MSS 206/3/5/4/4

INDEPENDENT NEWS

Service de Presse Hebdomadaire du Bureau d'Informations Franco-Britanniques

12, Impasse Compoint — PARIS (17e)

Le Gérant: Lucien Weitz — Tél.: MARcadet 21-69 — Compte c. p. Paris 2058-60

"THE P.O.U.M. TRIAL IN BARCELONA"

(Special Issue of "Independent News")

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FOREWORD

Altho the trial of the POUM leaders in Barcelona commenced the 11th of October the censorship of the Spanish government did not allow the Spanish press to publish one single line of the proceedings untill October 28th.

The continuous flow of protests sent to the Spanish authorities by workers organisations, political parties, intelectuals, lawyers, and well known personalities from all over the world have undoubtedly influenced the government decisions and obliged it to change its tactics.

In spite of the great secrecy in which the trial took place (only about 20 persons were allowed in the court room each day) the news soon spread among the workers and the government and political circles of Barcelona. The defence of the POUM was voiced by workers in their Trade Union meetings; by foreign newspaper men such as Schaflo, Swedish delegate to the S.I.A. Congress in Barcelona; and by a daily Bulletin published by the POUM and distributed to all workers and political organizations.

We have gathered here the reports published in the Spanish press, especially that of the C.N.T., with some additional explanatory notes which will be useful in understanding and evaluating the events that are taking place in Spain to-day.

. . . . . THE FOREIGN DELEGATION OF THE P.O.U.M.

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In order to make it possible to continue publishing the important documents we are daily receiving WE BEG OUR READERS TO PAY UP THEIR SUBSCRIPTIONS together with the price for the present "Special Issue" of INDEPENDENT NEWS.

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mss.256/3/5/4/17

THE P.O.U.M. TRIAL IN BARCELONA.

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From "Solidaridad Obrera", October 25, 1938.

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The Trial of Some of the Members of the P.O.U.M.

THE PROSECUTION DEMANDS FIVE 30-YEAR SENTENCES AND ONE of 15 YEARS

Charges are dropped against Jose M. Escuder

The trial of the accused members of the POUM was held in the court room of the Tribunal for Espionage and High Treason. The trial lasted 12 days.

The Presiding Judge was Mr. Portal, the Prosecuting Attorney, Mr. Gomis and the lawyer for the Defence was Mr. Rodriguez Revilla.

The accused are Gorkin, Andrade, Adroher, Rebull, Jorge Arquer, Escuder and Bonet.

Among the witnesses for the prosecution and for the defence are, the Sub-Secretary of the Land Army, Col. Cordon; the Commissar of the XII Corps of the Army, Virgilio Llanos; former Governor of Aragon, Jose Ignacio Mantecon; the writer Cesar Falcon; the Direcgor of the Radio Association of Catalonia, Mr. Garriga; the Sub-Secretary of the President of the Generality, Martin Rouret; the former Minister of the Interior, now General Secretary of Defence, Mr. Julian Zugazagoitia; the former Prime Minister, Mr. Francisco Largo Caballero; the former Ministers, Angel Galarza (Interior), Manuel Irujo (Justice), Federica Montseny (Public Health); the former Ambassador to Paris, Mr. Luis Araquistain; and the Prèsident of the Court of Barcelona and of the Court of Appeals of Catalonia, Mr. Andreu Abello.

The Attorney General has sollicited a sentence of 30 years of isolation for Gorkin, Andrade, Adroher, Arquer, and Bonet; 15 years for Rebûll, and acquittal for Escuder who has been released.

The lawyer for the Defence, in a detailed report which lasted five hours, has sollicited the acquittal for all the accused.

The verdict will be given within two or three days.

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From "Solidaridad Obrera", October 26, 1938.

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THE TRIAL OF THE P.O.U.M. LEADERS

Well Known Personalities Appear as Witnesses, Among them the Chief of the High Command Gordon Garcia; the Former Ministers Federica Montseny, Largo Caballero, Irujo and Galarza.

THE ACCUSED ARE RECOGNIZED AS SINCERE ANTIFASCISTS OF GOOD STANDING

Antonio Gordon Garcia - Chief of the High Command, answering the questions of the prosecutor, states that the 29th Division was entirely under the control of the POUM and that clandestine and fascist literature(demonstrated by their contents) was freely distributed. He adds that all this material, together with other documents, was sent to Defence Minister, Mr. Prieto.

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He says there were no contacts between the POUM and the High Command. He states that the 29th Division left the front during the May events; that it set up its own control and thus endangered that part of the front which it held. He says that the High Command continually received threats against the lives of some of the military heads.

Answering the lawyer for the Defence he says that he learned all this in June and July when he was appointed to the Eastern Front and he specifies that the threats were made by the provisional head of the 29th Division.

