



The Conflicting Soviet Responses to the Lausanne Process (1922–1924)

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Abstract: The article examines the Soviet responses to the Lausanne Process, which took place from May to November 1923. The process involved the trial of Russian émigrés Moritz Conradi and Arkadii Polunin, who were accused of murdering Vatslav Vatslavovich Vorovskii, the Soviet representative in Italy and head of the delegation to the Lausanne Conference, on May 10, 1923. The acquittal of Conradi and Polunin by a Swiss jury on November 16, 1923, under the verdict of "not guilty," as they were seen as avenging victims of Soviet repression, had a significant impact on the Russian emigration. While the historiography increasingly recognizes the role of various Russian émigrés in turning the trial into a denunciation of Bolshevism, little is known about the Soviet government's response to Vorovskii's killing and the efforts of the People's Commissariat of Foreign Affairs (NKID) to participate in the legal proceedings. By analyzing unpublished letters written by Soviet government officials found in the Archive of Foreign Policy of the Russian Federation and considering the international context of 1923, this study aligns with the historiographic trend that emphasizes collective leadership and institutional autonomy in Soviet foreign policy decisions following Lenin's increasing isolation in late 1922. The research demonstrates that when the Swiss government prevented the Soviet counterpart from participating as a legal party in the process, Moscow resorted to non-traditional foreign projections, which encompassed actions beyond formal diplomacy, and even involved non-communist actors to present the USSR in a positive and "objective" light at Lausanne. However, the bureaucratic complexities of the Soviet state hindered success in court. Thus, the handling of the Lausanne Process by the prosecution serves as an illustrative example of how post-Civil War Soviet institutions operated in relation to one another, characterized by intricate dynamics and an entrenched bureaucracy, far from the alleged "totalitarian" tendencies.

Key words V.V. Vorovskii, Lausanne Process, M.M. Conradi, early Soviet diplomacy, People's Commissariat of Foreign Affairs (NKID), M.M. Litvinov

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Introduction

Vatslav Vatslavovich Vorovskii (1871–1923), the first Soviet diplomat and personal friend of Lenin, was assassinated at the Hotel Cécil in Lausanne, Switzerland, on May 10, 1923. He was attending the Lausanne Conference (November 1922 – July 1923) as the Soviet delegate while concurrently serving as the USSR representative in Italy. Vorovskii's secretary, Maksim Divilkovskii, and his aide and press secretary, Ivan Arens, who was a former Bundist affiliated with the Soviet security services and assigned to the Soviet embassy in Berlin, were also injured during the incident. Six months later, both Divilkovskii and Arens, along with Vorovskii's widow Dora and daughter Nina, became plaintiffs in the ensuing trial.

The perpetrator, Moritz Conradi, a Russian émigré of Swiss origin, surrendered to the police and claimed that his actions were motivated by a desire for revenge against the "red dogs" (the Bolsheviks). Conradi alleged that they had killed his uncle and aunt in 1918 and caused his father's death by starvation in 1919 due to their affiliation with the bourgeoisie in Petrograd (Conradi 1923). Three days later, the police arrested Arkadii Polunin, an accomplice and the secretary of the (émigré) Russian Society of the Red Cross (ROKK) in Geneva, which was headed by Dr. Iurii Lodyzhenskii (Rossiiskoe Obshchestvo Krasnogo Kresta 1925; Fayet 2014; Lodyzhenskii 2013). On November 16, 1923, Conradi and Polunin were acquitted by a Lausanne jury following a rigorous and successful defense campaign that sought to shift the focus of the trial toward a condemnation of Bolshevism¹. Aleksandr Ivanovich Guchkov, the former Minister of War and Navy in the Provisional Government, led this campaign, with assistance from Lodyzhenskii and Polunin's lawyer, Théodore Aubert (Ganin 2019a; Matos 2023).

The "Lausanne Process" held significant relevance during its time. Eighty court passes were allocated for the attendance of Swiss and foreign press, and the trial garnered extensive coverage in major European newspapers. The trial's appeal derived from the fact that it involved a judgment on Bolshevism itself rather than solely focusing on the accused individuals. The defense presented "evidence" of Bolshevik "atrocities," which had been compiled by Russian émigrés and utilized by Aubert during his remarkable nine-hour plea. Aubert's plea can be considered a historical document of remarkable scholarly ambition, involving genuine research and the comparison of over 150 sources. It condensed a substantial portion of the anticommunist literature in multiple languages since the October Revolution (Aubert 1924; Matos 2023). The British *Times* remarked that the acquittal had "reminded the whole world of those Bolshevik horrors which seemed to be receding into forgetfulness just when foreign cooperation and recognition had become so necessary for propping up the shaky edifice

¹ The jury voted 5-4 for both men's guilt, but a 6-3 majority was needed for a conviction. The 5-4 figure was called *minorité de faveur* in the Canton of Vaud: a moral condemnation yet an acquittal (Perrot 2020).

of the Soviets"². Aubert's plea was widely published, distributed, and translated in the subsequent years, even competing with the famous Zinov'ev Letter during the British election of October 1924 in the context of the "Red Scare"³ (Ganin 2019a; Matos 2023). The Lausanne Process occupied a central position in historian Sergei Mel'gunov's seminal work, *Red Terror in Russia* (Mel'gunov 1924), as it was partly based on Mel'gunov's testimony in the Lausanne court and expedited for publication in the aftermath of the trial by Guchkov (Ganin 2019a; Matos 2023).

The most tangible outcome of the Lausanne Process was the establishment, in June 1924, of the *Entente Internationale Anticomuniste* (1924–1950) by Aubert himself. This organization emerged as the most ambitious transnational anticommunist entity of the interwar period (Ruotsila 2010: 26; Caillat 2016).

Not much has been written about the Lausanne Process. The existing literature focuses on the heated debates during the trial and less on the six previous preparatory months (Gattiker 1975; Senn 1981; Dragunov 1989; Stoeva 2019; Perrot 2020). Annetta Gattiker provided the first study on the subject, a strong legal and political critique of the case as handled by Swiss political and judicial authorities. Based on a wide scope of sources, especially Swiss archive material and the European contemporary press, Gattiker gives a complete picture of the process, yet she quotes no Russian primary sources, neither of Soviet – difficult, if not impossible, to access at the time – or of Russian émigré origin (Gattiker 1975). Additionally, Gattiker assumes things beyond what the sources can say. The other wide study of the Lausanne Process was written by Alfred Senn, an authority on Swiss-Soviet relations, which incorporated Russian sources from the Bakhmeteff Archive at Columbia University and the Hoover Institution Archives. Senn complements Gattiker's work by broadening the European and Soviet contexts and has probably the best account and summary of the trial in the literature. He shed light on the mood around the process, such as the centrality of religious persecution in the USSR for the Curzon ultimatum (8 May 1923) and for Conradi's deed – as the latter stated in his "Confession" (Conradi 1923), or the "Us vs. Them" rhetoric of the trial. Unfortunately, Senn outdoes Gattiker with a penchant for getting in the minds of his characters with a more explicit novelistic tone, out of tune with his previous work and with the basics of academic historical writing. In fact, Senn does not cite his sources at all, merely supplying a "bibliographical essay" at the end (Senn 1981).

No other study to date has concentrated solely on the Lausanne Process, but many have mentioned it in passing, specifically late Soviet and Russian monographies dedicated to "émigré activism", as the topic became of interest once again since the 1980s onwards (Genri 1981: 63-73; Shkarenkov 1987: 58-60; Chistiakov 2000: 22-25, 93-98).

² *The Times*. 19 November 1923. P. 14.

³ A Record of Blood and Agony. *Daily Mail*. 14 October 1923. P. 8; Horrors of Red Rule in Russia. *The Daily Mirror*. 15 October 1924. P. 3.

We know more details of the murder, the police investigation and the trial proceedings than about the work backstage done by prosecution and defense: the gathering of evidence, selection (and rejection) of witnesses, funding, and networking across state boundaries, situated in the proper context of 1923, the first year without a single war in Europe in over a decade.

While there are some insights into the involvement of Guchkov and other Russian émigrés in the defense at the trial (Ganin 2019a; Matos 2023), the actions of the prosecution, and thus the Soviet government, remain largely unknown. As Vorovskii was deliberately considered a private individual rather than a diplomat, the Swiss government strictly prohibited the nascent Soviet Union from participating as a legal party in the trial. In response, the People's Commissariat of Foreign Affairs (NKID) resorted to alternative participants and resources to represent and assert its demands through channels that went beyond formal diplomacy. It is important to note that Moscow and Bern had no formal relations since the expulsion of the Berzin mission in November 1918, which was blamed for the Swiss General Strike during that time (Senn 1974). This convoluted and perplexing path led to the Soviet government's defeat at the Lausanne trial.

