This was still to accept the official Soviet version of what had actually occurred.

The interpretation of the Soviet apologists was the reverse of the Trotskyists' version. The entire history of the revolution and the Soviet regime was unintelligible if the trials had been a brutal farce. For Corliss Lamont, "the Soviet regime and its achievements are indivisible; and we cannot believe that its system of justice is completely out of step with its splendid accomplishments in practically all other fields."

The Dewey Commission was to find this version of historical intelligibility less convincing than that of Trotsky, but would ultimately base its conclusions on its understanding of what it would call "historic truth." Both the defenders of Trotsky and the Communist Party's polemicists insisted that their positions were founded on factual bedrock. And it was there that the Commission intended to build its case. Evidence as to past events was at the center of the hearings in Mexico City.

Since the confessions at the Moscow Trials constituted the substance of the prosecution's case against Trotsky, the Dewey Commission's investigation was to a considerable extent an evaluation of their validity. As the Commission remarked, despite Vyshinsky's talk of documenting the immense conspiracy, it had left no paper trail, none of the letters or messages had been preserved, not a scrap of incriminating paper left by that horde of inept conspirators — nothing but their word in tailored response to the prosecutor's questions.

15. For example, "Behind the Soviet Trials," The Nation (February 6, 1937).
However, the confessions did refer to alleged events that had occurred outside of the Soviet Union, and these references could be checked against publicly accessible information. This was Vyshinsky's great blunder, fully exploited by Trotsky in Mexico City, and the decisive contribution to the conclusions of the Commission.

The entire case against Trotsky at the second Trial was predicated on the confessions of Radek and Pyatakov that they had followed Trotsky's orders in orchestrating the campaign of sabotage and political terror in the Soviet Union. These orders had to have been received abroad from Trotsky or his agents — specifically on three major occasions which were crucial for the prosecution's scenario and became the targets of Trotsky's defense. According to the confessions: (1) Several defendants met Trotsky and his son L. L. Sedov in Copenhagen in 1932 to receive seditious instructions; (2) Vladimir Romm, a former correspondent for Izvestia, had met and received instructions from Trotsky in the Bois de Boulogne in July of 1933; (3) G. L. Pyatakov, former supporter of Trotsky and key figure in the industrialization of the Soviet Union, the self-confessed linchpin of the entire conspiratorial machine in the Soviet Union, had flown to Oslo in December 1935 and met Trotsky outside of the city.

The first of these allegations had to do with testimony at the first great purge trial by a self-identified courier for the conspiracy named Holtzman, detailing a trip to Copenhagen where he had put up at a Hotel Bristol and met Trotsky's son, who took him to see his father. Holtzman's confession was implausible on various counts — notably the considerable (if not absolutely conclusive) evidence that Trotsky's son Sedov could not have been in Copenhagen on that date. But the really embarrassing gaffe lay in the fact that the only Hotel Bristol in Copenhagen had been destroyed by a fire in 1917. The answer to this would be a photograph, published among other places in Soviet Russia Today,17 which showed that there was an establishment described as the Café Bristol near a hotel, purporting to demonstrate that the witness had simply confused the café with the hotel. This line was shredded by Trotsky in his peroration in Mexico City: the shop was not a café but a candy store; it was not next to the hotel but two doors away, and faced on another street. Holtzman had testified that he had put up at the hotel and met Sedov in the lobby. A glance at the photograph, which blacked out an area between the candy store and the hotel, carries considerable negative authority.

Vladimir Romm, who described himself as the link between Trotsky and the old Bolshevik leader Radek, testified to a meeting in the Bois de Boulogne during Trotsky's sojourn in France in 1933. The Trotsky defense presented many witnesses to the chronology of Trotsky's journey from Marseilles, where he entered France, to his French residence at Royan, where he arrived on July 25, and to the state of his health, which made it impossible for him to travel for the rest

of the summer. The answer to this, of course, would be to claim that every relevant witness had lied.