Jose Luis Coelho do Portugal -Of the Statistics Department of the Defense Ministry, states that he did not see the plan found in the fascist organization in Madrid; that the plan was deciphered by the Cipher Department of the Defense Ministry, and that they used the same code as for the reports coming from the Balearic Islands.

Virgilio Llanos Arteta - said that he was appointed Commissar by General Pozas; that the POUM, thru its 29th Division influenced, in a subtle way, many FAI militia; that the POUM controlled the Division. He adds that on May 5th the 28th Division rebelled and joined the 29th Division (in the absence of the Commander of the 25th); that together they went to Binefar where Vivancos found them studying plans to capture Lerida. The capture of Huesca seemed to them a much easier task (?) . He adds that the 29th Division neglected its section of the front; that the fortifications were only strong in appearance but really weak, that they were in no condition to resist the slightest attack by the enemy. He says there was a "non agression pact" with the fascists and that the 29th Division fraternized with them passing from trench to trench. This, he says, is corroborated by the declarations of fascist prisoners, adn besides, that they had contacts with them. He adds that he informed the Minister of Defence of all these facts.

He continues saying that on a certain occasion a Commissar was sent to the 29th Division; that he subsequently reported fully on all the happenings, especially concerning an order received by the 29th Division to "open the way to the enemy". The following day this Commissar was found dead, no doubt killed by members of the 29th Divisionbecause, he says,during those days there was not a single shot fired in the course of battle. He declares that the actions of the 29th Division have been favorable to Franco and Mussolini; that because the Division was so well equipped as to clothes and shoes they were called "the Queen's Cadets"; that once in Binefar they gathered together a large quantity of arms having made them previously disappear from the front.

The witness states that he was not at that front in May and adds that Vivancos informed him of all he has just declared.

Llanos continues saying that when he went to the Eastern Front he was warned to differentiate between the POUM and the CNT-FAI militia as the latter were very honest; that all the POUM militia were indisciplined, so much so that when a Commissar was arrested, a sergeant tried to mutiny an entire brigade the same night; that all its actions were of a conspiratory character, and that untill the very moment of its dissolution there were acts of rebellion.

Joaquin Roca Mir (on trial for espionage, his case is pending) states that he entered the espionage service of Dalmau-Riera of Perpignan. He sent all military information to Riera. One day they took him a letter for Riera and left him a valise to be picked up the following day. Four hours later the police appeared. He said they kept him without food for 48 hours; that he was coerced by the police to confess what they wanted. However, he says,

that he HAS RETRACTED THIS CONFESSION by his declaration before the judge and in a letter rectifying the false testimony that he had any realtions with the POUM and added that he did not know any POUM people.

In the valise were found documents with plans for manufacturing a bomb. On them was written "Central Committee of the POUM". There were other ciphered documents which revealed that secret groups of the POUM were preparing an attempt against Prieto's life. He said that he did not know the man that took him the letter and the valise.

Martin Rouret -Sub Secretary of the Government of the Generality takes the stand.
The prosecutor reads a report of a telphone conversation which Rouret is said to have held with Llopis in Valencia after the May events, in which he said that the POUM people were provocateurs. Rouret denies that he held a telphone conversation with Llopis on that matter or at the time stated. He adds that according to his opinion, the police force and their actions as regards the Telephone Building incident, provoked the May events. He says that he knew nothing of the sabotage that is supposed to have taken place there.

Ignacio Menteeon (Former Governor of Aragon) Commissar, says that he was not at the Aragon front during the May events and that he has no first-hand knowledge of the affair of the 29th Division, but that HE KNOWS THERE WAS A NON AGRESSION PACT AND RELATIONS WITH THE FASCISTS. He states that when the 29th Division left the front for Binefar it carried out a series of atrocities and crimes even against leftist people; that its attitude was one of disobedience; that it refused to help other Divisions; that its propaganda was provoking. He adds that the 29th Division was entirely under the influence of the Executive Committee of the POUM.

Luis Arequistain -Former Ambassador to Paris, says that he never saw Gorkin in the Paris Embassy altho many of the delegates of the political and workers' organizations had visited it. He says he knows some of the accused and their anti-fascist activities. He explains that he thinks they are accused of political antegonisms rather than associations with the rebels.

A letter from Arequistain to Nin is read. Arequistain says that he wrote it in reference to literary work that Nin did for the publishing concern "España". This concern was directed by Negrin, Alvarez del Vayo, Arequistain and Nin.

FRANCISCO LARGO CABALLERO.

Answering the lawyer for the Defence Caballero states that the May events were caused by the competition existing among the various political parties.

He asserts that STRONG PRESSURE WAS EXERTED UPON HIM TO DISSOLVE THE POUM OFFICIALLY;THAT HE REFUSED TO DO IT AND CONSISTENTLY CONTINUED TO REFUSE. Concerning the telephone service he says that there were difficulties in all communications everywhere at that time but that he does not believe that there was any sabotage. He declares that HE NEVER WARNED LLAMOS ABOUT THE POUM. He says he knows some of the accused personally and knows them to be fine old militants . HE SAYS HE DOES NOT CONSIDER THEM FASCISTS, BUT ON THE CONTRARY AS EXTREMELY INTOLERANT REVOLUTIONISTS.