Drawing on predominantly unpublished materials consulted at the *Archive of the Foreign Policy of the Russian Federation* (AVPRF) in 2021–22, as well as to a lesser extent, the Russian State Archive for Sociopolitical History (RGASPI), the State Archive of the Russian Federation (GARF), and the Lodyzhenskii collection at the Hoover Institution Archives, this study sheds light on the efforts of the prosecution and the Soviet government regarding the Lausanne Process from May to November 1923. This occurred against the backdrop of what Soviet and European actors perceived as imminent diplomatic recognition by major European powers, which was being negotiated during those months. Consequently, Soviet officials adopted a pragmatic approach, seeking to exclude "communists" from participating in the process and presenting Soviet life in a favorable light. This approach aimed to gain support not only from the broader "leftist" camp but also among "centrist" political views. In this context, the *Smenovekhovstvo* tendency within the Russian emigration fitted perfectly. Owing to the Lausanne Process, *Smenovekhovstvo*, in decay at the time, was given a final boost as a Soviet tool to achieve concrete results abroad, right before its withering in 1924 as Moscow achieved full diplomatic recognition by the Entente powers.

The efforts of NKID officials and Soviet diplomats abroad to construct a case in the Lausanne Process, even at odds with the interests of other Soviet agencies and actors, provide partial confirmation of the historiographical hypothesis synthesized by Jacobson (Jacobson 1994: 101). This hypothesis suggests that Lenin's withdrawal from foreign affairs due to illness since late 1922 led to NKID gaining more autonomy in policymaking. The role of Deputy NKID Chairman Maksim Litvinov is crucial in this regard. The existing literature often portrays Litvinov as a secondary figure in the NKID hierarchy and a constant dissenter from Commissar Georgii Chicherin (Sheinis

1989; Phillips 1992; Jacobson 1995: 101-105). However, Litvinov's centrality and his tireless advocacy in letters during the second half of 1923 for an institutional response to Vorovskii's assassination challenge this perception⁴.

It is important to acknowledge that the primary sources used in this study are private letters exchanged between public officials, intended for consumption within the Soviet bureaucracy and its leadership. While these letters provide valuable primary sources, they may contain omissions, unverified information, assumptions, and diplomatic language that may obscure true intentions. All translations from Russian in this study are the author's own.

Adapting to a New Order. The USSR and Europe (1921–1923)

Studying the Lausanne Process from the perspective of the prosecution provides valuable insights into the heterodox and multi-faceted foreign policy of Soviet Russia, as well as its operational mechanisms. The years 1921–1924 marked a period of transition from War Communism to the New Economic Policy (NEP) and the Soviet Union's pursuit of official diplomatic recognition from the Entente powers. During this time, non-communist actors within the transnational Left were also grappling with the Soviet experiment. During the early 1920s, divisions among European socialist parties regarding their stance towards the Communist International (Comintern) added complexity to the relationship with Soviet Russia. While some parties were supportive of the Comintern's goals, others held reservations or outright opposition. These divisions influenced the reception of Soviet Russia among non-communist actors and further shaped diplomatic interactions during that period (Jacobson 1994: 81-86; Sergeev 2019: 371-432). Liberal Prime Minister David Lloyd George even proposed the inclusion of both Germany and Soviet Russia in the European concert in early 1922. While the resulting Genoa Conference had limited success, partly due to Moscow's uncompromising stance (White 2002: 113-116), it granted Soviet Russia a measure of acceptance following the implementation of the NEP. Relations with Germany, under the centrist Wirth cabinet, significantly improved during Genoa, culminating in the signing of the Treaty of Rapallo on April 16, 1922, which marked the beginning of a mostly positive bilateral partnership in the subsequent decade.

Lenin played a significant role in shaping the Soviet delegation's approach at the Genoa Conference, engaging in direct correspondence with NKID chairman Chicherin (Jacobson 1994: 87-89). Lenin not only included Soviet diplomats in the delegation but also invited Iurii Kliuchnikov, the leader of the *Smena Vekh* (Change of Landmarks) group within the Russian emigration, as an international law expert. *Smena Vekh* had accepted the Red Army's victory in the Russian Civil War and sought to work with Soviet authorities to restore Russia as a global power. Their goal was to in-

⁴ Litvinov's major biographies (Sheinis 1989; Phillips 1992) omit the Lausanne Process and most of 1923.

fluence Bolshevism from within, envisioning a future "Great Russia" with nationalistic tendencies. This collaboration, sought by the *smenovekhovtsy* themselves, particularly Kliuchnikov, became more serious in the context of NEP, and their publications began receiving financial support from the Soviet government (Hardeman 1994: 108, 145; Kozlov 1997; Kvakin 2006: 166-172). The weekly publication *Smena Vekh*, funded by the Soviet trade mission in London, was launched in October 1921, followed by the more "Bolshevized" Berlin daily *Nakanune* in March 1922. The staff of *Nakanune* organized French politician Édouard Herriot's trip to Russia in the summer of 1922, influencing his nuanced perspective on the Soviet regime (Hardeman 1994: 133, 157). *Smenovekhovstvo* proved to be a valuable asset for Soviet foreign projections and a logical alternative for promoting pro-Soviet sentiments abroad in the absence of official diplomatic recognition. As we will see, Kliuchnikov and other members of the *Smena Vekh* group, both original and newly affiliated, naturally fit as witnesses in the Lausanne trial once the Swiss government rejected the participation of their Soviet counterparts.

The optimistic trend initiated with the Genoa Conference came to an abrupt halt in late 1922 as European politics underwent significant changes, leading to a series of setbacks for Soviet interests. In October, Benito Mussolini's rise to power in Italy through the March on Rome provided a boost to transnational anticommunism. Concurrently, a new Conservative government was formed in Britain, with Lord Curzon retaining his position as Secretary of Foreign Affairs from the previous Liberal-Conservative coalition under Lloyd George, where he had been a staunch critic of Soviet policies. Supported by the new Conservative Prime Minister Bonar Law, Curzon issued a note to Moscow on 8 May 1923, often referred to as the "Curzon ultimatum" in Russian, threatening to disrupt trade negotiations with the USSR unless it curbed its perceived excesses, including the recent arrest of British subjects in Murmansk, Comintern activities in Asia, and intensified religious persecution in Russia⁵. The Curzon note posed the most significant diplomatic crisis for Moscow in over two years, with possible war implications (Sergeev 2019: 433-474).

In addition, the Franco-Belgian occupation of the Ruhr in January 1923 unleashed a period of instability in Germany, which Moscow sought to exploit by denouncing French imperialism and, albeit chaotically and unsuccessfully, attempting to foment revolution in the country (Broué 2005: 709-789). Furthermore, Vorovskii's assassination on 10 May, just two days after the Curzon note, was followed a month later by the first successful coup d'état in Bulgaria, which directly blamed communism, and later witnessed the suppression of a failed communist takeover in September.

⁵ The execution of Catholic prelate Konstanty Budkiewicz on Easter 1923—highlighted by Conradi as yet another motive for his crime (Conradi 1923) – was particularly shocking (Senn 1981: 17, 34). Arens (Vorovskii's press secretary) found a hostile mood in Switzerland after it (Arens's diary. 22 April 1923. *AVPRF*. F. Lozanskaia Konferentsiia [henceforth: LK], O. 1, D. 30, folder 3, L. 19).

Significant changes were also taking place within Soviet Russia during this period. The "Socialist-Revolutionaries' Process" in the summer of 1922 effectively eliminated the only remaining credible opposition to Bolshevism, further isolating the Soviet government from the transnational Left. In December 1922, Lenin suffered a second stroke, which led to his withdrawal from direct involvement in foreign policy. The nominally independent Soviet republics unified to form a single state, the Soviet Union, in the closing days of 1922. Additionally, the goodwill engendered by the Genoa Conference had dissipated by April 1923 as religious persecution resumed, exemplified by the trials of Catholic prelates Budkiewicz and Cieplak, as well as Moscow Patriarch Tikhon. These intertwined foreign and domestic factors created a unique context during the late 1922 and 1923 period.

After Vorovskii's Murder: From Reaction to Inaction

A few hours after Vorovskii's assassination, Arens, who was still wounded, contacted two individuals who would play a central role in the preparations for the legal process. The first person was Dr. Sergei Bagotskii, the representative of the Soviet Red Cross in Geneva. Bagotskii, an early Bolshevik and loyalist of Lenin, had accompanied the leader during his exile in both Cracow and Zurich, serving as his personal secretary (Bagotskii 1971). After the Berzin mission was expelled in November 1918, Bagotskii effectively acted as the de facto Soviet ambassador to Switzerland through his Red Cross position until 1936. Given his extensive experience in the local context, Bagotskii's understanding of Swiss affairs was highly valued in Moscow. In fact, his initial advice to Arens was to contact another key figure in the Lausanne Process: Jacques Dicker.

Jacques Dicker, a lawyer from Geneva, was a revolutionary of Bessarabian-Jewish origin and a former member of the Socialist-Revolutionary Party. Following the 1905 Russian Revolution, he emigrated to Switzerland and obtained citizenship in 1915. By 1923, Dicker had become a member of the Swiss Socialist Party and served as the president of its Genevan section since 1922 (Gattiker 1975: 107, 232). Although Dicker was a socialist deputy in the National Council, he distanced himself from "communist" ideals while maintaining a strong pro-Comintern stance. Dicker had previously worked with the Berzin mission in 1918, and although he was not a communist himself, there were claims that he and his wife Lea were close to Lenin, although the extent of their relationship may have been exaggerated⁶.