The most important and contestable matter of fact would be contained in Pyatakov's testimony, which was the keystone of the entire structure erected by Vyshinsky at the second Trial and was really indispensable for the plausibility of all three of the great trials. Pyatakov had confessed that he had been in Berlin in December 1935 on Soviet business, had flown with a forged passport to an aerodrome in Oslo, driven to Trotsky's residence, where he received instructions and learned that Trotsky was working with the Nazis. Before the trial had even concluded, Norwegian newspapers uncovered the fact that no foreign aircraft had landed at Oslo's airport during the month of December 1935 and that no foreign plane at all had used the field between September 1935 and May 1936. This rather remarkable discrepancy was assigned decisive weight in the Dewey Commission's conclusions because the entire edifice of "contradictions and deliberate falsifications," erected by the prosecution, depended on Pyatakov's testimony.18

The evidence as to matters of fact constituted the basis for the Commission's findings in its report, Not Guilty, published at the end of the year. The Commission assayed the credibility of the Trials in the larger context of the shoddy legal procedures, the absence of relevant documentation, the perspective of Trotsky's life and writings, and the implausibility of the entire conspiratorial scenario, but the basis of its conclusions rested on the evidence of the factual fabrications of the key confessions.

In effect, the Commission applied canons of evidence appropriate to both historical and legal investigations. Especially relevant were those characterized in Nicholas Rescher and Carey B. Joynt's article, "Evidence in History and in the Law,"19 as The Argument from Silence and the Best Evidence Rule, and the Critical Use of Witness Testimony. The first rule proceeds from the assumption that when the best evidence relevant to the case is not produced by the party which controls it, "the law draws the inference that it would be unfavorable" to that party. Vyshinsky's crew sedulously avoided the pursuit of evidence such as the official records of the flight to Norway that would have undermined the credibility of the confessions. As to the evaluation of witness testimony, the decisive criterion would be "the physical improbability of the facts related," and that criterion was, and remains, central to any judgment of historical truth in the case of Leon Trotsky.

It is, of course, much easier to assay the weight of the evidence now than it was then. The mutually corroborating confessions carried considerable authority. This sort of evidence is given due weight by juries and historians. But the evidence as to "physical improbability" takes priority. A "cast-iron alibi" such as

18. Not Guilty, 361.
the absence of the accused from the scene of the crime carries an authority rarely outweighed by other evidence.

The contemporary responses to the Commission's report, to Dewey's speeches setting out its conclusions, and to the entire procedure in Mexico City were more or less predictable in the light of political *partis pris*. From the beginning the hearings had seemed a dubious enterprise, not only to hard-line Stalinists and consistent fellow-travellers but to many "open-minded" liberals and independent radicals.20 Once underway they were denigrated by *ad hominem* slander and coarse vituperation but also by clever argument. Consider, for example, the masterful application of selective skepticism by the journalists sent down to Mexico City by *The New Masses* to observe the hearings.21

Their obvious task was to disparage the entire procedure—to present it as a travesty of a trial in which the Trotskyite "court" had stacked all of the cards in favor of the defendant. They were provided with powerful ammunition by the resignation of a member of the Commission. Carleton Beals, who had been the only hostile interrogator of Trotsky, quarreled with the other members, resigned before the end of the hearings, and issued a widely-published statement that described them as a whitewash: "The hushed adoration of the other members of the Commission for Mr. Trotsky throughout the hearings has defeated all spirit of honest investigation."22

Beals's motives are still subject to debate. He has been described as a Stalinist plant. His indignant denials of bias, publicly and in private correspondence, have been accepted by his biographer. In my view they are not convincing.23

The two reporters for *The New Masses* did not simply address the form of the hearings but also their substance, outlining an analysis of Trotsky's defense under two rubrics:

1. . . . argument from personality, devoted to showing that it was morally and psychologically impossible for him to have engaged in treasonable counterrevolutionary activities;
2. argument from "actual facts" designed to show by circumstance and "documentation" that Trotsky had not met or conspired with Moscow trial defendants.24

The *New Masses* handled the first category by referring to Trotsky's writings that asserted that the Soviet bureaucracy could only be overthrown by a new political revolution and that opposition to the will of the Soviet masses would be answered with violence.