The Prosecutor asks him to state if as Prime Minister he considered his government anti-proletarian. He answers that he is not the person to answer this and adds," Many antifascist sectors, besides the POUM, had said it".

Angel Galarza - Former Minister of the Interior, states that Public Order in Barcelona was under the control of the Generality Government and therefore he had no jurisdiction over it. He said he could furnish no concrete details. He stated that the MAY EVENTS WERE THE RESULT OF THE STRUGGLE FOR POWER OF THE DIFFERENT POLITICAL PARTIES IN CATALONIA. He says that the negotiations to end the May events were carried on by the CNT thru Garcia Oliver and Federica Montseny who came from Valencia to Barcelona for that purpose. He knows nothing of sabotage in the Telephone Building. He adds that he prohibited the publishing of the POUM paper later because it was not previously submitted to the censor; that before the May events there was little censorship and that explains the attacks on the Government and upon the parties. He declares that he, as Minister of the Interior would not have permitted such press campaigns and that he wrote about it to the Delegate of Public Order of the Generality, but that as he had no jurisdiction over this matter he could only express his opinion.

Cesar Falcon - newspaper man, did not appear.
A statment about articles which he wrote against the POUM is read wherein phrases, meanings, sources and insinuations are explained and revealed.

Joaquin Vata - Policeman of the Paris Embassy, does not appear.
His testimony is read. He states that the POUM got hold of the stamp used in Franco's bills and used it. The money thus acquired was used to buy arms etc. He says the POUM exported to France all kinds of valuable objects and art works, but that the FAI exported much more, even into Belgium and England.

Manuel Irujo -Former Minister of Justice, declares that while he was Minister he received numerous delegations from abroad, REPRESENTING ALL POLITICAL IDEOLOGIES, who came to exert pressure so that the POUM affair would have the legal guarantees of the Tribunals of the Republic and not allowed to be conducted on a plane of political rivalries, so that the Republic, with complete independence of its executive and police powers could act in accordance to the normal legal procedure.

He said that he put all his efforts to try to channel the spirit of justice in favor of the accused. He explains how, during his tenure of office he was informed of the anomalous action of the POLICE in the POUM affair such as the arrests made in Barcelona, the transportation of the prisoners to Valencia, then to Madrid; placing them in such situations and conditions THAT NO ONE KNEW WHERE THEY WERE. This was the case of Andres Nin WHO WAS LOCKED UP IN A PRIVATE HOUSE INSTEAD OF IN A JAIL. He said that upon learning of these irregularities of the Executive Power of the Government, he called them to the attention of the Attorney General of the Republic and of the President of the Supreme Court so that these mtters might be taken up by the Justice Department. He adds that the judge, especially appointed to enquire into the disappearance of Nin WAS ON THE POINT OF BEING ARRESTED and that THE POLICE USED METHODS OF A COMPLETELY ABNORMAL AND IMMODERATE HCARACTER.

The Police, he goes on to say, HAVE MADE ARRESTS WITHOUT THE KNOWLEDGE OF THE MINISTER OF THE INTERIOR. THEY WENT BEYOND THEIR OFFICIAL DUTIES AND TRANSPORTED THE PRISONERS FROM ONE PLACE TO ANOTHER; TAKING THEM TO UNKNOWN DESTINATIONS, AND MAKING IT POSSIBLE FOR PEOPLE TO DISAPPEAR AS WAS THE CASE OF ANDRES NIN and THUS TAKING AWAY ALL POSSIBILITIES TO CHECK OR TO ENQUIRE INTO THE HAPPENINGS.

Report of the Handwriting Experts. Two handwriting experts who examined three signatures on three documents declare that at first sight they appear to be similar but that upon careful and detailed examination they are different. There are various details of doubtful authenticity, and as a result they declare that they cannot assert that the documents have been signed by the same person.

NEW EVIDENCE AGAINST THE POUM.
At the conclusion of the session the Prosecuting Attorney announces that he has just been handed a collection of documents WHICH HAD DISAPPEARED among which are some proving that the 29th Division had given the POUM three million pesetas. The new evidence is appended to the indictment.

Jose Guarner Vivancos - Chief of the High Command of the Defence Council, says heWAS PERFECTLY FAMILIAR WITH THE 29thDIVISION AND THAT IT NEVER CAUSED ANY DISTURBANCE OF A MILITARY CHARACTER; THAT HE NEVER HEARD OF THE NON AGRESSION PACT WITH THE ENEMY, BUT ON THE CONTRARY KNOWS THAT THE FEELINGS OF THE 29th DIVISION WERE COMPLETELY OPPOSITE TO SUCH A VIEW. HE SAYS HE CAN TESTIFY TO THE BRILLIANT ACTIONS OF SAID DIVISION. As to the fortifications he thinks there were no different from the rest; and that ROVIRA, who commanded the 29th Division was not in complicity with the fascists; and finally that HE HAS A VERY GOOD OPINION OF THE POUM.