⁶ An anonymous, handwritten report from c. June 1923 in the archive of Dr. Lodyzhenskii, representative of ROKK in Geneva, reported this (Hoover Institution Archives. Iurii Il'ich Lodyzhenskii papers. Reel 3, Box 3: 3.1-345). In a letter to Conradi (18 March 1924), Vladimir Burtsev said Dicker was among those in Switzerland "closely linked" to Lenin, while Conradi answered (21 March 1924) that Dicker's wife was "in touch with Moscow" (GARF. F. R5802, O. 1, D. 327, LL. 2-8). No one offered any proof.

Following Bagotskii's advice, Arens contacted Dicker, who wrote directly to Chicherin on May 11, 1923, stating that he was acting on Arens's directive since Arens himself was too weak to write a letter⁷. Dicker proposed that Arens, Divilkovskii, and Vorovskii's widow Dora and daughter Nina should be plaintiffs in the case, which would give the process a "full political character." He also suggested two Swiss lawyers to join the prosecution: Franz Welti, the leader of the small Swiss Communist Party, and Paul Magnenat, a member of the Radical Party. Dicker emphasized the importance of refraining from any repressions against Swiss individuals in Russia for the time being⁸. A few days later, Dicker made this request public through the Swiss press, which garnered criticism from various quarters.

Nikolai Krestinskii, the Soviet representative in Berlin, suggested to Deputy NKID head Maksim Litvinov that Dicker should be removed from the process for turning a mere opinion into a "condition" that implied "blackmail"⁹. Grigorii Shklovskii, the Soviet consul in Hamburg, who knew Dicker from the days of the Berzin mission, categorically opposed his involvement in the process and described Dicker as "one of our most vulgar opponents."¹⁰ Although Shklovskii did not provide evidence to support his accusation, Litvinov took his opinion seriously and proposed replacing Dicker with a Soviet lawyer¹¹. However, in the end, Dicker was retained as Arens's attorney for two reasons. First, Bagotskii insisted on Dicker's involvement, defending him as someone who understood both the "Russian and Swiss conditions" and hailing him as the "best candidate" for a "serious process" (which demonstrated Bagotskii's authority in the eyes of Moscow)¹². Second, since the Swiss press had already targeted Dicker, it would have been politically uncomfortable to remove him from the case¹³.

The Swiss Federal Council found a way to keep the case as a private matter concerning only Vorovskii's person, confined to a cantonal court instead of a federal court. The justification was that Vorovskii was not in Switzerland in an official capacity, following the logic of the Allies' invitation to the Soviet delegation for the Lausanne Conference, which was solely meant to address concerns regarding the Straits question – transit rights through the Dardanelles and Bosphorus – considered settled since December 1922. However, Vorovskii had obtained a Swiss diplomatic visa in Rome on April 23, 1923, for the second part of the Conference, although he did not notify his arrival on April 26. This fact became the main pretext for the Federal Council to initially ignore him, effectively "placing their neutrality at the service" of the Allies (Gattiker

⁷ Arens to Chicherin. 16 May 1923. *AVPRF*. F. LK, O. 1, D. 30, folder 3, L. 37.

⁸ *AVPRF*. F. LK, O. 1, D. 26, folder 3, L. 2.

⁹ 14 May 1923. *AVPRF*. F. LK, O. 1, D. 32, folder 3, L. 41.

¹⁰ Shklovskii to Litvinov. 23 May 1923. *Ibid.*, L. 47.

¹¹ Bagotskii to S. I. Bratman-Brodovskii (secretary of the Soviet legation in Berlin). 28 May 1923. *AVPRF*. F. LK, O. 1, D. 31, folder 3, L. 41.

¹² Litvinov to Krestinskii. 1 June 1923. *AVPRF*. F. LK, O. 1, D. 32, folder 3, L. 59.

¹³ Krestinskii to Litvinov. 31 May 1923. *Ibid.*, L. 58.

1975: 200-201). After the assassination, they used this as an opportunity to distance themselves from any responsibility, labeling it as "an individual act of vengeance" by Conradi¹⁴.

Although the case was framed as a private matter, it did not mean that it would not have political implications. In fact, the involvement of key figures such as Bagotskii and Dicker, as well as the proposal for a "political case," demonstrated the intention to make it politically significant. However, as Alfred Senn noted, the prosecution's insistence on a "political trial" instead of a mere criminal case ironically undermined the chances of convicting Conradi and Polunin. The Vaud prosecutor, August Capt, expressed his confusion as to why the plaintiffs were insisting on a "political case" (Senn 1981: 132).

With the terms defined, it was time for the Soviet government to react. From the beginning, Vorovskii's murder was hardly a priority in Moscow. At the Politburo meeting on May 11, 1923, the case was relegated to the third place on the agenda. The urgent matters discussed that day included approving Chicherin's memorandum in response to Curzon's note of May 8 and addressing a telegram from French prime minister Raymond Poincaré regarding the safe passage of a Soviet Red Cross delegation in Marseille to repatriate Russian soldiers (MID SSSR 1962: 303-304). Only after these discussions did the Politburo read Chicherin's briefing on Vorovskii's assassination. Three decisions were made: 1) instructing *Pravda* and *Izvestiia* to extensively cover the crime and broadcast Vorovskii's biography abroad, 2) informing British Labor leader Ramsay MacDonald about the murder in response to his telegram calling for appeasement following Curzon's note, and 3) sending a note of inquiry to Bern¹⁵.

In the following days, Vorovskii's murder served as a pretext for various purposes both inside and outside the Soviet Union. Paired with Curzon's note, and in the most suspicious minds, seen as a consequence of it, the crime sparked intense reactions in the USSR. *Izvestiia*, on May 12, wrote: "It is evident that the British government's note and the murder of Comrade Vorovskii are links in the same chain of an offensive by the world bourgeoisie and international fascists against the Soviet Republic." Numerous demonstrations took place across the country. The Moscow Soviet reached out to its honorary member, Fridtjof Nansen, the League of Nations' High Commissioner for Refugees, asking him to "speak out against the instigators of war" and emphasizing Soviet Russia's commitment to peace, stating that "it is unacceptable to address the great Russian people through ultimatums"¹⁶. In Tsaritsyn, a group of physicians used Vorovskii's murder as an opportunity to express their well wishes for Lenin's health amid rumors of his illness¹⁷.

¹⁴ For Gattiker, the Federal Council's declaration "sought to mitigate and transform the physiognomy of the crime", jumping to conclusions before the police investigation even started (Gattiker 1975: 57). The best recount of Vorovskii's stay in Lausanne from 26 April to the murder is Senn (Senn 1981: 24-34).

¹⁵ "Protokol PB № 4 ot 11 maia 1923 g.". *RGASPI*. F. 17, O. 3, D. 352, L. 1.

¹⁶ *AVPRF*. F. 421, O. 1, D. 94, folder 6, L. 22-23.

¹⁷ *RGASPI*. F. 92, O. 1, D. 12, L. 17.

Abroad, the Comintern organized demonstrations in England in collaboration with left-wing Laborites and the Trade Unions Congress, as well as in Germany. Karl Radek informed Grigorii Zinov'ev and Stalin from Berlin that the German Communist Party had organized a protest of "almost 100,000 people" in the Lustgarten on May 13, aimed at opposing any new war¹⁸. Radek also described plans for a subsequent demonstration featuring Vorovskii's coffin, which was set to arrive in Berlin from Lausanne on its way to Moscow, intending to protest against Curzon's note and the occupation of the Ruhr¹⁹. Indeed, on May 16, 1923, a procession of approximately 150,000 people accompanied Vorovskii's coffin through the streets of Berlin, marking the largest gathering the German Communist Party had seen thus far (Broué 2005: 707)²⁰. The evening procession, which took place amidst heavy rain and was illuminated by torches, left a lasting impression on Krestinskii²¹. The event was also described by Victor Serge, who noted that "the torch-lit demonstration around Vorovskii's coffin marked the beginning of a period of revolutionary mobilization" in Germany.

After Vorovskii's body was sent to Moscow, where it was part of a grand procession, Arens arrived in Berlin to begin planning the prosecution strategy with Ambassador Krestinskii. While Dicker's involvement as a lawyer was still being debated in Moscow in late May, with only Welti's participation secured, Krestinskii suggested that NKID choose between two Russian lawyers who were in Berlin at the time and had experience in Russian imperial and Soviet courts. One candidate was Aleksandr Bobrishchev-Pushkin, a former member of Aleksandr Guchkov's "Union of October 17" and one of the original members of *Smena Vekh* since July 1921. Krestinskii justified his possible involvement by highlighting Bobrishchev-Pushkin's talent as an advocate, his strong opposition to emigration, and his proficiency in French, despite his past association with the Octobrists²². The second candidate was Semën Chlenov, an Economics teacher at Moscow's Institute of Red Professors, who advised the Soviet government on international commerce and law. Although not a communist, Chlenov empathized with Bolshevism and was the first non-émigré who contributed to the weekly *Smena Vekh* in late 1921. In the words of critic Gleb Struve, Chlenov was the publication's "own Moscow *smenovekhovets*" (Hardeman 1994: 118). More importantly, Chlenov had been picked in Summer 1922 to defend the second, "pseudo-defendant" group of Socialist-Revolutionaries (SR) at their Moscow trial. For this reason, the perceptive Litvinov favored Chlenov: "Owing to his participation in the SR process, [he is] acquainted with materials that could be useful at the Lausanne court"²³.

