Screenplay for the film "1936 — Andrei Vyshinsky. Historical Chronicles with Nikolai Svanidze" written by Marina Zhukova, translated by AI, and preceded by a summary also written by AI

Screenplay Summary:

The text traces the rise of Andrey Vyshinsky in 1936 and shows how he becomes the central legal instrument of Stalin's regime just as the Great Terror is being prepared.

It begins with a seemingly "liberal" gesture: a group of young people exiled from Leningrad after Kirov's murder send a telegram to Stalin, asking to be freed from punishment imposed because of their parents' "social unreliability" (non-proletarian origin). They invoke Stalin's recent phrase, "A son is not responsible for his father." Vyshinsky, acting on a note from Molotov "on behalf of Stalin," reviews six thousand cases and cancels exile for 1,802 people. Shortly before that, he had proposed reviewing sentences under the draconian "three ears of grain" law, which had criminalised starving peasants for taking tiny amounts of food during the famine. From January 1936, thousands unexpectedly regain their freedom. These moves, however, are not remorse; they reflect Stalin's calculation after dekulakisation and the 1931–1933 famine: the countryside cannot be crushed again in the same way, and the economic crisis is severe.

At the same time, under Yagoda the NKVD has grown into an almost autonomous, all-powerful structure that could threaten Stalin himself. To rebalance this, Stalin stages a return to "law": the regime announces that class enemies will now be punished through courts rather than purely extra-judicial organs. Criminal law is extended to political opponents, and the courts become, for a while, the key link in the state repressive system, lending it a veneer of legality. For this, Stalin needs a presentable, flexible jurist – and finds him in Vyshinsky: an educated intellectual, eloquent orator, rector of Moscow State University, ideal for impressing foreign observers and masking the violence of Soviet justice.

The 1936 Wrangel Island case becomes Vyshinsky's breakthrough performance. In the trial of Semenchuk and Startev, accused of murdering Dr. Vulfson and brutalising the local population, Vyshinsky delivers a sixty-page prosecution speech. He paints a vivid moral picture of abuse of power, defends the "little man" at the end of the world and even emphasises the anti-Semitic element of the crime through remarks directed at Vulfson's wife, Dr. Feldman. Apart from obligatory praise of Stalin and formulae like "the Bolshevik is the Eskimo's best friend," he appears almost as a civilised, principled lawyer. The press fixes this image and spreads it across the country. It is pure political PR – and Stalin is the chief strategist behind it.

But this legal-humanist façade is only the overture. In August 1936, Vyshinsky sits as chief prosecutor at the first Moscow show trial of the "Trotskyite–Zinovievite centre," which ends with the execution of Zinoviev, Kamenev and other former leaders of the October Revolution. The text reminds us that Stalin had already "discovered" Vyshinsky in 1928 during the Shakhty trial, creating a special judicial body for him. There Vyshinsky laid down his key doctrine: Soviet courts are guided not by abstract law but by "state and economic expediency." Later he would openly write that there are moments when laws must be "put aside."

A large part of the narrative is devoted to Vyshinsky's ambiguous past: originally a Menshevik, he had signed an order to arrest Lenin in October 1917, worked in liberal legal circles, shared a cell with Stalin in Baku and fed him food cooked by his wife. When he finally joined the Bolsheviks in 1920, it was Stalin who helped him. These biographical "hooks" – his late conversion, his signature under Lenin's arrest – give Stalin strong leverage. Combined with Vyshinsky's ambition, rhetorical talent and taste for power, they make him the perfect executor: he will never dare step out of line.

From this point, Vyshinsky becomes the virtuoso packager of state terror. He gives polished legal form to confessions extracted under torture by the NKVD, turns trials into stage plays aimed both at Soviet citizens and international audiences, and popularises a dehumanising vocabulary ("rabid dogs") that enters newspapers and everyday speech. The text situates all this against broader developments: Stalin's growing fear for his own life after Kirov's murder, the attempt to calm and control society with the 1936 Constitution and orchestrated public debates, the worsening harvest and creeping famine, and the rising rhetoric against "enemies of the people." By the end, it is clear that the legal theatre built around Vyshinsky is not an alternative to terror but its most effective mask – and its loudest voice.

Screenplay:

1936 – Andrey Vyshinsky

On 27 January 1936, a telegram is sent to Stalin, Molotov and Yagoda from boys and girls who had been expelled from Leningrad after Kirov's assassination. The reason for their expulsion is the "social unreliability" of their parents. By social unreliability is meant non-proletarian origin. In the telegram, the young people ask Stalin "to lift from them the undeserved punishment," because "they were born in the revolution, raised by Soviet power, and want to join the ranks of Soviet youth." A month and a half earlier, on 1 December 1935, Stalin had said: "A son is not responsible for his father." The telegram is sent precisely after this statement.