22. See for example, "Mr. Beals Resigns From Trotsky Commission," *Soviet Russia Today* (May, 1937), 38.
23. John A. Britton, *Carleton Beals: A Radical Journalist in Latin America* (Albuquerque, 1987), 166–186. Beals's break with the Commission was precipitated by his question as to whether Trotsky had instructed the Soviet agent Borodin to foment revolution in Mexico in the 1920s. This seemed to threaten the security of Trotsky's asylum in Mexico.
What is more interesting for our purposes is the deft disposal of the key factual allegations. The treatment of the visit to Copenhagen emphasized the reliance on the unsupported word of Trotsky, his son, and his friends; cited Beals's questions designed to raise the possibility that Sedov could have entered Denmark with a false passport, and played on the location of a Café Bristol as featured in the photo published in Soviet Russia Today. The issue of the meeting in the Bois de Boulogne was disposed of by remarking that all of the supporting testimony came from Trotsky's friends and disciples, that the French government had made public no documentation of Trotsky's movements, and that therefore "the inquiry commission would simply have to take his own word for it." This was the way that the Pyatakov trip to Norway was also handled. As the statement regarding the absence of foreign flights to the Oslo airport between September 1935 and May 1936 was never confirmed by the Norwegian government, "again you had to take Trotsky's word for it."25

Readers of the New Masses might have believed in its writers' objectivity; they scarcely expected impartiality. But there were plenty of ostensibly impartial observers who arrived at the same conclusions as the New Masses or Soviet Russia Today. Walter Duranty in the New York Times and Joseph Barnes of the Herald Tribune underwrote the validity of the trials. The New Republic published Duranty's "The Riddle of Russia," where he simply summarized the Soviet line in the crimes of the Trotsky center, qualified by the familiar observation that opponents in the Soviet state had no choice but to work underground, therefore to conspire, therefore to commit treason.26

For many liberals and social democrats who stood somewhere between consistent fellow travellers and the anti-communist Left, the polemical cacophony over the Trials induced something like logical anomic. At various times in 1937 and even after the third purge Trial in 1938, the editors of the New Republic and the Nation assumed a position of "Agnosticism on the Moscow Trials"—the title of a New Republic editorial. Perhaps the confessions were not completely convincing, they argued, but as it was impossible for foreigners fully to explore the evidence on either side, the fairest position was to suspend judgment.27 As Frank Warren observed in his book Liberals and Communism,28 the agnostic position and the argument that American intellectuals should suspend judgment to preserve unity in the left effectively supported the Soviet status quo.

I don't intend to examine the various motives of the liberal intellectuals who more or less swallowed the party line, a subject thoughtfully treated in Warren's book, except with regard to the way that evidence as to Trotsky's guilt or innocence was assimilated, refuted, or explained away. Nor do I wish to score points off my deluded predecessors with the complacency of facile hindsight, nor sug-

25. Ibid., 9.
27. The paradigmatic assertion of agnosticism was the analysis of the Trial materials by the Yale law professor, Fred Rodell, in "Agnosticism in the Moscow Trials," The New Republic (May 19, 1937).
gest that a qualified defense of historical objectivity is an affirmation of political conservatism.

By April 1937, the agnostic position had been superseded, to the satisfaction of Malcolm Cowley and many others, by the conviction that "the major part of the indictment was proved without much possibility of doubting it." Cowley did grant that some points in the indictment depending on the testimony on Pyatakov's flight to Oslo seemed less firmly established. "On these points," he wrote, "we might suspend our judgment until more conclusive evidence is produced by one side or the other. The main question to be decided here is the scrupulousness and good faith of the Soviet authorities. It does not seem to me that Trotsky's moral guilt or innocence is really at stake." 29

This remarkable approach was restated by the editors of the journal in response to the publication of the Dewey Commission report (which they hadn't "fully read"). The fact of Leon Trotsky's guilt or innocence did not answer the question of whether there was a conspiracy or speak to its obvious repercussions on international politics and the peace of the world. "Americans were more concerned with that than with allegations that Trotsky was its master mind." 30

That chord was struck again by F. L. Schuman in a full-scale treatment of the case in the *Southern Review*, which reads something like The Fellow Traveler's Guide to the Trials. 31 Having described himself as a political scientist and a liberal who "abjures both Stalinism and Trotskyism and abhors dictatorship and terrorism in all their forms," Schuman summarized the contradictory interpretations of the Trials, stated that there was insufficient evidence for the outside observer, such as the Dewey Commission, to arrive at a definitive judgment, and then did arrive, concluding that "the available testimony points unmistakably to the guilt of the accused and to the sincerity and substantial accuracy of the confessions." 32