¹⁸ 14 May 1923. *RGASPI*. F. 326, O. 1, D. 18, L. 6-7. Krestinskii calculated 75,000 (Krestinskii to Litvinov, 14 May 1923. *AVPRF*. F. LK, O. 1, D. 32, folder 3, L. 41). *The Deutsche Allgemeine Zeitung* (14 May 1923) calculated 30,000. On the same day, the *Berliner Volks-Zeitung* merely spoke of "large numbers" (zahlreiche).

¹⁹ This would show German workers that Curzon supported France's reparations claim against Germany, and that "a blow against Soviet Russia would be followed by the asphyxiation of Germany" (Radek to Zinov'ev and Stalin, 14 May 1923. *RGASPI*. F. 326, O. 1, D. 18, L. 6-7).

²⁰ The French conservative press estimated 80 000 protestors (*Le Petit Journal*, 17 May 1923. P. 3).

²¹ 17 May 1923. *AVPRF*. F. LK, O. 1, D. 32, folder 3, L. 46.

²² Krestinskii to Litvinov, 28 May 1923. *Ibid.*, L. 52.

²³ Litvinov to Krestinskii, 1 June 1923. *Ibid.*, L. 60.

On June 6, 1923, Litvinov sought Stalin's final instruction regarding Dicker's participation, expressing his personal preference for Chlenov over Bobrishchev-Pushkin²⁴. On June 11, the Politburo instructed Chlenov to join Welti as a prosecution attorney and also approved Dicker's inclusion, citing Krestinskii as the official who proposed it²⁵. Paul Magnenat, a Genevan lawyer, was added only in late August upon Dicker's insistence. Some sources explain Magnenat's late inclusion as the need for a "moderate", non-leftist attorney (Gattiker 1975: 108; Lodyzhenskii 2013: 246)²⁶. However, it is clear that Dicker's preference for Magnenat arose after the Lausanne tribunal hinted at Chlenov's involvement as a foreign lawyer. Krestinskii reported to Moscow that Dicker was not pleased with Chlenov's participation, as he believed having a "Bolshevik commissar [*sic*]" in court could negatively influence the trial. Nevertheless, Krestinskii acknowledged that Chlenov possessed knowledge of the "Soviet version" of the Civil War that Dicker and Welti lacked, a topic the defense would inevitably address. On September 11, Chlenov's participation was approved by the court, once Magnenat received ratification from the Politburo. While Welti, a communist, did not meet expectations in his role in the trial, he was still considered a valuable asset as a reliable local lawyer.

In contrast to the defense's constant financial concerns, the prosecution attorneys, particularly Dicker, spared no expense and expected funding from Moscow (Matos 2023). As early as May 13, Dicker and Welti requested 5000 Swiss Francs each, stating that they needed the funds immediately for expenses²⁷. Additionally, they requested their own personal fees, although the exact amount is unclear²⁸. Magnenat requested 3000 Swiss Francs for expenses and fees, and Dicker urged for the immediate transfer of this amount²⁹. This contradicts earlier claims that the prosecution attorneys represented their clients for free out of ideological commitment (Gattiker 1975: 109)³⁰.

During the preparations, the People's Commissariat for Foreign Affairs (NKID) requested assistance from the Central Political Department (GPU) in gathering evidence to present at the Lausanne trial. In an early July 1923 letter, NKID Collegium member Fiodor Rotshtein summarized the strategy to GPU's foreign department head, Meer Trilisser. As Conradi's defense would use materials "on the Red Terror", GPU "needs then to gather counter-materials on the questions touched upon by the defense, as well as on White Guard conspiracies and cruelties and on material losses to the Russian people caused by White generals in the civil war"³¹.

²⁴ AVPRF. F. LK, O. 1, D. 24, folder 3, L. 3.

²⁵ *Ibid.*, L. 8.

²⁶ Senn wrongly states that Magnenat was a socialist (Senn 1981: 122).

²⁷ Dicker and Welti to (in all likelihood) Chicherin. AVPRF. 13 May 1923. F. LK, O. 1, D. 30, folder 3, L. 14. Arens noticed this was no exaggeration, as "they need to travel a lot" (Arens to Chicherin. 16 May 1923. AVPRF. F. LK, O. 1, D. 30, folder 3, L. 39).

²⁸ 12 August 1923. AVPRF. F. LK, O. 1, D. 35, folder 4, L. 12.

²⁹ Dicker to Chlenov. 20 August 1923. AVPRF. F. LK, O. 1, D. 33, folder 4, L. 17.

³⁰ On his part, Aubert did defend Polunin for free, owing to the latter's "help" to Switzerland and "her parties of order" by aiding Conradi (Lodyzhenskii to Georgii G. Witte. 20 May 1923. *Hoover Institution Archives*. Iu. I. Lodyzhenskii Papers: 3.1-373).

³¹ C. 11 July 1923. AVPRF. F. LK, O. 1, D. 29, folder 3, L. 12.

Arens confirmed this reactive strategy, stating on July 23 that the trial would be a "struggle against Soviet Russia," and the prosecution's tactic should focus on exposing and condemning the methods of the Whites and discrediting the monarchist emigration in the eyes of the broader masses³². Arens basically followed the reasoning of figures he clearly trusted like Dicker and especially Bagotskii. Indeed, on 20 July, Bagotskii warned that "the greatest shortcoming" for the preparation of the process was "the complete absence of materials on White Guard atrocities", which were pretty relevant in his view as the accused, Conradi and Polunin, were White army officers³³. Bagotskii urged Arens to acquire any émigré "historical literature" in Berlin, such as "Gessen's Archive," a collection compiled by émigré publicist Iosif Gessen, known as *Arkhiv Russkoi Revoliutsii*³⁴. This marked the first mention of a document to be used as evidence by the prosecution in the Lausanne Process³⁵.

The Soviet embassy in Berlin became the gathering place for speculating on the prosecution strategy in the absence of more specific directives from Moscow. By mid-July 1923, Krestinskii informed Litvinov that they still did not have a definite plan for conducting the affair, and the attorneys were unsure about the additional data they should bring or what to add to the judicial inquiries. Only then did it occur to Krestinskii "to summon [to Berlin] Welti and Dicker from Switzerland, and Chlenov from Moscow, and here, all together, work out in detail the plan for the conduct of the affair"³⁶. Indeed – to add to the confusion, – Krestinskii ordered Chlenov to go to Moscow in those days, but when he showed up at Litvinov's office "he could not say why he came". For Litvinov, Chlenov's arrival "was totally unexpected"³⁷. This disorganization and delay are revealing, considering that two months had already passed since Vorovskii's murder, and the trial was expected to take place at the end of August. This meant the prosecution had over a month to assemble its case. It is remarkable that as late as August 13, Krestinskii, bypassing NKID, wrote directly to GPU deputy head Iosif Unshlikht, emphasizing the urgency of obtaining the genuine biographies of the accused³⁸. Even on August 25, Rotshtein was still unsure about the specific information Chlenov wanted to know about Conradi and Polunin, citing confusing messages from Berlin³⁹. The day before, Chicherin personally complained to Stalin that "NKID just cannot manage to get the necessary responses and materials from other institutions"⁴⁰. Fortunately, in late August, the tribunal scheduled the trial for November 5.

³² Arens to Chlenov. 23 July 1923. *AVPRF*. F. LK, O. 1, D. 27, folder 3, L. 38.

³³ *Ibid.*, L. 39.

³⁴ Bagotskii to Arens, 27 July 1923. *AVPRF*. F. LK, O. 1, D. 30, folder 3, L. 65.

³⁵ Its importance was such that, after the acquittal in November 1923, Guchkov asked Gessen to incorporate in the *Arkhiv* a reduced stenographic version of the trial, to no avail (Guchkov to N. E. Paramonov. 29 February 1924. *GARF*. F. 5868, O. 1, D. 236, L. 341).

³⁶ Krestinskii to Litvinov. 16 July 1923. *AVPRF*. F. LK, O. 1, D. 32, folder 3, L. 65.

³⁷ Litvinov to Krestinskii. 19 July 1923. *AVPRF*. F. LK, O. 1, D. 35, folder 4, L. 4. Litvinov had scolded Krestinskii before for including Dicker in the affair without waiting for a final decision from Moscow (1 June 1923. *AVPRF*. F. LK, O. 1, D. 32, folder 3, L. 59).

³⁸ *AVPRF*. F. LK, O. 1, D. 29, folder 3, L. 25.

³⁹ Rotshtein to G. E. Prokof'ev (deputy chairman of GPU's foreign department). 25 August 1923. *Ibid.*, L. 29.

⁴⁰ 24 August 1923. *AVPRF*. F. LK, O. 1, D. 24, folder 3, L. 9.

At this point, Moscow's orders oscillated between the Politburo's general directives and NKID's promises of evidence and funding. The only progress made during these two months was GPU's rather slow investigation into Conradi and Polunin, as well as the collection of "counter-materials," which were ultimately not used in the trial. It is not an exaggeration to state that, in contrast to the defense's energetic organization by late Spring 1923, the prosecution made little progress during the summer, relying on several disconnected individuals engaged in different matters simultaneously. On August 21, Arens and Chlenov expressed this sentiment when they complained to Chicherin and the Politburo about Moscow's passive attitude. They noted that the defense's strategy, based on the correspondence they had obtained, was standing on its own with regard to witnesses and evidence. Arens and Chlenov urged the Politburo to appoint a responsible figure with decisive capacity to oversee the preparation of the process⁴¹. The letter also included demands for 1000 British pounds to be sent to the Berlin embassy, 20,000 gold rubles for the Lausanne Process, urgent information on Conradi and Polunin, archive material on White atrocities, and relevant witnesses. The letter ended with a harsh note: "In a word, it is necessary that in Moscow they realize that this process has no less political significance than the SR process in its day, with the only difference that it will unfold under more difficult circumstances, and that it should have the attention it deserves"⁴².