How independently this telegram was written is hard to say. What we do know is the reaction to it. Directly on the telegram, the Chairman of the Council of People's Commissars, Molotov, writes a resolution: "To Comrade Vyshinsky. I ask you, on my own behalf and that of Comrade Stalin, to look into this matter carefully and quickly. We must give an answer and, apparently, meet them halfway." Vyshinsky carries out the instruction. Within a very short time, six thousand cases are reviewed. For 1,802 people, the order of exile is cancelled.

A little earlier, in December 1935, Vyshinsky addresses the Central Committee of the VKP(b) with a proposal to review the sentences handed down under the so-called "law of the three ears of grain." The law was adopted at the height of the famine. Most of those convicted are peasants who took a few potatoes from the fields to save their children. Starting in January 1936, thousands of people suddenly receive their freedom.

Even before this story with the peasants, Stalin and Molotov draft a secret instruction for party and Soviet officials. Its meaning: methods of arbitrariness and coercion in the countryside have outlived

their usefulness. These words do not contain regret for what was done in the village. The secret instruction reflects Stalin's mood after dekulakization and the famine of 1931–1933. The peasants cannot be dekulakized a second time; the consequences of dekulakization for the country are monstrous.

In 1935 ration cards are abolished because the system of centralized distribution is wrecking the economy. But in 1936 ration cards will be reintroduced. The shortage of consumer goods is catastrophic. On top of that, under Yagoda the NKVD has grown into an all-powerful organisation scarcely controlled even by Stalin himself. The Cheka, created by Lenin and pampered all the years after him, is now ready to devour Stalin. Popular enthusiasm for Stalin plays no role here. The Cheka–OGPU–NKVD has long since actually been controlling the country. Stalin himself wanted this, but now it has become a real threat to him personally.

In these circumstances, Stalin makes an unorthodox move. He pulls out of pre-revolutionary life the principle of the supremacy of law. The population must absorb a new idea: the country is entering a new stage, a period of stability, and can afford such a luxury as law.

Politburo member Kaganovich says: "The dictatorship of the proletariat has grown so strong that we can now punish class enemies through the courts, without neglecting extra-judicial punishments, as we have done until now." What Kaganovich says means that the sphere of application of criminal law is really expanding. From now on, it will be used against the political opponents of the regime. Their cases will go through the courts. For a time, the courts will become the key link in the state's punitive system and will give it the appearance of legality. For this work Stalin has a man, a jurist capable of anything. That man is Vyshinsky.

On 17 May 1936, the Supreme Court of the RSFSR begins the trial of the former head of the wintering station on Wrangel Island, Semenchuk, and the dog-sled driver Startev. Semenchuk and Startev are accused of murdering Dr. Vulfson. The circumstances of the case are fairly exotic.

In the Arctic, on Wrangel Island, two dog sleds set out into the night. The first is driven by an experienced musher, Startev; on the other sled, for the first time in his life, the former doctor of the "Manometer" factory, Vulfson, now treating the local Eskimos, sets off on a journey. The sleds leave from Cape Rogers and head toward Treacherous Bay. Two days later, Startev returns and tells the head of the station, Semenchuk, that on the way he "lost" the doctor. The winterers, together with hunters, go out to search. They find the doctor's sled, and two kilometres away, his body. The doctor's face is disfigured, his scarf soaked in blood, his nose flattened, the nasal cartilage torn off, ring-shaped abrasions on his hands.

The head of the station, Semenchuk, listens to Startev and, on the basis of his testimony, writes a report: the doctor lost his way, lost his sled, and froze to death because he was drunk.

The dead man's wife, Dr. Feldman, who was also at the station, demands an independent investigation by people from Moscow. Semenchuk begins to persecute her, does not send her telegrams to Moscow, starves her, demands that she be expelled from the station.

In April, a commission from Moscow arrives, exhumes Vulfson's body, and, with professional competence, proves that he was murdered. It also comes to light that Semenchuk has run the station into the ground, treated the local population brutally, neglected their interests and provoked starvation.

These events, which unfolded under the cover of the polar night at a crucial outpost of the Soviet Arctic, could undoubtedly have attracted public attention. But the broad Soviet public would hardly have heard of the scoundrel Semenchuk, who terrorised the defenceless local people and incited his flunky Startev to murder, were it not for one circumstance.