Answering the Prosecutor he says that he was not appointed to the Aragon front but that his duties took him there frequently. He explains that there was no rigorous discipline in any Division because of the lack of military organization. He says he does not know for certain that the 29th Division left the front during the May events but that he heard say that they left and came back immediately and that many other Divisions ALSO WANTED TO LEAVE THE FRONT BECAUSE IT WAS SAID THEY WERE ASSASSINATING THEIR BROTHERS IN BARCELONA. He asserts, unequivocally, that the government did not send one single man to the front on account of it being abandoned, but that it sent all its forces to Barcelona.

He says he does not know who payed the 29th Division, since he was only concerned with the military operations.

ENRIQUE MONTSENY

She says she knows some of the accused thru their Trade Union work and thru their literary production, and also as proven anti-fascist militants. She states that she was sent by the government to mediate the May events and that when full light can be thrown on this disturbance many things now obscure will be understood. THAT NEITHER THE POUM NOR THE CNT-FAI WERE RESPONISBLE FOR THE MAY EVENTS.
She adds that this affair had all the earmarks OF BEING HATCHED IN AN UNDERHANDED AND DECEITFUL MANNER TO OVERTHROW THE LARGO CABALLERO GOVERNMENT AND THUS DO AWAY WITH THE PROLETARIAN INFLUENCE IN THE GOVERNMENT, WHICH NATURALLY HURT THE WORKERS' CAUSE.
In answer to the questions of the prosecutor she says that upon arrival from Valencia they held a meeting in the Generality to appease the excited spirits and to keep the situation in hand so that events would not follow the course mapped out by its perpetrators. They were convinced that THESE EVENTS WERE A MANOEUVRE AGAINST THE INTERESTS OF THE POPULAR MASSES.

In conclusion she begged the prosecutor to allow her a few words in behalf of the accused saying that since Spain is the cradle of free and liberal men the court WOULD NOT CONDEMN THE PERSONS NOW SITTING ON THE DOCK BECAUSE THEY ARE LIBERALS AND ANTI-FASCIST.

Andreu Abello - President of the Court of Appeals of Catalonia, answers the prosecutor stating that he cannot assert that the POUM provoked the May events; that all the mistakes made by all parties were favorable to the fascists. He explains that he cannot say who took part in the fighting BUT THINKS THAT THE POUM HAD THE LEAST PART IN IT SINCE THE CNT-FAI ARE MUCH STRONGER AND MORE NUMEROUS, and adds that THE POUM WHICH WAS LESS IMPORTANT COULD HAVE DONE NOTHING WITHOUT THE CNT-FAI.

Source of "evidence"

Documentary Evidence. Various articles from "La Batalla" were read and also the minutes of a meeting held in Lerida after the May events where it was agreed to organize shock groups and to manufacture munitions. Minutes of other meetings of the POUM are read in which reference is made to the May events; where the withdrawal of the CNT-FAI forces is discussed because they were not sufficiently prepared to continue the fight. There are remarks concerning certain opinions expressed in "Solidaridad Obrera".

Report of the Madrid Police. A statement is read asserting that a plan had been found and that it had been deciphered with the fascist code; that among the documents found on many foreigners of the POUM there was evidence of espionage; that there was a message in invisible ink addressed to the "Generalissimo" with military information about the strength of the POUM forces with promises of direct aid to the movement.

Additional Documentary Evidence. Statements made by Nin are read denying that he had any relations with the fascists.

A COMMUNIQUE FROM THE NATIONAL DEFENCE MINISTRY IS READ IN WHICH IT IS STATED THAT THE PLANS SUBMITTED AS EVIDENCE HAVE NO MILITARY VALUE WHATSOEVER, AND THAT THE STATEMENTS MADE BY EXPERTS SHOW THEIR DOUBTFUL CHARACTER AND POINT OUT MANY DISCREPANCIES AND SUSPICIONS ON THOSE THEY HAVE EXAMINED.

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From "Solidaridad Obrera", October 27, 1938.

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THE TRIAL OF SOME OF THE POUM LEADERS.

The Lawyer for the Defence, Vicente Rodriguez Revilla, in his Admirable Report Destroys The Accusations and Demonstrates the Inconsistency of the Charges Made Against the Accused.

In the session of the trial of some of the leaders of the POUM the lawyer for the defence, Vicente Rodriguez Revilla, made a most brilliant report analyzing and tearing to shreds the charges of the prosecution.

Because of lack of space we cannot give the full report of this session and will limit ourselves to the brief extracts which follow.

The lawyer for the defence begins with a salutation to the sympathizers, friends, and enemies of the accused, who, before and during the trial have shown their desire for the full exercise of justice.