It was only when the Politburo responded to this petition that things started to move more swiftly. On August 30, Radek was entrusted with special supervision of the Conradi affair and was instructed to take every necessary measure for the development and coverage of the process. However, only 2,000 gold rubles were allocated for the matter. Radek brought a member of NKID's Collegium, Viktor Kopp, to help organize the process and coordinate with the cabinet "a list of Russian, non-party professors, who will go to court to give impressions on Soviet Russia"⁴³. On September 6, the Politburo authorized Krestinskii to confer the necessary expenses in minimal amounts, not exceeding 5,000 gold rubles, and granted Arens the final say on the use of intelligence materials for the process⁴⁴. Finally, after nearly four months since Vorovskii's death, a vertical working dynamic had been established regarding the future trial.

⁴¹ Arens and Chlenov to Chicherin (cc Politburo). 21 August 1923. *AVPRF*. F. LK, O. 1, D. 33, folder 4, L. 20. The correspondence alluded to, leaked to the French communist paper *L'Humanité*, were letters "between Paris, Berlin, and Geneva" that showed how Russian émigrés were assisting the defense with evidence. The cities meant Vladimir Gurko (who led a group of attorneys assembled by Guchkov in Paris), Guchkov (who spent Summer 1923 in Berlin) and Lodyzhenskii (in Geneva) (Matos in press).

⁴² Arens and Chlenov to Chicherin (cc Politburo). 21 August 1923. *AVPRF*. F. LK, O. 1, D. 33, folder 4, L. 21; Chicherin to Stalin. 24 August 1923. *AVPRF*. F. LK, O. 1, D. 24, folder 3, L. 9-10.

⁴³ The timing seems unmistakable in Radek's political career, who merely a week before had changed his mind from pessimistic reservations to carrying out a revolution in Germany (Fayet 2004: 467-477). Was this a way in which Stalin, opposed to a "German revolution" — as for him it meant "war with France and Poland" (*ibid.*: 470), — sought to distract Radek? And is Radek's involvement of Kopp a way to detach himself from the task, as he concentrated in his German revolutionary project? In the end Kopp, not Radek, became the main figure responsible in Moscow for the Lausanne Process.

⁴⁴ *RGASPI*. F. 17, O. 163, D. 362, L. 15.

Building a Case

Who should go to Lausanne, and for what purpose? One of the initial decisions made at the Soviet embassy in Berlin, agreed upon by Krestinskii and the attorneys, was to exclude Conradi's living victims, Arens and Divilkovskii, from the courtroom. Chlenov hinted to Kopp that Arens' presence, in particular, would "raise the temperature" in Lausanne due to his contentious personality⁴⁵. Instead, "respected" (*uvazhaemye*) and "prominent" (*vidnye*) individuals should be brought in to speak in favor of Soviet Russia, such as Fridtjof Nansen or writers Henri Barbusse and Maksim Gor'kii. They would demonstrate that "Soviet rule did not engage in any atrocities [during the civil war], and that its opponents, on the contrary, committed considerable sins." However, Krestinskii opposed these names for practical reasons. It would be difficult to control what Gor'kii might suddenly say, Nansen was unlikely to come and his rejection would create a negative impression, and Barbusse had not been in Russia⁴⁶. Therefore, the witnesses needed to be both "respected" and politically reliable, with knowledge of Soviet Russia, preferably if they had personal experience there, which coincided with the defense's approach (Matos 2023).

The intention was to seek "objective" outsiders, not necessarily communists, who could attest to the harmony of Soviet society and the normalcy of everyday life in the first socialist state, rather than explicitly defending communism. There was a subtle attempt to portray the Russian Revolution in non-militant, Thermidorian terms, as described by Shlapentokh (1995). Chlenov, for instance, suggested to Natal'ia Sedova-Trotskaia to emphasize in a brief report "what we have done regarding the preservation of art monuments"⁴⁷. Kopp asked Education Commissar Anatolii Lunacharskii to find witnesses of White crimes among "loyal professors of European name" in places like Tomsk, Kiev, or Odessa⁴⁸. More realistically, Rotshtein ordered several figures who witnessed White "atrocities" and worked for NKID's press service to send "documents and authentic, exact testimonies", and to "inform the names and location of people not in our [ideological] field, yet loyal to Soviet power" who could become potential witnesses⁴⁹. In this design, *Smenovekhovstvo* fitted perfectly.

It was Bagotskii, the USSR's representative in Switzerland, who astutely proposed bringing Iurii Kliuchnikov, the original leader of *Smena Vekh*, as a witness to Lausanne. Bagotskii identified Kliuchnikov in May as a valuable source on ROKK and

⁴⁵ 10 October 1923. AVPRF. F. LK, O. 1, D. 34, folder 4, L. 47.

⁴⁶ Krestinskii to Chicherin. 12 August 1923. F. LK, O. 1, D. 35, folder 4, L. 12. Only Barbusse provided later written testimony. Propagandistic in tone, it caused a bad impression in the highly anticommunist mood of the court (*Journal de Genève*. 11 November 1923. P. 6; *Gazette de Lausanne*. 11 November 1923. P. 2).

⁴⁷ 2 October 1923. AVPRF. F. LK, O. 1, D. 33, folder 4, L. 82. This followed the trend against what Richard Stites called "excessive negation" of the past, initiated by Lenin to "depoliticize" *ancien régime* artifacts and cultural products – thus preserving them – through museums (Stites 1985: 16-19).

⁴⁸ 20 September 1923. AVPRF. F. LK, O. 1, D. 34, folder 4, L. 31.

⁴⁹ AVPRF. F. LK, O. 1, D. 29, folder 3, L. 30.

its Geneva representative, Dr. Lodyzhenskii, as Kliuchnikov had served as ROKK's deputy delegate in Paris while still in the White camp⁵⁰. Bagotskii reiterated the potential inclusion of the *smenovekhovets* as witnesses on September 10, and Dicker supported Kliuchnikov's involvement as an intellectual who would "counter the ideas expressed by the representatives of the Russian reaction"⁵¹. Chlenov went further by asking Radek for his opinion on including other *smenovekhovtsy* like biologist Sergei Chakhotin⁵². Bagotskii echoed this idea, proposing additional *smenovekhovtsy* such as Sergei Luk'ianov and Grigorii Kirdetsov, who had become editors of the Berlin daily *Nakanune* since August 1922 (after Kliuchnikov was ousted from the journal and returned to Russia).

Among the original *Smena Vekh* contributors, only Kliuchnikov went to Lausanne⁵³, but the suggestions to include such figures reveal that this current was still seen in Soviet government and diplomatic circles as a useful element as late as mid-1923, a year after *Smenovekhovstvo* started to become publicly criticized in Soviet officialdom in parallel with Lenin's growing isolation⁵⁴. This is supported by the fact that on 30 August the Politburo, on Stalin's initiative, categorically rejected Krestinskii's advice to dissolve *Nakanune*, based on economic grounds given the financial situation in Germany⁵⁵. *Nakanune*, mouthpiece of *Smenovekhovstvo* and Sovietophile attitudes outside the USSR, was still needed in Moscow, all the more so given the serious preparations for a German revolution. The continuous coverage of the Lausanne Process in the daily did not go unnoticed among Soviet authorities either, and might have been an additional basis for its prolongation. In that regard, a few days before the Lausanne trial, *Nakanune* became a tool to discredit Conradi's and Polunin's defense, as Chlenov confirmed that "we published" in *Nakanune* one of Guchkov's leaked letters summarizing the *modus operandi* of the defense, with full names of émigrés who contributed evidence or became witnesses⁵⁶.

⁵⁰ Bagotskii to "NKID". AVPRF. 20 May 1923. F. LK, O. 1, D. 31, folder 3, L. 18.

⁵¹ Dicker to Chlenov. AVPRF. 12 September 1923. F. LK, O. 1, D. 33, folder 4, L. 59.

⁵² AVPRF. 12 September 1923. F. LK, O. 1, D. 34, folder 4, L. 18.

⁵³ Andrei Kvakin is thus wrong when he writes that Chakhotin was sent to "Geneva" as "prosecutor" [*obvinitel'*] (Kvakin 2006: 390). Kvakin is clearly confusing Chakhotin with Chlenov, probably based on Fediukin (Fediukin 1977: 128).

⁵⁴ Bolshevik leaders at times used *Smenovekhovstvo* to detach themselves from it and boast their communist credentials, but they never condemned it altogether until after Lenin's death in January 1924. Lenin criticized Nikolai Ustrialov's article "Evolutsiia i taktika" at the XI Party Congress (27 March – 2 April 1922), insisting that NEP was not a "step towards capitalism" as Ustrialov suggested. In the XII Party Conference (22-27 August 1922), Zinov'ev reminded that, for all its pragmatic utility in the transitional context of NEP, it should not be forgotten that *Smenovekhovstvo* strived, just as the Mensheviks and SRs, for "bourgeois democracy" (Rossiiskaia Kommunisticheskaia Partiiia (Bol'sheviki) 1922: 76).