Schuman managed to ring changes in the various pragmatic, hermeneutic, and epistemological arguments that affirmed the truth of the Trials. Thus along with reflections on the political meaning of Trotsky's role as the fallen angel of the revolution, and the world-wide consequences of opposition to the practical, consequent, anti-fascist leadership of the Soviet regime, Schuman confronted the evidence as to actual events produced by the Trotsky defense before the Dewey Commission. In considering the three crucial allegations of the Trotsky defense—no meeting in Copenhagen, no rendezvous at the Bois de Boulogne, no Pyatakov journey to the empty airfield in Oslo—Schuman will plead the absence of any verifiable testimony. As to Copenhagen, there were only the denials of Trotsky and his son and the testimony of their friends (Schuman does grant in passing

that Moscow’s photographic evidence on the Café Bristol is not quite convincing; as to the Paris rendezvous, “it is Trotsky’s word against Romm’s with no conclusive evidence from the French authorities available”; as to Pyatakov’s flight, he “travelled incognito and his plane may have landed in some obscure spot without being officially noticed.” Trotsky had been caught in politically expedient falsehoods in the past, Schuman continued, so there was no reason to suppose that his unsupported testimony outweighed the mutually supporting confessions at the trials.

On top of all of this Schuman takes out a little polemical insurance: “Even should all the allegations be disproved, Trotsky must remain under suspicion of complicity until he has demonstrated convincingly that he proposed to remove Stalin and to organize revolution against ‘the bureaucracy’ by methods other than those he was said to have employed.”

In subsequent issues, The Southern Review featured a correspondence for and against Schuman’s essay that followed the factional fault-line on the American Left. In a characteristic, ferociously cogent article Sidney Hook concentrated his fire on Schuman’s attempt to explain away the evidence as to matters of fact presented before the commission in Mexico City. Here, as throughout the debate on the trials, Hook hammered away at the factual question. “Guilt on all the matters charged is a matter of evidence.”

This was Dewey’s emphasis too, as he presented and defended the conclusions of the preliminary Commission of Inquiry. In a speech that he delivered after the deliberations of the Commission but before publication of its final report, Dewey remarked that many honest liberals seemed to assume Trotsky’s guilt because they believed that his theories and policies were mistaken. Here they suffered from the “intellectual and moral confusion that is the great weakness of professed liberals, for Trotsky was not convicted upon charges of theoretical and political opposition to the regime which exists in the Soviet Union. He was convicted upon certain definite charges whose truth or falsity is a matter of objective fact.” The Commission of Inquiry was “trying to get at the truth as to the specific charges upon which he was convicted. This work is one of evidence and objective fact, not of weighing theories against each other.”

33. Ibid., 68.
36. The New Republic (June 2, 1937).
37. “Dewey Rebukes Those ‘Liberals’ Who Will Not Look into Facts,” The New Leader (May 15, 1937); In his answer to Selden Rodman’s piece on Trotsky in Common Sense, Dewey wrote “The question is one of fact, based on one side on the testimony of the Moscow Trials, and on the other side upon the evidence, oral, written and documentary, which the Commission itself gathered.” Common Sense (January, 1938).
In his refutations of the Commission's critics Dewey seems to grant a hard autonomy to the "objective facts." Whether this is compatible with his instrumentalist version of inquiry and his conviction that "truth-falsity is not a property of propositions," I leave to those who are better equipped than I to say.

In the brief section on historical inquiry in Dewey's *Logic* there are passages that seem to promise small comfort to the historical objectivist. Dewey argues that the notion that historical inquiry simply reinstates the events that once happened "as they actually happened" is incurably naive, that "all historical construction is necessarily selective [and] necessarily written from the standpoint of the present [and] of that which is contemporaneously judged to be important in the present," and that "the writing of history is itself an historical event—it has existential consequences. . . . [T]here is no history except in terms of movement toward some outcome . . . history cannot escape its own process. It will, therefore, always be rewritten."  