The state prosecution in this case in the Supreme Court of the RSFSR is undertaken by the Prosecutor of the USSR, Andrey Januaryevich Vyshinsky. His accusatory speech at this trial takes up sixty printed pages in the collection of his speeches published in 1938. The speech about the murder in the Arctic is longer than his speeches at the later political trials. Vyshinsky's speech gives the case an unexpected scale. He himself appears before the broad public as triumphant justice. He is presented as the defender of the ordinary little man, even if that man dies literally at the edge of the earth. The trial proceeds according to all "civilised" rules. The defence is represented by excellent lawyers, Kommodov and Kaznacheyev. The defence, as it should, argues with the prosecution. The defendants do not admit their guilt. Vyshinsky does not try to give the case a political character. It is about something else – the moral degradation of a man who represents Soviet power; about how his subordinates either help him in his abuse of the destitute local population or remain silent. The picture of the crime that emerges from Vyshinsky's speech is clear to everyone. But Vyshinsky does not stop there. He brings out into the light of justice another point: he says that the crime has a pronounced anti-Semitic tint. He quotes what Semenchuk did and said to Dr. Feldman, Vulfson's wife. Vyshinsky puts the notions of "morally rotten man" and "anti-Semite" side by side. If one adds to this only a single mention of "the genius teacher and leader of the peoples of the USSR, Comrade Stalin" and ignores the slogan "the Bolshevik is the Eskimo's best friend," Vyshinsky appears almost as a civilised – and indeed brilliant – lawyer. The newspapers fix this image and bring it to everyone.

The Semenchuk–Startev trial is an extremely successful piece of pure PR magic for Andrey Vyshinsky. The chief political technologist behind it is Stalin himself.

The Wrangel Island murder case pumps up the image of Vyshinsky – guardian of the law and humanist – to its final limit. Beyond that point begins the Great Terror. Or more precisely, the overture to the Great Terror: Stalin begins to kill his own kind – top party functionaries.

On 19 August 1936, the Prosecutor of the USSR, Vyshinsky, takes his seat in the October Hall of the House of Trade Unions. The great trial of the "Trotskyite–Zinovievite centre" begins. The main defendants are Zinoviev and Kamenev.

In fact, it is not Vyshinsky's first time in the House of Trade Unions. The first time was in 1928. The first political trial was beginning – what would become known as the "Shakhty case." Engineers were accused of creating a "sabotage organisation" in order to fight the existing power by destroying the Donbass mines. The main problem, in preparing this completely fabricated trial, was not the figure of the prosecutor. That was the entirely reliable Nikolai Krylenko, Prosecutor of the RSFSR.

The problem was the presiding judge. It had been decided to make the trial open. Foreign observers and journalists were expected. The newly promoted "red judges," without education, were not suitable for such an audience. Judges of the old school might wreck the show simply by ordinary professional honesty. A figure was needed who would combine outward respectability, quick wits, and the ability to influence defendants and public alike. And above all, this had to be a man who was "reliable" in every sense. It was then that Stalin first pulled Vyshinsky out and used him for his

purposes. Vyshinsky was the rector of Moscow State University. Stalin was not at all troubled by the fact that, formally, he was not a judge and could not be at the head of the Supreme Court.

A special extra-judicial body is created for Vyshinsky – a Special Judicial Presence. The trial under Vyshinsky's chairmanship is exemplary. First, the defendants in this fabricated case admit their guilt – and this is the main proof of that guilt. Second, the state prosecutor, Krylenko, is aggressively "proletarian" and almost coarse. Vyshinsky is polite, logical, refined, he smells of expensive cologne. And at the same time he demands "shooting." At the end of the trial, Vyshinsky publishes a book in which he formulates a key thesis: "The Soviet court must proceed, and always proceeds, exclusively from considerations of state and economic expediency."

There is no place for law in this construction. That is natural, because "state and economic expediency" depends on the views of the first person. Those views change often. The law cannot keep up with them. In 1937, Vyshinsky will write: "We must remember Comrade Stalin's indication that there are periods, such moments in the life of society, and in ours in particular, when the laws must be put aside."

One of the defence lawyers in the Shakhty trial in 1928 is Pavel Malyantovich. Pavel Nikolaevich Malyantovich is one of the outstanding lawyers of pre-revolutionary Russia. He defended Lev Trotsky, the Sormovo workers and Pyotr Zalomov – the prototype of Pyotr Vlasov in Gorky's *Mother* – peasants of Kharkov and Poltava, sailors who mutinied on the cruisers *Azov* and *Ochakov*. He won the case of the 100,000 rubles bequeathed by Savva Morozov to the Bolsheviks. Moreover, Malyantovich personally received the whole sum on the basis of a power of attorney and handed it directly to Krasin.