⁵⁵ "O zakrytii 'Nakanune' – pis'mo tov. Krestinskogo". 30 August 1923. RGASPI. F. 17, O. 163, D. 360, L. 37-38. Krestinskii had twice before (12 November 1922 and 29 April 1923) posed to the Politburo the question whether *Nakanune* should be liquidated or continued, himself supporting the latter view ("if we close it we destroy the only more or less influential Sovietophile organ abroad"), until he changed his mind in August given Germany's financial crisis (Krestinskii to Stalin. 29 April 1923. RGASPI. F. 17, O. 163, D. 334, L. 17; Kvakin 2006: 164-171).

⁵⁶ Chlenov to Kopp and Rotshtein. 22 October 1923. AVPRF. F. LK, O. 1, D. 29, folder 3, L. 84. See "Posobnichestvo belomu terroru? Zhdëm otveta!". *Nakanune*, 21 October: 3 and "Zhdëm otveta! Pis'mo v redaktsiiu". *Nakanune* 25 October 1923: 1.

Besides Chlenov, other non-original members of *Smenovekhovstvo* were brought too. Bagotskii pointed out two former White generals to the Berlin staff on 17 September 1923⁵⁷. One was Sergei K. Dobrorol'skii⁵⁸, appointed Governor-General of Novorossiisk during the Civil War by General Anton Denikin. The other was Evgenii I. Dostovalov, who knew Polunin personally as former Chief of Staff of General Aleksandr Kutepov (Dostovalov 1995). Dostovalov had joined Dobrorol'skii in Berlin after the latter was expelled from Serbia for collaborating with the Berlin pro-Soviet journal *Voina i Mir* and for his contacts with the Bolsheviks (Ganin 2019b: 188; Lukomskii 2015: 490). Both were valuable eyewitnesses on White misdeeds in southern Russia during the Civil War and contributed regularly to *Nakanune*. Fully trusting Bagotskii's choices, Arens informed (never asked!) Kopp in Moscow that "we are negotiating with two generals of Wrangel's army", adding that Dostovalov's knowledge of Polunin was crucial to his "murderous description"⁵⁹. Arens clearly considered the testimony of both generals and of Kliuchnikov superior to that of non-Russian witnesses. The three, however, proved disastrous at court, as Aubert had studied their weak points beforehand with information provided by Wrangel's headquarters in Belgrade through Guchkov (Matos 2023).

Another suggestion put forward by Bagotskii was to call upon Italian acquaintances of Vorovskii, who had served as the Soviet representative in Rome at the time of his murder⁶⁰. The Berlin staff was uncertain about suitable candidates and delegated the task to Moscow. To facilitate communication and avoid triangulation with the Soviet government, Chlenov proposed in mid-September that Radek directly contact the Soviet legation in Rome through their Berlin counterpart⁶¹. Acting upon this suggestion, Chicherin instructed Nikolai Iordanskii, Vorovskii's replacement in Rome and an émigré of Menshevik origin who had returned to Russia in 1922, to establish contact with Italian politicians who maintained good relations with the USSR (Matos 2023).

Several potential witnesses from both the Italian government and opposition were considered and summoned for testimony. Chicherin initially proposed Giovanni Colonna Romano, Duke of Cesarò, who was serving as the Minister of Posts in Mussolini's first cabinet, as well as Luigi Facta, Mussolini's predecessor as prime minister and a liberal⁶². Additionally, Iordanskii, in consultation with Vorovskii's widow Dora Mamutova, suggested Fabrizio Maffi, a socialist deputy respected "among political circles in Switzerland" (Matos 2023). Iordanskii had already informed Bagotskii about Maffi's

⁵⁷ Chlenov to Bagotskii. 21 September 1923. AVPRF. F. LK, O. 1, D. 33, folder 4, L. 73.

⁵⁸ In a letter to Piotr I. Aver'ianov (5 July 1923), Dobrorol'skii espoused typical *smenovekhovskie* arguments on Russia's future renaissance (Ganin 2019b: 188-189).

⁵⁹ 28 September 1923. AVPRF. F. LK, O. 1, D. 34, folder 4, L. 34.

⁶⁰ Dicker to Chlenov, 12 September 1923. AVPRF. F. LK, O. 1, D. 33, folder 4, L. 59.

⁶¹ Chlenov to Radek and Kopp. 17 September 1923. AVPRF. F. LK, O. 1, D. 34, folder 4, L. 26.

⁶² Chicherin to Iordanskii. 19 September 1923. AVPRF. F. LK, O. 1, D. 26, folder 3, L. 22.

candidacy, urging him to consult with the attorneys handling the case⁶³. However, on September 27, the Berlin staff rejected Maffi on the grounds that he was "too leftist," preferring Italian politicians from "more moderate circles"⁶⁴.

The course of events took a different turn, ultimately leading to the selection of Maffi as the sole Italian witness at the Lausanne trial. This decision was influenced by several factors that shed light on the early relations between the USSR and Fascist Italy. First, Iordanskii reported that Facta was unavailable due to retirement, while Cesarò had become "unfriendly" after joining Mussolini's government⁶⁵. Nevertheless, as late as 22 October, Iordanskii assured Chicherin: "We have prepared as witnesses [...] Maffi, Facta and Cesarò. The latter in his ministerial capacity even asked for Mussolini's approval for his departure"⁶⁶. However, Dicker rejected Cesarò to avoid compromising Rome regarding the Corfu affair, as Mussolini had occupied the Greek island of Corfu in response to the killing of an Italian emissary (Matos 2023). Given the sensitivity of the situation and the ongoing League of Nations investigation into state responsibilities for crimes committed on their territories, Dicker concluded that Cesarò would be placed in an uncomfortable position at the Lausanne trial⁶⁷. Iordanskii agreed, but his concern was also focused on the future of Soviet-Italian relations, as Mussolini had hinted at the possibility of *de jure* recognition of the USSR, a matter allegedly discussed with Vorovskii⁶⁸. The decision reached at NKID was to strictly avoid any "attacks on the Italian government" and to instruct the lawyers not to build their accusation on such questionable grounds, emphasizing the need to refrain from targeting Italy at that moment⁶⁹. Consequently, Maffi became the sole Italian witness at the Lausanne trial, despite his futile attempts to lecture on Italian socialism, and Cesarò's brief sympathy letter was also read in court (Matos 2023).

Moscow's significant investment in securing witnesses for the Lausanne Process included bringing two Americans from different parts of the world to testify about the White Terror in Siberia. Unable to find suitable candidates in England, Boris Skvirskii,

⁶³ Iordanskii to Chicherin. 29 September 1923. *AVPRF*. F. LK, O. 1, D. 30, folder 3, L. 88; Iordanskii to (in all likelihood) Bagotskii. 15 September 1923. *AVPRF*. F. LK, O. 1, D. 33, folder 4, L. 66.

⁶⁴ *Loc. cit.* Maffi spent Summer 1923 in the USSR while still a member of the Italian Socialist Party, as head of the faction that would join the Italian Communist Party in early 1924 (Detti 1987: 281-292).

⁶⁵ Iordanskii to Chicherin. 29 September 1923. *AVPRF*. F. LK, O. 1, D. 30, folder 3, L. 88.

⁶⁶ *AVPRF*. F. LK, O. 1, D. 26, folder 3, L. 23.

⁶⁷ Dicker to Chlenov. 18 October 1923. *AVPRF*. F. LK, O. 1, D. 33, folder 4, L. 106. See Cesarò to Iordanskii. 5 November 1923. *AVPRF*. F. LK, O. 1, D. 34, folder 4, L. 107; *Gazette de Lausanne*, 11 November 1923: 2.

⁶⁸ Bagotskii to Krestinskii. 26 October 1923. *AVPRF*. F. LK, O. 1, D. 35, folder 4, L. 21. Iordanskii informed Chicherin on 15 August 1923 about his meeting with Mussolini on the 14, where the Italian Prime Minister offered to recognize the Soviet Union *de jure* (Sevost'ianov 2002: 77-82). Mussolini said he had already drawn a plan with Vorovskii to that effect, right before the latter went back to Lausanne in late April 1923. Ignorant of this, Iordanskii explained to Chicherin the absence of any recognition plan, assuming that it was among the papers burnt by Rosta correspondent Hermann Stürmer on Arens's orders right after Vorovskii's murder (Gattiker 1975: 49) (*AVPRF*. F. LK, O. 1, D. 30, folder 3, L. 32). On 8 October, Iordanskii informed that the Italian press considered recognition "predetermined in a positive sense" (Sevost'ianov 2002: 100). See Khormach (Khormach 1993).

⁶⁹ Litvinov to Krestinskii. 25 October 1923. *AVPRF*. F. LK, O. 1, D. 32, folder 3, L. 71.

the Soviet trade representative in Washington, informed the Soviet embassy in Berlin on September 11th that Major Sidney Carroll Graves, the son of General William S. Graves, who headed the American Expeditionary Force in Siberia, had agreed to testify in person⁷⁰. Major Graves had actively participated in the campaign against White excesses during his time in Siberia (Graves 1921). He agreed to receive a payment of \$2000 for the trip and compensation for his time⁷¹.