After analyzing the actions of the workers during the first months of the rebellion and demostrating that a state of revolution existed, a revolution in which the POUM participated like the rest of the workers' organizations, he goes on to examine the documentary evidence submitted and points out that the source of much of this evidence cannot be, or has not been revealed by the prosecution. He therefore denies the authenticity of all the evidence that is not recognized as bona fide by his clients.

"The trial" says the lawyer for the defence," has been marked by the bitter fight between the presiding judge and the police, from whom he has continuelly requested the sources for the evidence on which it bases its accusations without ever obtaining a satisfactory answer."

confessions? & Gestapo membership Trotsky implicated

He analyzes the indictment and finds it very deficient altho he recognizes that portions of it have been compiled with all good faith.

The police concludes its report by turning over the accused to the prosecution. In this report the police deduced that the POUM had incurred in the following breaches fo the law: Possession of photographs of airfields which denote espionage;Foreigners,members of the POUM, upon being questioned, had confessed that they were members of the Gestapo, and had signed this confession; Illegal traffic in arms and money; Use of false codes and forged personal documents, Espionage.

Examining each of these charges the lawyer for the defence points out:"That the suspicious photographs submitted as evidence were, according to the statement of the Defence Ministry DEVOID OF ALL MILITARY VALUE and WERE TAKEN FROM THE STATE FILES. These photographs were used in the aerostatic courses given by the government.
Secondly:" That in spite of the repeated requests of the judge, the police never turned over to him the foreigners of the POUM said to be agents of the Gestapo; that the judge had insisted time and again on seeing these foreigners and obtaining their signed confessions and that he was only able to get a list of prisoners which is in the files of the trial. There is only one foreigner on this list, Simeon Zotcheff, who has allready been released. No one ever thot of accusing him of such a thing and no proof was found for such an accusation.

He mentions Victor Serge and Trotsky who, according to the Prosecuting Attorney, are responsible for all the misdeeds of the POUM. He points out the well known revolutionary character of these two writers and touches on the ideological differences between the accused and Trotsky.

He denies illicit traffic in arms and money but adds that if it were true it would only have resulted in detriment of the fascists. He refers to the codes and to the sealed plan found on the fascist Golfin. He says that the presentation of the codes by the police is a little suspicious and that as to the plan there is no doubt that it was acquired thru the police informer who is now in Paris. He recalls that the plan was taken from Golfin the 22nd of March and at that time it had no message written on the back.

The judge who investigated this angle, as far as he was allowed," continues the lawyer for the defence," called Golfin to testify. Golfin vehemently denied having written anything on the back of the plan altho he freely admitted having committed the other crimes for which he was executed a few months ago." He continues saying that Castilla and the rest of the group arrested for espionage, likewise denied ever having written anything in relation to the POUM. These denials were amply corroborated when the judge, after many difficulties, finally got handwriting experts to examine the documentary evidence submitted. The experts stated that neither Golfin, nor any of his accomplices had written the message on the back of the plan. They added they could not ascertain if had been written by the police informer Alberto Castilla because he was not present and a specimen of writing, said to be his, did not justify such an assertion. We conclude- says the lawyer- that the writing is of unknown origin, and that if it cannot be attributed to the publisher of the "Noticiero Guia de Madrid" who sold the plan, it is difficult to attribute it to any other known person. I wish to call your attention to this fact, that if the fascists or Golfin's organization did not write it, nor the police, who kept it for a long time, WE MUST ADMIT THAT THE WRITING WAS PRODUCED BY SPONTANEOUS GENERATION, which, if a little strange, is perhaps not totally impossible."

"WHO'S WHO" of the Witnesses.

Main witnesses for the Prosecution.

CORDON- Lieutenant Colonel, -Sub Secretary of the Land Army. Member of the Communist Party.

LLANOS - Commissar of the XII Army Corps. Member of the Socialist Party. He is the leading figure of the Stalinist fraction within the Socialist Party. He has directed the persecution of the POUM in the military field which began long before the May events.

MANZANO - General Governor of Aragon. Member of the Left Republican Party whose leader is Azaña. He was named Governor General of Aragon after the dissolution of the Defence Council of Aragon, a revolutionary body presided by the Anarchist Ascaso. He had Ascaso (leader of the CNT) arrested on charges of theft.
While Governor he permitted and encouraged the destruction of the agricultural collectives; the murder and arrests of Anarchists; and arrested almost all the Popular Committees in Aragon.

F LCON - Writer and journalist. Member of the Communist Party. Has a well known past of dubious exploits in his literary career. At the present moment he writes at the dictates of the Communist Party.

GARRIGA - Director of Radio Association of Barcelona. Member of the PSUC (III International).

ZUGAZAGOITIA - Former Minister of the Interior at the time of the assassination of Andres Nin and during the beginning of the repression against the POUM. Member of the Socialist Party (belongs to the Prieto tendency).