On the other hand, in the same section of the book Dewey does refer to the control that must be exercised "with respect to the authenticity of evidential data," and grants that "it is certainly legitimate to say that a certain thing happened in a certain way at a certain time in the past, in case adequate data have been procured and critically handled." Dewey then qualifies this concession to an objectively discernible past: "But the statement, 'It actually happened in this way' has its status and significance within the scope and perspective of historical writing. It does not determine the logical conditions of historical propositions, much less the identity of these propositions with events in their original occurrence."

Even with this qualifier it is the assumption that statements about the past can be categorically true or false that allows the Dewey Commission to state "in the most categorical fashion that on the basis of all the evidence we find them [the accused at the purge trials] not guilty of having conspired with Leon Trotsky and Leon Sedov for any purpose whatsoever."

Presumably, the Commission and Dewey himself had answered to their satisfaction Dewey's question, which in my view is the question to put to all claims to historical truth:

What conditions must be satisfied in order that there may be grounded propositions regarding a sequential course of past events? The question is not even whether judgments about remote events can be made with complete warrant much less is it whether "History can be a science." It is: upon what grounds are some judgments about a course of past events more entitled to credence than certain other ones?

39. Ibid., 234–239.
40. Ibid., 236–237.
41. Not Guilty, 361.
42. Dewey, Logic. 231. Ernest Gellner, *Legitimation of Belief* (London, 1974), 31, puts it this way: "For modern philosophy, and its epistemological stress, gain enormously in plausibility when they are read, not as a descriptive or explanatory account of what knowledge 'is really like', but as a formulation of norms which are to govern and limit our cognitive behavior."
Dewey’s “upon what grounds” is not equivalent to “according to what facts?” Past events are not immediate, they are inferred. The authentication of Pyatakov’s testimony did not depend on immediately perceptible facts but on inference from evidence. The point at which conflicting histories become incommensurable is not in contradictory versions of what actually happened but in fundamentally different criteria for establishing the truth.

The criteria for establishing the truth, the norms of valid inference affirmed by the Dewey Commission and by the Soviet court were ostensibly identical but actually incommensurable. This was because the grounds for Stalinist belief were located in the party line. The Leninist argument that conceptions of truth were relative to social class, but that the class truths of the proletariat were congruent with reality, had been streamlined into a sort of Stalinist Thomism where it only remained to the faithful to reaffirm by Reason the articles of faith bestowed by Revelation. Or, to borrow David Joravsky’s characterization, Soviet ideology did not distinguish “between service of group interests and objective verification as essentially different bases for belief.”

What I wish to emphasize with regard to the international debate over the purge trials is that this essential criterion could not be acknowledged by the apologists for the Soviet line. That is, however sincerely they believed in the inerrancy of the Soviet leadership, or however cynically they lied in the light of that assumption, they could not simply assert it as their sole claim to authority. There is not the clarity as to conflicting criteria for truth provided, for example, by those fundamentalists who assert the inerrancy of Scripture irrespective of any sort of evidence bearing the authority of science or common sense. In principle, this is where the argument ends. In fact, even creationists whose ultimate authority is a certain reading of biblical text are glad to cite “scientific” refutations of carbon dating. When it is polemically convenient they too claim the cognitive authority of science and common sense. So did Stalin.

For communist polemicists circa 1937 there could be no question as to the objective validity of the findings of Soviet courts. The confessions alone were sufficient to establish the truth beyond any reasonable doubt. However, they kept returning, like a tongue to a sore tooth, to the manifest discrepancies between the confessions and the evidence regarding relevant time and place outside of Russia. Even before the end of the Pyatakov trial Vyshinsky was impelled by the reports of the absence of flights to the Oslo airport to put “in the records” the following communication:

The consular department of the People’s Commissariat of Foreign Affairs hereby informs the Procurator of the U.S.S.R. that according to information received by the Embassy of the U.S.S.R. in Norway the Kjellere Aerodrome near Oslo receives all the year

44. In the 1920s Bertrand Russell remarked on the “practical pragmatism” of frame-ups in Russian political trials which the Russian police made every effort to conceal: “This effort after concealment shows that even policemen believe in objective truth in the case of a criminal trial.” Bertrand Russell, The Will to Doubt (New York, 1958), 11.
round, in accordance with international regulations, airplanes of other countries, and that the arrival and departure of airplanes is possible also in the winter months.45

This feeble attempt to shore up the system of interdependent fabrications at its weakest point was followed some months later by the circulation of the photograph of the “Café” Bristol intended to validate the testimony on the Copenhagen connection.