In his initial correspondence, Skvirskii also mentioned another potential American witness, Charles H. Smith, who was living in Chita at the time and serving as the American representative to the Inter-Allied Railway Committee (Matos 2023). Smith had held this position since March 1919 and collaborated with the authorities of the Far Eastern Republic (Chervonnaya & Evans 2014). Contacted in late September through the NKID and the *Far Eastern Revolutionary Committee*⁷², Smith agreed to testify but informed them that all his evidence had already been passed on to Graves. It had previously been used in April 1922 by the United States Senate Committee on Education and Labor, chaired by Senator William Borah, in a case against Ataman Grigorii Semënov when Semënov arrived in America (Bisher 2005: 350-352).

When asked by an insecure Kopp about the potential American witnesses, Arens cautioned about losing “big money” on them, but was “ready to abide” by Skvirskii’s opinion⁷³. In turn, Kopp bestowed on Arens the final word on Smith, as he sent the latter’s *exposé*, describing it as valuable testimony⁷⁴. Arens thought that Smith’s “very interesting” *exposé* would only be replicated by Graves’s testimony, and now left the final decision to Moscow⁷⁵. It is striking how these men played the hot potato when actually Smith’s *exposé* was probably the best documented source in possession of the prosecution for the Lausanne Process, covering White misdeeds in Siberia from November 1918 to January 1920. In the end, it was decided to ignore the text, as Smith indeed went from Chita to Lausanne to rephrase it at court. Probably its reading would have made a bigger impact at the trial than Smith’s oral testimony, which fell into the sensationalist mood set by the defense (for example, stating that atamans Semënov and Kalmykov “lived for their pockets”)⁷⁶.

⁷⁰ Chlenov to A. F. Nuorteva (head of NKID’s Anglo-American Sector). 11 September 1923. *AVPRF*. F. LK, O. 1, D. 30, folder 3, L. 74.

⁷¹ Skvirskii mentioned the sum was “quite moderate” and asked for immediate reimbursement (Skvirskii to Arens. 28 September 1923. *Ibid.*, L. 87).

⁷² Chicherin to Pavlov (Dal’revkom representative in Chita). Late September 1923. *Ibid.*, L. 76.

⁷³ Arens to Kopp. After 21 September 1923. *AVPRF*. F. LK, O. 1, D. 34, folder 4, L. 25.

⁷⁴ Kopp to Arens. 10 October 1923. *AVPRF*. F. LK, O. 1, D. 30, folder 3, L. 96.

⁷⁵ Arens/Chlenov to Kopp and Radek. 12 October 1923. *AVPRF*. F. LK, O. 1, D. 34, folder 4, L. 54.

⁷⁶ Smith informed NKID he possessed “copies of protests of peasants and other Russians re[garding] terrorism practiced by the Whites”, and his own eyewitness testimony from Vladivostok. He even mentioned in his *exposé* some “cases where the Japanese alone terrorized the Russian people”, but did not detail them as they “involved another nation”. The document is worth reading in *AVPRF*. F. LK, O. 1, D. 30, folder 3, LL. 108-112.

Potential witnesses living in the USSR were sought, but none made it to Lausanne. Some were rejected outright for being communists⁷⁷, but most were not. When approached by Rotshtein in late August, Ivan Maiskii – another former Menshevik turned NKID bureaucrat, – who witnessed White crimes in Siberia, listed solely former Mensheviks and SRs⁷⁸. Their testimony was indeed gathered by GPU, along with 22 folders of materials on White atrocities⁷⁹. In the end, such witnesses were not sent to Lausanne, nor was the material used except for some mentions by Dicker and Chlenov in their pleas. The reasons behind their exclusion remain unclear, but time constraints and a delayed start in searching for Soviet candidates may have played a role.

Revealing his rush, Chlenov mentioned that further witnesses could even be communists, as long as they were not well known "as such" and if they testified on "outstanding and relevant" facts⁸⁰. And although another letter from Berlin asked Kopp the same day to bring a "non-communist" from "the southern front, and not from Siberia"⁸¹, the inclusion of Generals Dostovalov and Dobrorol'skii was reason enough to cease the look for Soviet witnesses from the south⁸².

Two interesting witnesses completed the prosecution list. One was the Swiss physician who upon Bagotskii's call attended the wounded Arens and Divilkovskii the night of the crime, Dr. George Montandon. There was more to it for Montandon than testifying on the wounds of Conradi's bullets: he was a pertinent example of the larger influence projections of the Soviet state through non-communist actors⁸³. Montandon had been in Siberia during the Russian Civil War on a Red Cross mission, becoming close to Bolshevik luminaries like Evgenii Preobrazhenskii. Montandon was very close to Bagotskii – who probably suggested his inclusion, – working with the Soviet delegation to the Lausanne Conference back in February 1923 (Gattiker 1975: 231-232)⁸⁴. At the Lausanne trial he testified on the White Terror in Siberia and harshly criticized atamans Semënov and Kalmykov.

⁷⁷ "I agree with your reasoning for not bringing Sergeev (especially because he is a communist)" (Arens to B.R. Minlos (NKID press department). "September 1923". F. LK, O. 1, D. 29, folder 3, L. 48.

⁷⁸ Rotshtein to Maiskii. 25 August 1923. *Ibid.*, L. 30; Maiskii to Rotshtein. 28 August 1923. *Ibid.*, L. 37-39. Maiskii's candidates were all members/collaborators of the Siberian Revkom, like former SRs Evgenii E. Kolosov and Piotr Ia. Derber, and former Mensheviks Piotr P. Maslo and Konstantin A. Popov.

⁷⁹ Kopp to Arens. 16 October 1923. *AVPRF*. F. LK, O. 1, D. 30, folder 3, L. 97.

⁸⁰ Chlenov to Minlos. 5 October 1923. *AVPRF*. F. LK, O. 1, D. 29, folder 3, L. 70.

⁸¹ Arens (in all likelihood) to Kopp. 5 October 1923. *AVPRF*. F. LK, O. 1, D. 34, folder 4, L. 42.

⁸² Arens/Chlenov to Kopp. 12 October 1923. *Ibid.*, L. 54.

⁸³ Montandon hosted at his home in Lausanne the two secretaries of the Soviet Embassy in Berlin sent to retrieve Vovrovskii's corpse, Aleksei Ustinov (SR until 1920) and Stefan Bratman-Brodovskii (Ustinov's report. 12 May 1923. *AVPRF*. F. LK, O. 1, D. 27, folder 3, L. 13). On Montandon and his later career as racist physical anthropologist and Vichy functionary, see Conklin, 2013: 91-99 and Fayet, 2014: 244-246. On his Siberian trip see Montandon 1921; 1922.

⁸⁴ Montandon would become the first Swiss to found a "friendship society" with the "New Russia" (May 1924): the Society of Documentary Studies on Contemporary Russia. He was its vice-president, controlled by Bagotskii as local representative of the Soviet All-Union Society for Cultural Relations Abroad (VOKS) (Fayet 2014: 243-251).

The final witness – and only communist militant – added to the list was the Lithuania-born revolutionary Charles Rappoport, former Russian Social-Democrat and founder of the French Communist Party. Although a communist, Rappoport's inclusion, consistent with other witnesses, did not follow ideological lines. In the hasty missive sent to him from Berlin as late as 20 October 1923, Rappoport was asked to testify as his daughter had recently been attacked by a White Army officer: "Given that this same monarchist gang committed a vile attempt on your daughter, we took the liberty, without asking you earlier due to lack of time, to summon you as a witness"⁸⁵. The prosecution thought Rappoport's testimony would make a good story at court as the crime of yet another former White officer. At the trial, Chlenov even mentioned that the publication of Conradi's "Confession" – the note he left before murdering Vorovskii – influenced Fanny Rappoport's attacker, as Conradi exhorted other White officers to follow his example (Conradi 1923). However, Rappoport's political speech from the stand, forced out by Dicker, did not bring any sympathy to Fanny's suffering in the quite anticommunist mood at court. The *Gazette de Lausanne* described him (8 November) as a typical "outmoded nihilist". Allegedly, Rappoport himself considered that the prosecution's case was badly assembled from the start (Senn 1981: 169-170).

Amidst the exchanges and negotiations between Berlin (Krestinskii, Arens, Chlenov), Geneva (Bagotskii), and Moscow (NKID), an additional challenge needed to be addressed. In late September 1923, when the completed indictment bill, signed by the Vaud prosecutor, was delivered, it deeply unsettled the prosecution to the extent that they contemplated whether they should even appear in court. Prosecutor Capt presented a meticulously crafted document that, while accusing Conradi and Polunin of murder, displayed significant leniency by attempting to provide context for Conradi's personal circumstances. Furthermore, the bill absolved ROKK (Polunin's employer) and the Swiss government from any wrongdoing. Naturally, the prosecution interpreted this as a blatant justification of the murder. As Chlenov succinctly expressed, "it is pointless to expect a normal flow of the process."⁸⁶ Alongside their objections, the Berlin staff took a more radical approach in mid-October. They proposed to Kopp, "Wouldn't it make more sense, given the evident bias displayed by the detective, general prosecutor, and court, to declare at the outset of the session that we demand further investigation into the case, the annulment of the indictment, the dismissal of the prosecutor, etc.? They will, of course, reject this, and then we will leave, declaring that we do not wish to be part of this farce." This perspective represented "one point of view." The other viewpoint was "to do everything possible to secure a strong conviction of the assassins, which some comrades familiar with the case believe is achievable." In other words, actively participating in the trial without "starting with a major scandal or con-

⁸⁵ Probably Krestinskii to Rappoport. 20 October 1923. AVPRF. F. LK, O. 1, D. 34, folder 4, L. 76.