In the summer of 1915 in Moscow, Malyantovich and Vyshinsky meet. Vyshinsky is 32. He is unemployed. He has come from Baku. Baku is his second homeland. He was born in Odessa. He has lived in Baku since the age of ten and finished gymnasium there. He entered university in Kiev. He became so active in fighting against the conscription of students into the army that he was expelled from the university. He returned to Baku. He joined the Menshevik wing of the RSDLP. In 1905 he created an armed militia. He openly opposed the terrible massacre of the Armenian population, organised by the Baku police. Vyshinsky was already known as an extremely fiery orator. He was arrested and spent a year in prison. Then he returned to Kiev and, by the age of thirty, finally completed his law degree. Married, with a daughter, he again went back to Baku, where he gave private lessons in literature, geography and Latin. He was invited to work in a private gymnasium. But he was, in essence, a lawyer. The profession pulled him. So he moved to Moscow, where he met Malyantovich, who took him into his law office.

Before Vyshinsky, the assistant in Malyantovich's office had been Kerensky. They missed each other by pure chance. When Kerensky would head the Provisional Government, he would offer Malyantovich the post of Minister of Justice and Prosecutor General.

Pavel Nikolaevich Malyantovich held this post up to the October coup.

Vyshinsky, meanwhile, was head of the First Precinct Board of the Yakimansky District of Moscow. On 20 October 1917 he received the following order: "By decision of the investigative authority of Petrograd, Ulyanov-Lenin Vladimir Ilyich is to be arrested. I instruct you to arrange for the immediate execution of this decision in the event that the above-named person appears within the limits of the district entrusted to you. Minister of Justice P. N. Malyantovich."

Vyshinsky treated the order with his usual diligence. He issued written instructions throughout his district, under his signature. Posters with Lenin's portrait were pasted on the walls.

According to some accounts, Malyantovich personally informed Lenin of the possibility of arrest. After the October coup, Malyantovich received a mandate guaranteeing his inviolability. As for Vyshinsky, he ended up with a black mark which, in Soviet conditions, was practically incompatible with life.

In 1937, Malyantovich would be declared the head of a conspiracy in the Moscow bar. He would write to Vyshinsky from Butyrka prison, and Malyantovich's wife, blind and bedridden, would also write to him. In 1937, Vyshinsky ordered that the Malyantoviches' letters not be answered. In 1940, Malyantovich was shot. Together with him, two of his sons, his brother and his brother's family were killed.

Incidentally, it is precisely at the Shakhty trial of 1928 that the bitter rivalry between Vyshinsky and Nikolai Krylenko, Prosecutor of the RSFSR and later People's Commissar of Justice, begins. It lasts several years and ends with Vyshinsky's victory. People's Commissar Krylenko had enormous experience in using judges in various political campaigns. He more than once proudly spoke of the contribution of legal workers to the struggle against the peasantry. He was a representative of what was called "proletarian justice." This type of justice was addressed to concrete social groups or sets of people regarded as hostile: first nobles and officers, then specialists, then peasants. It is this system of targeted repressions that Nazi Germany would borrow from Soviet power. The Nazis simply had their own targets – Jews and communists – who would be subjected to systematic extermination. Krylenko fit perfectly into Stalin's system of justice, he was its classic character, and yet he lost to Vyshinsky. In 1938 he was shot.

Vyshinsky lacked Krylenko's experience and revolutionary past. He won by other means: form, packaging. He was a virtuoso of packaging. He was exactly what was needed for Western observers: a theorist, an orator, rector of Moscow State University, from an intelligentsia family. He could create a new exportable image of the Soviet Union – one that respected citizens' rights, the Soviet Union as a "democratic state."

In 1934 the USSR entered the League of Nations, the pre-war prototype of the UN. This obliged it to observe external proprieties in domestic politics. In 1936, Stalin even came close to allowing several candidates to stand for a single deputy's seat in elections to the Supreme Soviet. In February 1937, Zhdanov would give a report at a Central Committee plenum. He would say: "The elections to the Supreme Soviet will not only be universal, equal and direct, regardless of social origin and past activity. Now several candidates will compete for each seat, and there will be no lists prepared in advance by party organisations. Communists must learn to compete with non-party candidates and be prepared for the fact that some will fail in the elections." This idea, incredible for the time, would survive until the summer of 1937. Stalin would discard it on 2 July 1937. On that day he would sign Politburo decision no. P-51/94. This document, officially launching mass terror, puts an end to all games with law. The Politburo decision flies across the country in the form of telegrams signed by Stalin. Stalin's hatred is once again directed first of all against the peasants: "The Central Committee of the VKP(b) proposes that all secretaries of regional and territorial organisations and all regional, territorial and republican representatives of the NKVD put on record all kulaks returning from exile, so that they may be immediately arrested and shot, by administrative

processing of their cases through troikas." The numbers of those to be shot are to be submitted within five days.