William Z. Foster's _Questions and Answers on the Piatakov-Radek Trial_ is a fair example of the many made-to-order polemics against the critics of the Trials.46 Foster did a rather good job of steering away from the evidential issues. He dismissed the absence of supporting documentation as the obvious result of the practical imperatives of conspiring, and persuasively argued the implausibility of scripting and staging the complex scenario required by the trials, applying Ockham's razor, as it were, to Trotsky's throat. This argument seemed plausible to many reasonably open-minded liberals, as it appealed to the sense of how things worked in general without requiring the consideration of the credibility of specific claims. However, Foster felt obliged to dispose of the hard factual issues in passing, straightening out the question of the location of the Café Bristol, and dismissing "Other Trotsky attacks upon the Oslo airplane incident, the Russian visit to Trotsky, etc." as based on "similar quibbles."

A more subtle response to the embarrassing factual discrepancies in the confessions was suggested by Joshua Kunitz in the _New Masses_. Kunitz surmised that some of the accused had made absurd confessions describing events that could not have occurred in order to discredit Soviet justice.47 This line worked to defuse the critique of the obvious flaws in the confessions by vaguely granting their existence without drawing the specific consequences for the credibility of the entire indictment.

These examples of party-line polemic illustrate the fact that the Stalinists and the Dewey Commission ostensibly spoke the same language; that is, appealed to the same criteria of historical judgment in the case of Leon Trotsky. According to Soviet spokesmen it was perfectly clear that the facts of the case imposed the conclusion of the courts. For Dewey, Hook, and other critics of the Trials, as the confessions were demonstrably false the entire case collapsed.

For the world-wide agglomeration of dedicated anti-fascists, fellow-travellers, left-leaning liberals, and independent socialists who did not, or believed they did not, receive the party line as if from Sinai, things were not so simple. They too accepted the rules of rational discourse and "objective" investigation while wishing to evade their unwelcome conclusions. That is why some of them arrived at the phenomenally incoherent thesis of the irrelevance of the issue of Trotsky's guilt

45. _The Case of the Anti-Soviet Trotskyite Centre_, 443.
or innocence—a formulation as unacceptable to hard-line party liners as to anti-Stalinist logicians.

The thesis of the irrelevance of Trotsky's guilt or innocence was raised to a higher level of abstraction in arguments that attempted to substitute the authority of ultimate meaning for that of plausible inference. In this version the highest court of appeal was an hypostatized History whose judgment was validated, not by an understanding of the past but by a reading of the future. If argued with excessive clarity this approach simply reads as vulgar pragmatism—"The winners write the history"—but given the appropriate transcendental twist it lifts the conversation above the question of mere fact into a higher realm. This sort of argument was only brought to full continental flower by Maurice Merleau-Ponty after the war.48

A rather inchoate contemporary historicist interpretation of the Trials was advanced in the Workers' Age, organ of the Lovestoneites, the American partisans of Bukharin. The issue of February 13, 1937 drew an analogy between the Purge Trials and the political trials of the French Revolution, remarking that it was pointless to pass judgment on the validity of the condemnations of the Girondists and the other victims of Jacobin justice. "In effect, we practically ignore the charges, refutations and counter-charges, and ask ourselves: which tendency was carrying forward the interests of the revolution, and which was obstructing it?"