⁸⁶ Chlenov to Kopp. 10 October 1923. *Ibid.*, L. 47.

demning Swiss justice."⁸⁷ Krestinskii promptly expressed his support for the second tactic⁸⁸. Ultimately, Litvinov wrote that "NKID does not agree with Comrade Chlenov's suggestion to boycott the trial," but emphasized that the court's bias should be condemned "right from the start of the proceedings." If this criticism fell on deaf ears, the prosecution should then "continue to participate." A definitive withdrawal should only be considered if the evident bias became further reinforced⁸⁹. NKID consistently advocated for the institutional approach, with "political" backlash seen as a last resort.

Concluding remarks

German sociologist Max Weber thought that the October Revolution was the imposition of intellectuals through force on Russian society, a military dictatorship doomed to collapse. As Reinhard Bendix noted (1974: xli), the early Soviet regime hardly fitted into Weber's fixed types, and so before his death in June 1920 he failed to analyze Bolshevik government in terms of his ideas on the virtual indestructibility of bureaucracy. Around the time of Weber's death, the British philosopher Bertrand Russell visited Soviet Russia, and concluded that the country would "likely" see "the establishment of a bureaucratic aristocracy, concentrating authority in its own hands", as revolutions usually turn power into an end (Russell 1962: 68).

Contrary to Weber, and nuancing Russell's prediction, it is clear from all the above that by 1923 a functioning bureaucracy had been installed in the Soviet Union. The Lausanne Process provides a hint of how early Soviet foreign policy decisions were arrived at in the very particular context of 1923. It offers a glimpse of the methods by which outward decisions were generated, shaped, and implemented at a time when, on one hand, the European scenario turned more hostile towards the USSR since October 1922 — through the rhetoric and violence of Fascism in Italy, the Curzon note of a militant Conservative cabinet in Britain, or the first coup d'état blaming "communism" for a country's misfortunes as in Bulgaria in June 1923 — and, on the other, collective leadership was reinforced domestically after Lenin's isolation. The sources show a massive bureaucratic machine entrenched in its respective specializations, with different agencies jealous of their own information, mutually reprimanding each other, and petitioning a higher authority (the Politburo) to intercede on their behalf. There was a huge constellation of people doing different things at the same time — precisely the contrary to what Weber saw in Bolshevik rule three years prior.

In regard to NKID, trust in the judgment of representatives abroad, based on their sensibility to local conditions, was clearly a working principle. This was the case with Viktor Kopp's trust in Arens's judgments (and on his personal impositions!), or the

⁸⁷ Arens and Chlenov to Kopp. 17 October 1923. *AVPRF*. F. LK, O. 1, D. 33, folder 4, L. 104-105.

⁸⁸ Krestinskii to Litvinov (cc Stalin). 19 October 1923. *AVPRF*. F. LK, O. 1, D. 32, folder 3, L. 68.

⁸⁹ Litvinov to Krestinskii. 22 October 1923. *AVPRF*. F. 4, O. 46, D. 54040, folder 281, L. 40.

leeway with which Sergei Bagotskii – someone who had not even lived in Soviet Russia—conducted himself in Switzerland. This is all the more remarkable as many of these figures had not had Bolshevik origins (Arens, Maiskii) or had been anti-Bolshevik agents at some point (Iordanskii, Kliuchnikov), not to talk about the toleration of non-communist figures with direct responsibility in the Lausanne Process who most of the time acted on their own (Dicker, Magnenat, Chlenov). There is hardly a better indicator of bureaucratic specialization than working over ideological lines. Many proposals that materialized in the trial came from Arens, Chlenov or ambassador Krestinskii upwards, were debated at the NKID Collegium – or, in delicate matters, at the Politburo, – and devolved with approval, amendments, or rejection. At least in foreign policy terms, this is a far from “dictatorial” or “totalitarian” moment, in which each actor did what they considered best—and usually got away with it.

Having a concrete working method does not mean NKID bureaucrats took the initiative. As the attitudes towards the Lausanne Process reveal, the strategies followed were part of a wider Soviet foreign reactive policy in the early years, a total “deference to the post-Versailles world order” (Matos 2021: 144), in which international decisions were taken elsewhere – mostly in the Entente powers – and Moscow adapted to them. Such a realistic approach helped functionaries like Litvinov to pursue institutional responses to foreign anxieties, like his clear rebuke towards the prosecution lawyers regarding the Corfu affair (“to leave Italy alone at the moment”). Litvinov clearly valued more the ongoing negotiations for recognition, even with Fascist Italy, than stating a case with a sound argument at the Lausanne court. This reactive stance infected the prosecution, which fell into the retaliation game set by the defense: react to Civil War-era accusations rather than focusing on a simple case of murder. The clear implications were that, through such a scheme, the prosecution lost the case with Conradi’s and Polunin’s acquittal on 16 November 1923 – in their defense, even if the prosecution case had been more solid, it would have been hard to wither the extremely anticommunist mood at court⁹⁰.

On 10 May 1924, the anniversary of Vorovskii’s murder, in the central courtyard of NKID in Moscow, a statue dedicated to him – still standing on Bol’shaia Lubyanka street – was unveiled. Three days before the opening, commissar Chicherin warned that “it is ill-timed to give this ceremony a wide, massive, general proletarian character, given that such a demonstration of force would [inexorably] be directed against England and would damage negotiations. It is better to maintain the ceremony within an intimate character”⁹¹. At the ceremony, however, Maksim Litvinov’s speech was all but diplomatic. Confident that now the Labor Party was in power in Britain, the NKID deputy head referred to the former British foreign minister Lord Curzon as “the

⁹⁰ Besides, it should not be forgotten that Conradi and Polunin were found guilty by 5 out of 9 jurors, but the technical device of *minorité de faveur* allowed them to walk free (Perrot 2020).

⁹¹ Chicherin to anonymous. 7 May 1924. AVPRF. F. 421, O. 1, D. 99, folder 6, L. 1.

worthiest representative of the old, obsolete rotting world” and as a “stinking mrakobes and bloody hater of mankind”⁹². Just as one year prior the most suspicious minds had linked the issuing of Curzon’s ultimatum with Vorovskii’s murder, Litvinov raised the temperature declaring that two days after the ultimatum “the worthy apprentice and servant of the British Lord, an offspring of Russian Black-Hundredism, the White guard Conradi, shot at the representative of the Soviet Republics, comrade Vorovskii”⁹³. This was the only time, at a public event, that Litvinov left his classic careful wording and cautious tone in his office.

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Разноречивые советские отклики на Лозаннский процесс (1922 – 1924 гг.)

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В статье рассматривается советская реакция на так называемый «Лозаннский процесс» (май – ноябрь 1923 г.), процесс и суд над русскими эмигрантами Морицем Конради и Аркадием Полуниным, убившими 10 мая 1923 г. советского представителя в Италии, главу делегации на Лозаннской конференции Вацлава Вацлавовича Воровского. Лозаннский

процесс оказал положительное влияние на русскую эмиграцию после того, как 16 ноября 1923 г. Конради и Полуниин были оправданы швейцарским судом присяжных и признаны «невиновными» по причине того, что они «мстили» за жертв советских репрессий. Всё более признанным фактом в историографии является то, что многие русские эмигранты способствовали превращению судебного процесса в обличение большевизма. Однако почти ничего не известно о реакции советского правительства на убийство Воровского и о том, как Народный комиссариат иностранных дел (НКВД) пытался организовать участие в обвинительном процессе. Статья базируется в основном на найденных в Архиве внешней политики Российской Федерации неопубликованных письмах, написанных советскими правительственными чиновниками. Обращая внимание на международный контекст 1923 г., текст следует историографической тенденции, в которой прослеживается больше коллективного руководства и институциональной автономии в советских внешнеполитических решениях после возрастающей изоляции Ленина с конца 1922 г. В статье показано, как после запрета швейцарским правительством советскому правительству участвовать в процессе в качестве истца Москва прибегла к нетрадиционным действиям, выходящим за рамки формальной дипломатии, в том числе к сотрудничеству с некоммунистическими акторами для того, чтобы изображать СССР в Лозанне в позитивном, «объективном» свете. Однако в данной статье выдвигается тезис о том, что бюрократическая составляющая, присущая советскому государству, мешала победе в суде. Ведение Лозаннского процесса со стороны обвинения является в то же время показательным примером работы после Гражданской войны советских государственных учреждений, с трудом взаимодействующих друг с другом через укоренившуюся бюрократию, в далекой от предполагаемых «тоталитарных» привычек манере.

Ключевые слова: В.В. Воровский, Лозаннский процесс, М.М. Конради, ранняя советская дипломатия, Народный комиссариат иностранных дел (НКВД), М.М. Литвинов

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