COELHO DE PORTUGAL - Professor in the Police School of Madrid during the monarchy. Now head of the Statistics Department of the National Defence Ministry. He has published a book of poetry dedicated to the former Queen Victoria, wife of the former king of Spain, Alfonso XIII !!!

NAT - Of the Police service of the Spanish Embassy in Paris.

Main Witnesses for the Defence.

LARGO CABALLERO - Former Prime Minister; leader of the Socialist Party and of the UGT. Leader of the Left fraction of the Socialist Party.

ROURET - Secretary of the Presidency of the Generality Government. One of the leaders of the Left Republican Party of Catalonia.

GALARZA - Former Minister of the Interior in the Largo Caballero government. Leader of the Socialist Party (Left Wing).

IRUJO - Former Minister of Justice during the POUM repression. Leader of the Basque Nationalist Party (a Catholic and separatist party).

MONTSENY - Former Minister of Public Health in the Largo Caballero government. Prominent figure and leader of the FAI and the CNT.

ENRIQUISTAIN - Former Spanish Ambassador to France. Leader of the Socialist Party (Left Wing).

ANDREU PELLO - President of the Court of Appeals of Catalonia and President of the District Court of Barcelona. Prominent figure in the Left Republican Party of Catalonia.

GUARNER VIVANCOS - Chief of the High Command of the Council of War of the Generality Government of Catalonia. (Not to be mistaken with Garcia Vivancos, Commander of the 28th Division).

Other persons cited in the course of the trial.

PRIETO - National Defence Minister. Leader of the Centrist tendency of the Socialist Party.

POZAS - General. Chief of the Eastern Army (Aragon). Military of the traditional monarchical school. Had a leading part in the persecution of the workers after the October 1934 revolution. Together with Batet he crushed the revolutionary Workers' Alliance in Barcelona. At present he is accused as being responsible for the fall of the Aragon front.

GPU interrogation methods II

GARCIA VIVANCOS - Commander of the 28th Division (CNT) He was named provisional commander of the 29th Division shortly before dissolving it. He is a well known anarchist leader.
LLOPIS - Collaborated with Prieto in the Defence Ministry. Leader of the Socialist Party (Left Wing).
ALVAREZ DEL VAYO - Minister of State. Leader of the Socialist Party. Leader of the Stalinist fraction within this party.
GARCIA OLIVER - Former Minister of Justice in the Largo Caballero Government. Prominent leader of the F'I and CNT.

Witnesses for the Prosecution who have testified against the Prosecution.

NOGUES - Fascist spy arrested on October 1937. He has admitted the accusations of being a fascist and a spy. He has denied having any connections with the POUM. In his testimony he declared that the police had obliged him, by ill treatment and hunger, to testify against the POUM.

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THE VERDICT.

Barcelona, October 29, 1938.- The Tribunal for Espionage and High Treason pronounced its final verdict today in the trial of the members of the POUM.

The court recognised that members of the POUM had joined the uprising provoked by rebellious elements in Barcelona on May 1937 with the object of imposing their Social concepts. The accused members are guilty of rebellion under Article 238, Nº 4, of the Penal Code because they attempted to wrest the country from the authority of the government.

The sentence imposed is that of 15 years of separation from society (internment) for JULIAN GORKIN, JOSE ANDRADE RODRIGUEZ, ENRIQUE ADROHER(GIROMELLA), and PEDRO BONET CUITO; 11 years for JORGE ARQUER.

JOSE ESCUDER and DANIEL REBULL are acquitted.

The Court has ordered the dissolution of the "WORKERS PARTY OF MARXIST UNITY" and of the "IBERIAN COMMUNIST YOUTH".

INDEPENDENT NEWS.

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ROVIRA IN THE HANDS OF THE POLICE IN BARCELONA.

Jose Rovira, former Commander of the 29th Division and member of the Executive Committee of the POUM appeared before the Barcelona police October the 30th.
The stalinist press and the stalinist witnesses at the trial have heaped slander and insult upon him and have declared that he had fled to safety in fascist territory.
His appearance before the police is a gesture to throw the stalinist accusations into even greater ridicule.
The Judge has stated that he cannot pronounce any verdict untill the indictment has been examined anew.
We recall that Rovira was arrested on July 1937 without the knowledge or authorization of the High Command or of the Defence Ministry. Upon learning of this "private" arrest Minister of Defence Prieto immediately ordered his release.

INDEPENDENT NEWS.

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TWO EDITORIAL NOTES OF "SOLIDARIDAD OBRERA"

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Retracting Certain Statements.

October 28,- Mr. Marti Bourat, in yesterday's "La Humanitat" retracts certain statements made by him in the course of the POUM trial, extracts of which we printed in our paper.

We can only assure Mr. Rouret that we do not wish to attribute to him statements which he has not made, but since our information comes from a reliable source we are obliged to treat it as such.