Projecting this criterion into the twentieth century, an "objective judgment" on the Moscow Trials proceeded from the view that "the course of events has generally confirmed the viewpoint of Stalin as against that of Trotsky on the vital questions of socialist construction in the Soviet Union, on the tempo of industrialization and on the collectivization of agriculture." This interpretation coincided with the conviction that there was indeed a "substantial bedrock of fact" supporting the accusations against followers, or former followers, of Trotsky and Zinoviev.49

As the "course of events" pointed to more trials and other victims, the Lovestoneites began to reexamine the grounds for judging Soviet justice. By the time the handwriting on the wall spelled Bukharin, Will Herberg and Bertram Wolfe had been convinced by the Dewey Commission report that the crucial admissions of Holtzman, Romm, and Pyatakov were a tissue of falsehoods constituting a "brazen . . . political frame up." The Trials were still best understood from a "historico-political rather than a juridical point of view," but from that viewpoint it was now apparent that the trials were actually a phenomenon of Stalin's desperate attempt to preserve an oppressive, reactionary regime.

A more sophisticated attempt to transform (without completely eschewing) a vulgar argument from consequences into an interpretation of the essential meaning of the Trials was Merleau-Ponty's critique of Koestler's Darkness at


Noon. In a series of articles in *Les Temps Modernes* in 1946 and 1947, collected in his book *Humanism and Terror*, Merleau-Ponty staked out the grounds for judgment that were, I would argue, incommensurable with those asserted by Dewey or his procommunist antagonists in the 1930s.

Merleau-Ponty located the authority for an interpretation of past events in a possible reading of the future such that a record of what Dewey had called the objective facts was not the decisive consideration for the evaluation of the trials. While he recognized the extreme implausibility of Vyshinsky’s scenario, remarking that “it would truly be strange if Lenin had surrounded himself with supporters all of whom except one were capable of crossing over into the service of capitalist governments,”50 he dismissed such criticisms as inessential.

To some extent Merleau-Ponty did accept the argument from consequences. He interpreted Bukharin’s testimony in the third Trial as an admission by Bukharin himself of the treasonable implications of what might have been a perfectly honest and rational critique of the regime. “The Moscow Trials might be seen as the drama of subjective honesty and objective treason.”51 Under certain circumstances an interpretation based on an “enlargement and falsification of the facts . . . remains historically permissible because political man is defined not by what he himself does but by the forces on which he counts.” Thus, in a political universe in which to make any choice is to do violence to others, “to tell the truth and act out of conscience are nothing but alibis of a false morality; true morality is not concerned with what we think or what we want but obliges us to take a historical view of ourselves.”52

Yet, according to Merleau-Ponty, such an historical view is always problematic, because of the radical contingency of human destinies. The question as to whether the Soviet system would be the political expression of a proletariat which was to fulfill its assigned role as the universal class remained an open question. Therefore, the ultimate judgment of the Trials rested with the tribunal of the future, a position that, as Raymond Aron observed, would logically postpone the judgment of history on the Trials until the Last Judgment.53

Although John Dewey’s philosophy seems light years away from the Marxism-existentialism of Merleau-Ponty circa 1947, Dewey also argued that the judgment of the truth of a proposition about the past depends on present and future events. Valid propositions about events that occurred in the past can only be based on what is presently observable, and furthermore, the history under determination extends into the future. Only when past, present, and future events are brought into “temporal continuity with each other” are propositions about past events fully warranted.54 This is Dewey’s way of approaching the historical evi-

51. *Ibid.*, 44.
dence. The definition of something presently experienced as historical evidence depends upon the questions posed to the past, in Dewey's terms, "the inquiry." Thus the report on the absence of flights to the Oslo airport is evidence in the context of the investigation of the testimony of Pyatakov as to what actually happened in the past, which itself is significant because it relates to the ongoing inquiry regarding the alleged anti-Soviet conspiracy. This process suggests further investigation, thus projecting our assessment of judgments about the past into the future. Dewey's emphasis on the temporal continuum of validation is far different from Merleau-Ponty's location of the judgment of History in some undefined future. In Merleau-Ponty's language it does not essentially matter whether Pyatakov made that trip to Oslo; to Dewey that is precisely what matters.