It is this rabid decision of Stalin's that will form the basis of Yezhov's secret order no. 00447 of 30 July 1937, titled "On the Operation for the Repression of Former Kulaks, Criminals and Other Anti-Soviet Elements." Stalin's telegram and order 00447 open the era of total slaughter throughout the country.

The Prosecutor of the USSR, Vyshinsky, is not interested in the reasons for changes in Stalin's mood or the subtleties of political course. He follows the wake.

The political trials of 1936–1937 are delayed consequences of Stalin's shock after Kirov's murder. The easily accomplished killing of the second most popular man in the USSR undoubtedly brought on in Stalin an enormous fear, no longer just for power but for his own life. Vyshinsky's speech in August 1936 at the first large trial in the so-called case of the Trotskyite–Zinovievite terrorist centre allows us to gauge Stalin's condition. Vyshinsky accuses Zinoviev, Kamenev and others alongside them of organising, and practically personally participating in, Kirov's murder. He says all the requisite words about the slain Kirov: the best of the best of Soviet land, one of the dearest sons of the revolution, wonderful, bright, joyful, like the bright and joyful smile on his lips, like our own bright and joyful life.

But the already committed murder of Kirov is not the main thing. The main thing is the possible murder of Stalin. A whole section of Vyshinsky's speech, titled "Trotsky, Zinoviev, Kamenev – mortal enemies of the Soviet Union," is devoted exclusively to this theme. In every paragraph, as a refrain from the mouths of Trotsky, Zinoviev and Kamenev, come the words: "get rid of Stalin," "kill Stalin," "terror against Stalin," and again "get rid of Stalin." These words are assuredly meant to produce an exciting impression on the population. But that is not all. For two years after Kirov's assassination, Stalin constantly fears for his life. The relative relaxations of 1935–1936, which in the West were called the "pink period," are the first manifestation of Stalin's fear.

In preparing the trial, Vyshinsky is in constant contact with Stalin, although Stalin is at this time in the south. Stalin personally edits and approves indictments and the texts of Vyshinsky's speeches. When Stalin gives Vyshinsky the green light to repeat again and again the phrase "get rid of Stalin, kill Stalin," it is already open panic.

In his speech at the Trotskyite–Zinovievite trial, Vyshinsky says: "They killed Kirov, they were preparing to kill Stalin." This is a direct echo of the ditty already mentioned which spread throughout the country in December 1934 after Kirov's death:

"A plane flies by,
Below it the snow is thawing,
They killed Kirov,
They'll kill Stalin too."

There was a second version, even more popular: "They killed Kirov, we'll kill Stalin too." The ditty reached Stalin in NKVD reports. Vyshinsky's speech in 1936 is Stalin's response to the Soviet people. His fear dictates state policy. State policy becomes terror. If a country voluntarily gives all power to one man, it inevitably becomes his hostage.

Vyshinsky and Stalin had first met in Baku in 1908. Stalin was not yet “Stalin,” but Koba. In the Baku police he was registered as Gaioz Nizharadze. Vyshinsky went by the nickname “the Red-Haired.”

Stalin and Vyshinsky shared a cell in Bailov Prison. The prison was overcrowded, but the regime was lax: cell doors were not locked. Lying on the plank bed, Stalin studied Esperanto, the universal language of the future. In 1937 Esperanto would be declared in the USSR the language of spies, and Esperantists would be shot. In Nazi Germany, Esperantists would also be repressed. In 1908, most inmates in the cell were Mensheviks and Socialist-Revolutionaries. Vyshinsky was a Menshevik. In the cell he and Stalin engaged in endless political discussions. There were no restrictions on parcels. Every day Vyshinsky’s wife brought him homemade food. Stalin happily ate the dishes she cooked.

Vyshinsky remained a Menshevik until 1920. In 1920, he decided that the Bolsheviks had finally won and that continuing his career required joining the RKP(b). It was Stalin who sponsored him in this. Thus, from 1920 onward, Vyshinsky sat on two hooks with Stalin. One was his belated entry into the party. For many, such a delay would soon be not merely akin to death, but would mean death.

The indictment speech by Vyshinsky at the second Moscow political trial in 1937 contains a passage for connoisseurs of party history. From the rostrum Vyshinsky says: “In 1904, Trotsky came out, as is known, with a vile little pamphlet titled *Our Political Tasks*. This pamphlet is filled with filthy insinuations about our great teacher, leader of the international proletariat, Lenin. Trotsky slanders Lenin, calling Lenin ‘Maximilian’ – the name of Robespierre, hero of the bourgeois French Revolution – thereby wishing to demean the great leader of the international proletariat.”