However, we invite Mr. Rouret to write out the testimony he gave before the Tribunal. He need have no fear of incurring in a breach of etiquette, especially since so much has been written concerning this affair,- and most of it in an extremely aggressive tone. If we were mistaken we will be glad to rectify."

.....

October 29,- ".....We are surprised at the resolution adopted by the Executive Committee of the UGT making the S.I.A. to disauthorize a certain campaign abroad which, according to this resolution, is carried on 'against the Spanish Republic and discredits our cause as well as the Popular Front Government....."

"....The S.I.A. is not under the control of any party or banner. It comes to the aid of all anti-fascists whenever it deems it necessary and just to intervene in their favor."

(Editor's Note: The resolution adopted by the stalinist UGT refers to the public meeting organised by the S.I.A. to protest against the POUM trial and held in the "Great Hall"of the "Mutualite" in Paris on October 22nd.
The meeting proved a huge success and its repercussions have been felt not only in France but in Spain as well.)

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NOTES AND COMMENTS ON THE TRIAL

The charges of espionage have been dropped after having constituted the main body of the indictment. It was established that :
1) The military document "N"(sealed plan of Madrid); photographs of air fields, etc. were declared to be " of no military value whatsoever"by a statement given out by the National Defence Ministry.
Handwriting experts established their doubts as to the authenticity of other documents submitted.

2) The fascist spy organisation discovered in Barcelona on October 1937 had ROC as the principal figure. He has admitted publicly that he is an avowed fascist and an agent of Franco.
In the course of the POUM trial ROC testified the following before the Tribunal:
a- That he was coerced by the police and obliged to declare false testimony about the POUM.
b- That he knew no one from the POUM.
c- That he had retracted the false testimony by letter and by oral declaration in court.

3) Concerning the foreign members of the POUM alleged to be agents of the Gestapo.
a- That not one single person arrested and accused of espionage has been turned over to the judge for questioning.
b- That not one single signed confession has been produced.
(We call attention to the fact that over FIFTY foreign POUM sympathisers accused of espionage were arrested during the summer of 1937. ALL WERE SUBSEQUENTLY RELEASED BY THE SPANISH AUTHORITIES BECAUSE NO CHARGES COULD BE FORMULATED AGAINST THEM.)

In view of these facts the Court has dropped all charges of espionage.
Less and less remains of the huge framework of lies, slanders and fabrications concocted by the stalinist press on a world wide scale to discredit the POUM and the Spanish revolution.

.....

THE SIGNIFICANCE OF THE SENTENCED PRONOUNCED.

THE POUM LEADERS ARE CONDEMNED TO 15 AND 11 YEARS OF FORCED LABOR IN THE SPANISH CONCENTRATION CAMPS FOR HAVING SIDED WITH THE SPANISH WORKERS IN THE REVOLUTIONARY UPRISING OF MAY 1937.
This sentence is typical of verdicts given by any capitalist and anti-democratic government. It condemns a revolutionary uprising that sought to safeguard what the workers had conquered by their own efforts in the July 1936 revolution.

We wish to record the fact that the CNT which has one representative in the present government accepts the formal condemnation of a revolutionary movement. The CNT, untill now had proudly championed all revolutionary uprisings. The other workers' organisations participating in the government carry their share of the responsibility for such a verdict.

.....

THE POUM AND ITS YOUTH SECTION THE J.C.I. ARE DISSOLVED.

Only totalitarian countries have suppressed the freedom of organisation. So-called Republican and Democratic regimes are still hesitating before taking this step. But Loyalist Spain which boasts of its democratic privileges has initiated the era of political persecutions.
The Republican government which fell in July 1936 did not dare dissolve the fascist "Falange Española" of the J.O.N.S. altho it was officially recognized as a fascist organization.
The Spanish Republican government today does not hesitate to dissolve a worker's party officially recognized as a revolutionary organization.

.....

THE FORCED LABOR CAMPS IN REPUBLICAN SPAIN.

The great majority of the Labor Camps in Spain today are in the front line trenches. The prisoners are sent to the most advanced points to dig trenches and build fortifications under the enemies' noses. They have no medical or sanitary equipment; food is of the poorest quality available, and in most camps the prisoners are allowed to write one postal card only each month.
The military officer who directs the Camp is given authority to shoot the prisoners in specific circumstances. The most commonly used excuse is " aiding or allowing a prisoner to escape". The prisoners are organized into "labor squads". If one prisoner from a squad escapes ALL THE REMAINING PRISONERS ARE SHOT!!
One need not be excessively intelligent to plan an "evasion" from any of the squads.

.....

SAVE OUR COMRADES FROM ALMOST CERTAIN DEATH!!

The POUM places before you the foregoing facts.
IF YOU THINK OUR COMRADES DO NOT DESERVE SUCH A FATE SEND A CABLE OF PROTEST TO PRIME MINISTER NEGRIN AND FOLLOW IT WITH A LETTER TO MINISTER OF JUSTICE GONZALEZ PENA ASKING FOR THE REVOCATION OF THE SENTENCE AND THE IMMEDIATE RELEASE OF ALL POUM PRISONERS.