For John Dewey the obligation to tell the truth as a necessary constituent of a democratic polity took priority over the immediate, or distant, political consequences of any particular inquiry. Such a commitment entails one of the senses in which objectivity is ordinarily defined. Dewey's objectivity in this sense is recalled in James T. Farrell's description of his response to the evidence presented to the Commission:

He [Dewey] went to Mexico more or less thinking that Stalin rather than Trotsky was right. On the basis of the evidence that Trotsky presented plus what Dewey read on the Moscow Trials, he came to the conclusion that Trotsky and the other defenders were right. However, he did not agree with Trotsky's political views.55

If Farrell's recollections were correct, Dewey was objective in the ordinary sense of what people mean when they say that someone is disinterested. Disinterested, however, is not the equivalent of neutral — it is possible to be passionately dispassionate. Or to put it in currently fashionable language, Dewey's commitment to objectivity in this sense did not transcend the "historicity" of such a commitment. The decision to tell the truth according to his lights, irrespective of the consequences, was a socially, historically, morally mediated choice. Just as one might choose to ignore the facts and grind an axe.

Objectivity in another sense was involved in Dewey's choice of the criteria for judging the truth of propositions about the past, in his choice of "the grounds on which some judgments about a course of past events [are] more entitled to credence than certain other ones." These are the grounds that impelled Dewey to identify some arguments as to Trotsky's guilt or innocence as good, for example, those which spoke to the "physical improbability of the facts related," and others as bad, for example, those emphasizing Trotsky's personality, or the virtues of the Soviet system, or the consequences for the Popular Front.

To put it in another way, the correct assertion that past events are mediated through present preconceptions, that conflicting interpretations of complex events are rarely settled by definitive demonstrations, that historical interpretations are dependent upon the language in which they are cast, that it is impossible to evaluate discrete bits of evidence outside of temporal and ideological contexts, do not

justify the stance of agnosticism toward the Moscow trials affected by many of the 1930s liberals. It is understandable that men and women of good will took that stance; they were mistaken. The sound arguments on Pyatakov’s flight now seem virtually self-evident, independent of Krushchev’s revelations or anything else we have learned since 1956. No one now accepts the bad arguments.

We now find the Commission’s conclusions more persuasive than those of William Z. Foster, Malcolm Cowley, or F. L. Schuman not because of their superior tropological strategies, or because of a skillful parade of rhetorical figures, or the hermeneutic fusing of historical horizons, or a dialogic interaction between this reader and those texts, but because they satisfy familiar criteria of empirical inference and rational discourse.

This is not to deny that all arguments, including Dewey’s and mine, are rhetorical in some sense, but to argue that rhetorical preferences do not exempt historical discourse from evidential norms.

Perhaps one might say that all of this amounts to kicking an open door, that no sane person denies that some statements about past events are true and some are false. As Peter Novick tells us, “The proposition that ‘truths’ are multiple and perspectival never had the corollary that there was no such thing as error or mendacity.”66 But that brings us back to Dewey’s question: On what grounds do we prefer one historical account to another; on what grounds do we identify errors and refute lies?

According to Sidney Hook’s memoirs his answer to that question was crucially affected by the experience of the Trials:

The upshot of the Moscow Trials affected my epistemology, too. I had been prepared to recognize that understanding the past was in part a function of our need to cope with the present and future, that rewriting history was in a sense a method of making it. But the realization that such a view easily led to the denial of objective historical truth, to the cynical view that not only is history written by the survivors but that historical truth is created by the survivors—which made untenable any distinction between historical fiction and truth—led me to rethink some aspects of my objective relativism. Because nothing was absolutely true and no one could know the whole truth about anything, it did not follow that it was impossible to establish any historical truth beyond a reasonable doubt. Were this to be denied, the foundations of law and society would ultimately collapse. Indeed, any statement about anything may have to be modified or withdrawn in the light of additional evidence, but only on the assumption that the additional evidence has not been manufactured. At any point in time, the upshot of converging lines of evidence must guide judgment.67

I am sure that there are those who would ask Hook to justify the universal standards that distinguish historical fiction from truth—to specify the location

of some historical Archimedes' point. But he would not have to answer them if they justified their arguments, explicitly or implicitly, in his language. And if they spoke a completely different language there would be no dialogue. If Hook's political opponents had simply located the criterion of truth-value in Stalin's bosom there would have been no way for Hook to refute them, but they would have lost all credibility even with those who were desperate to be credulous.

Hook's decision too was a moral choice, but without that choice there are no grounds on which to refute murderous historical lies.

*University of Iowa*