First, who was Lenin in 1904? In 1904 Lenin was the leader of one of the tiny extremist parties. To this Lenin, Trotsky in fact pays a huge compliment by likening him to Robespierre, a figure of world-historical stature. Second, Lenin revered the French Revolution and its leaders, especially Robespierre. Third, it was Trotsky who in 1917 actually carried out the October coup. And finally, the main point: this selfless Leninist, who in 1937 defends the leader of the world proletariat from “enemy of the people” Trotsky, is none other than Vyshinsky himself – the same Vyshinsky who in October 1917 signed the order to arrest Lenin. That signature is another hook on which Vyshinsky hangs beside Stalin.

The two hooks, combined with Vyshinsky’s personal qualities, give Stalin complete confidence that he can rely entirely on this man. His memories of the food cooked by Vyshinsky’s wife in Baku make this confidence pleasant. For his part, when Vyshinsky meets Stalin again in Moscow in 1920, he does not say a word about their shared past in Bailov Prison. He addresses Stalin with formal “you” and deference. Vyshinsky will receive from Stalin no less than Stalin receives from Vyshinsky.

The trial of the so-called Trotskyite–Zinovievite centre ends with the shooting of Zinoviev, Kamenev and fourteen others. This is the first execution of high-ranking party functionaries who had taken part in the October 1917 coup. At that time Stalin probably loses interest altogether in the idea of the leading role of the party and in the party as such. He no longer needs the party. Party leaders are easily replaced, and are already being replaced, by bureaucracy. Moreover, if all the consequences of senseless economic policy are blamed on the party leadership, it removes him, Stalin, from the zone of responsibility. These rational considerations combine well with his paranoid moods.

The terror of 1937–1938 will cleanse party cadres at all levels. Press publications in the run-up to the terror are structured to inflame and release the pent-up hatred of the population toward the party elite, with its material privileges. Stalin, who for years had cultivated an effective buying-off of the party upper strata, turns 180 degrees. Newspapers write that local leaders create their own cults of personality, intimidate their subordinates, and use state funds for a luxurious life.

In the Moscow trials of the party, Soviet and military elite, Vyshinsky creates the impression that before Stalin's law everyone is equal.

In 1937, a play titled *Confrontation* (*Ochnaya stavka*) will be staged throughout the country. The play is co-authored by the brothers Tur and Lev Sheinin. On stage, the same interrogations as in life. Drama straight from the source. Co-author Lev Sheinin is an investigator on especially important cases in the Prosecutor's Office of the RSFSR, and later of the USSR. In November 1936, after the first Moscow trial, he is thirty and heads the investigative department of the Prosecutor's Office. He also writes literature and mixes in high literary, artistic and sporting circles. Vyshinsky values him highly and even manages to mention, in his speeches, Sheinin's participation in interrogations. When Sheinin is arrested in 1951, Vyshinsky will not lift a finger to help him.

On Vyshinsky's team at the start of the big trials is Vasily Ulrikh. He is the unchanging chairman of the Military Collegium of the Supreme Court for twenty years, a deputy of the Supreme Soviet, a holder of high orders. In the 1930s–1940s he sends many thousands of people to their death. He never has an apartment, lives in a room at the Metropol Hotel. At the end of his life he brings prostitutes there and, drunk, tells them about the executions he has attended. Sometimes he personally carries out the sentences.

Vyshinsky ends his indictment at the first major political trial, against Zinoviev and Kamenev, with the words: "Rabid dogs – I demand that they be shot, every last one of them." Vyshinsky's vocabulary is picked up and enters newspaper and everyday language. Bukharin writes to Vyshinsky: "I am terribly glad that the dogs were shot." Bukharin, like Kamenev and Zinoviev, is from Lenin's old party guard. His name had been mentioned at the trial. That is precisely what makes him frantically write to Stalin, the Politburo members and Vyshinsky.

In the company of Zinoviev, Kamenev and Bukharin is Karl Radek, publicist, "the golden pen of the party." Even before Vyshinsky's indictment, Radek demands that "the Trotskyite–Zinovievite gang pay with their heads." Georgy Pyatakov, also of this circle and First Deputy People's Commissar of Heavy Industry, declares: "Zinoviev, Kamenev, the whole gang of despicable murderers must be destroyed, destroyed as carrion. It is good that they can be destroyed. Honour and glory to the workers of the NKVD."