We ask it of you in the name of Justice, and for the cause of freedom of speech and liberty of organisation in Spain, in your country, and in every country of the world.

THE FOREIGN DELEGATION OF THE POUM.

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INTERNATIONAL WORKERS' FRONT AGAINST WAR CONFERENCE.

Special Resolution on the POUM Trial.

At the conference held in Brussels of the International Workers' Front Against War the following resolution was unanimously adopted.

.....

At the Conference held at Brissels the 30th of October 1938 the undermentioned parties and organizations examined all the circumstances in which the POUM trial at Barcelona had been held. They also examined the character and the object of this tiral and after having rendered homage to the firm and courageous attitude of the accused comrades at the tribunal, declared the following:-

1) In principle the trial was strictly political and in consequence of this the condemnation can only be considered from a political point of view.

2) The trial was carried out in order to give satisfaction to Stalinism in Spain (the Spanish Communist Party, the P.S.U.C. of Catalonia, the Youth Section) as well as to the bourgeois parties which desired to destroy the P.O.U.M. as the vanguard of the proletarian revolution in Spain.

3) This trial is today the culminating point of the revolutionary defeat commenced during the May days 1937.

4) All the parties which collaborate in the Government must be held responsible for the political and other consequences of the trial.

The Conference registered with satisfaction the abandonment of the accusation of espionage and noted the fact that the accused comrades were only condemned on account of their participation in the May Days and this, in spite of the unceasing attacks of the Stalinists and the so-called proofs of the prosecuting counsel.

Nevertheless this sentence clearly shows the political character of the trial as only the militants of the P.O.U.M. were charged because of their attitude in taking their stand on the side of the workers o Barcelona during the May Days.

The Conference denounces the fact that such a trial which has resulted in condemnations of imprisonment to the leaders of the P.O.U.M. and the dissolution of the P.O.U.M. and the P.O.U.M. Youth Section (J.C.L.), could have been carried out by a Government of which the majority is composed of representatives of working class parties. Particularly the Conference expresses its surprise at the attitude of the C.N.T. which, being represented in the Government, tolerates the accusations and condemnations of working class militants because of their revolutionary policy and thus allows a working class party to be placed in an illegal position because of its unswerving loyalty to the defence of the proletariat.

It is for this reason that the Coference decided to communicate with the leadership of the Spanish working class organisations and in the first place the C.N.T., seeing that it was side by side with the militants of the C.N.T. that the comrades of the P.O.U.M. struggled during the May Days, in calling upon them to express publicly their protestation against this iniquitous judgment and also to act in consequence vis-a-vis the Government under whose auspices the trial was held.

Finally the parties united in the Conference proclaim that the trial against the leaders of the P.O.U.M. could only be terminated by a verdict of acquitment, purely and simply. They will use all their efforts in the struggle to quash the trial, to educate and agitate the public opinion against other trials in preparation of the

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militants of the P.O.U.M. and the J.C.I. and to carry on an unceasing fight for the liberation of all revolutionary workers imprisoned in Republican Spain because of their revolutionary activity and to demand the cancellation of the legal suppression of the P.O.U.M. and the J.C.I.

It is thus only that we can assist in the complete victory against Franco and against his allies in Fascism and in "democratic" Capitalism at the exterior.

Signed by the
P.S.O.P., France.
I.L.P., England.
I.S.P., Italy.
Der Funke, Austria.
O.P.O., Germany.
Archio-Marxist Party, Greece.
P.U.P., France.
International Bureau of Revolutionary Socialist Youth
The "Struggle", Indo-China.
The Bund, Holland.
R.S.A.P., Holland.
Revolutionary Group, Belgium.
Palestine Workers' Party.
Hashomer Hatzair, Palestine.
Czechoslovakian Delegation.

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THREE IMPORTANT PAMPHLETS ON THE PRESENT SPANISH SITUATION.

1) "AUTOUR DU PROCES DU P.O.U.M."

Table of contents:
a) Short biographies of the accused members of the P.O.U.M. with photographs.
b) Short biography and photograph of Andres Nin.
c) The Summary of the Indictment.
d) The "evidence" presented by the prosecution.
e) Press quotations from the Spanish Stalinist press.
f) List of questions put to Gorkin and the other prisoners by the Police of the Spanish Republic, July 28, 1937.

This same pamphlet is being published by the Independent Labour Party of Great Britain. Send your orders to them at 35 St. Bride Street, London E.C.4.

2) "THE P.O.U.M. TRIAL IN BARCELONA".

The present "Special Issue" of Independent News.

3) "LE STALINISME EN ESPAGNE"

The testimony of foreign revolutionary militants arrested in Spain by the GPU and subsequently released thru the efforts and pressure of the international working class.
The Introduction is by Alfred Rosmer.

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