Vyshinsky knows very well of Radek's and Pyatakov's calls. But they do not know what surprise he has for them. Before starting his indictment at the Zinoviev–Kamenev trial, Vyshinsky publicly announces that, on the basis of Zinoviev's and Kamenev's testimonies, a case has been opened and an investigation begun against Radek, Pyatakov, Tomsky, Serebryakov, Sokolnikov, Bukharin, Rykov. They are accused of preparing to overthrow Soviet power and restore capitalism by acts of sabotage, diversion, espionage and terrorism. They are said to be working under Trotsky's direction. Trotsky, according to the investigation, is personally in contact with Hitler's close associate Rudolf Hess.

On 10 September 1936, a statement by Vyshinsky appears in the newspapers: the investigation against Bukharin and Rykov has been closed due to lack of evidence of their participation in the

anti-Soviet Trotskyite centre. All the other suspects are arrested. Mikhail Tomsky, long-time Central Committee and Politburo member, party member since 1904, managed to shoot himself before arrest. Tomsky and Yan Gamarnik, the head of the Political Department of the Red Army, who also committed suicide, are the two men in the highest Soviet leadership who, by leaving life of their own will, avoided physical torture, public mockery and human and masculine humiliation. Within the framework of the so-called anti-Soviet Trotskyite centre case, Karl Radek is arrested last.

Relations between Radek, under arrest, and Prosecutor Vyshinsky are of a special kind. Radek gives Vyshinsky constant assistance. Vyshinsky drops into Radek's cell. Together they write the script of the trial and the texts of the roles for its participants. High-ranking Soviet official Georgy Pyatakov, hoping to save his life, writes to Stalin. He asks Stalin to allow him, in exchange for his life, to personally shoot everyone who is sentenced to death. He says he is prepared to shoot his own wife.

Throughout the last months of 1936, the defendants in the case of the anti-Soviet Trotskyite centre are entirely at the mercy of NKVD interrogators. The NKVD has a new chief. A month after Kamenev and Zinoviev are shot, Stalin sends a telegram from Sochi ordering the removal of NKVD head Genrikh Yagoda, who for thirteen years had held top positions in the Cheka–OGPU–NKVD. Stalin replaces him with Central Committee Secretary of the VKP(b) and Chairman of the Party Control Commission Nikolai Yezhov. In the NKVD, detainees are tortured and blackmailed. Vyshinsky exercises prosecutorial supervision over the investigation. He meets the detainees at the NKVD. He personally threatens them with shooting, destruction of their families and new tortures. The result is that all the defendants are ready, at the public trial, to give any confessions. The Yezhov–Vyshinsky tandem created by Stalin operates flawlessly.

In the midst of the investigation, Vyshinsky takes away the dacha of the not yet executed defendant Serebryakov, at Nikolina Gora near Moscow. The administrative department of the USSR Prosecutor's Office immediately takes the dacha on its books and in emergency mode has the house renovated for its chief.

It was Vyshinsky's idea to bring defence lawyers into the political show. The lawyers he chose were indeed first-class jurists. But the offer he made them was such that they could not refuse it. Refusal was akin to a death sentence. The lawyers prepare for the trial exclusively on the basis of the indictment text. Here is a fragment from a defence speech: "Comrades judges, a defence lawyer is above all a son of his Motherland, a citizen of the great Soviet Union. The feeling of deep indignation, anger and horror which now grips our whole country, from young to old – the feeling so vividly expressed in his speech by the Prosecutor – cannot be alien to the defence either." Vyshinsky picks up the lawyer's words: "I do not accuse alone! I accuse together with our whole people; I accuse the gravest of criminals, deserving of one penalty only – shooting, death!" The trial transcript then records: "Prolonged, unceasing applause from the whole hall." Indeed, the well-coordinated work of prosecutor, defendants, lawyers and judges cannot but make a powerful impression on those present. In the hall are representatives of the diplomatic corps, foreign and Soviet journalists, the Soviet literary elite. From Western literature, the writers Lion Feuchtwanger and Martin Andersen Nexø.

The public character of the trial is intended equally for the Soviet population and for the Western audience. Western attitudes toward what is happening in the USSR are vividly reflected in Britain's reaction. On the day of Zinoviev's and Kamenev's execution, the British Cabinet's Foreign Affairs Committee meets. But it does not discuss Zinoviev and Kamenev. A coded message has just been

received from the British ambassador in Moscow, Lord Chilston. He reports Sokolnikov's arrest. Sokolnikov was formerly the Soviet ambassador to Britain. "We cannot abandon Mr. Sokolnikov," says Committee member Ashton Gwatkin. "Our ambassador must approach the Soviet government with a request not to worsen Soviet-British relations. The death penalty for Mr. Sokolnikov could overshadow these relations and will produce a horrifying impression on the British public." After lengthy discussion, the Committee members unanimously agree with Foreign Secretary Anthony Eden. Eden believes there is no point in defending Sokolnikov. First, it is an internal affair of the Soviet Union – to decide whom to execute and whom to spare. Second, it is useless anyway. Stalin will do what he wants.

At the end of 1936, British ambassador Lord Chilston informs his government: "Yezhov is a very strong figure. And what is very important: a party man, not a Chekist. He will most likely be Stalin's successor. He has very great prospects. Stalin has given Yezhov the NKVD in order to lessen the power of this nightmare organisation. Therefore Yezhov's appointment should be welcomed." The same Lord Chilston writes: "The new Soviet Constitution limits the power of the NKVD."

The Stalin Constitution is adopted on 5 December 1936. Fifty-one million working people took part in discussing the draft. More than two million amendments, additions and proposals were made. For the population, this is the second experience that year of "nationwide discussion." Before the draft constitution, the country discussed a law banning abortion. Masses of women were against the ban. The reasons: atrocious health care, poverty, dreadful housing conditions. Abortions in the USSR were banned on 27 May 1936. Stalin said: "We need people. This is not a private matter for women. It is a matter of great social importance."

The effective life of the new Soviet Constitution is completely exhausted by the fact that six months after its adoption the country enters the Great Terror. Information obtained during the nationwide discussion of the draft – information reflecting the population's mood in 1936 – flows into the NKVD. The next year it will be used against citizens and will form the basis of many death sentences.

The principal author of Stalin's Constitution is Nikolai Bukharin. He likes to pull a fountain pen from his pocket and boast: "This is what the Constitution was written with. Karlushka helped me." By "Karlushka" Bukharin means Karl Radek. At that very time, Radek, already arrested and under indictment, is preparing together with Vyshinsky the text he will pronounce at a staged trial. Radek will slander Bukharin, and this will be his personal contribution to Bukharin's murder. Stalin, and with him Vyshinsky, will finish Bukharin off in 1938. Nikolai Bukharin, Lenin's loyal and convinced associate who first brought terror to Russian soil, will, through his martyr's death against the backdrop of mass Stalinist terror, acquire, like other executed Lenin comrades, the image of a sacrificial victim.

In 1936, the harvest is extremely poor. Grain is taken from the kolkhozes down to the last kernel. From November 1936 secret reports go to Moscow, to the NKVD. The geography of these reports – that is, the geography of hunger – is vast: Voronezh region, Gorky, Kirov, Kursk, Kuibyshev, Orenburg, Saratov, Stalingrad, Chelyabinsk, Yaroslavl, Stavropol, Mordovia, Chuvashia, Bashkiria, the Volga German Republic.

In 1936, one thing prevents a repeat of the Holodomor of 1931–1933. After Kirov's assassination, in fear for his own life, Stalin allowed peasants to have small private plots. These tiny personal

holdings in 1936 save people's lives – and save Stalin's power. Had the already experienced famine repeated itself, the regime could have been swept away. By the winter of 1936, the NKVD records mass distribution of leaflets calling for revolt.

In 1936, bread ration cards for the urban population are reintroduced at local initiative, without coordination with the centre. The centre is in a panic about officially reintroducing ration cards. Responsibility for the senseless state economic policy is shifted onto local leaders at all levels. The following year, 1937, they will be declared enemies of the people. An exhausted population will believe it. The hunt for "enemies of the people" will be the channel through which Stalin directs the despair of a helpless populace.

At the end of 1936, one and the same story is circulating in villages in different regions. In NKVD reports it is called "The Legend of the Sack of Grain, the Puddle of Blood and the Mysterious Old Man." Here is how kolkhoz woman M. V. Prytkova of the Suvorov kolkhoz, Zolotov canton of the Volga German Republic, tells it. Villagers from Rogatkino went to the village of Dubrovka and on the road found a sack of grain. They tried to lift it but could not. Further along the road they came upon a bucket of human blood. They realised that the finds stood for some sort of riddle, which was explained by an old man they met on the way. The old man said that the sack of grain meant that in 1937 there would be a very rich harvest, and the bucket of blood meant that that year there would be great bloodshed.

The harvest of 1937 really would be record-breaking. The Great Terror would begin at the same time as the harvest. Vyshinsky would work without rest. He would remain intact, be showered with honours, and die peacefully in his office in New York, as the USSR's permanent representative to the UN.

In 1944, after a failed attempt on his life, Hitler would shout: "The criminals will meet swift retribution. They will appear before the People's Court. The trial will be fast. Freisler is our Vyshinsky." Roland Freisler, president of the People's Court of the Third Reich, studied Vyshinsky's methods carefully. He had lived for a short time in Soviet Russia. He had been a member of the RKP(b). He escaped to Germany on forged documents. A member of the National Socialist German Workers' Party since 1925, he was fanatically devoted to the party and the Führer.