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## Comparing Terrors: State Terrorism in Revolutionary France and Russia

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Comparing Terrors:  
State Terrorism in Revolutionary France and Russia

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Richmond, Virginia

Bachelors of Arts, Mary Baldwin College, January 2006

A Thesis presented to the Graduate Faculty  
of the College of William and Mary in Candidacy for the Degree of  
Master of Arts

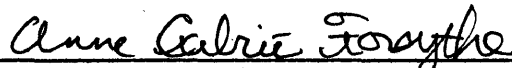
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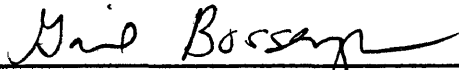
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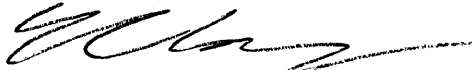
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## ABSTRACT PAGE

This paper compares how the National Convention and the Sovnarkom were able to declare terror and how they operated each terror in terms of their definition of revolutionary justice. By September, 1793 and September, 1918, the Convention and the Sovnarkom had revolutionized themselves during a series of changes that gave each government the authority to legalize the usage of terror against the counter-revolutionary movement. The French and Russian Terror programs had shifting standards of justice that were mandated by the Convention or the Sovnarkom. However, despite both systems declaring counter-revolutionaries outside the law, the application of revolutionary justice was different. The French revolutionaries operated a system that began as procedural justice but became more summary as the system was manipulated. The Russian revolutionaries operated a summary system that became more procedural.

This comparison focuses on how the Terrors worked as a justice system not why they happened. By comparing their respective legal basis, the French Reign of Terror and the Russian Red Terror take on a meaning of re-creation. While the re-creation narrative is not new, it becomes clearer when the Terrors are not compared through circumstances that are supposed caused the programs. Through their attempt to remake their societies, the Convention and the Sovnarkom developed the rationale and the structure for a state terrorist system that would purge unwanted elements from society.

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## **Thesis Introduction**

In 1789 and 1917, the French and the Russians, respectively, overthrew their centuries old monarchical governments, which had become symbols of excess and inefficiency, in favor of a governing system that represented the people. The French and Russian revolutionaries confronted multiple problems including foreign invasion, civil war, economic hardship, and religious division, which threatened the stability and success of both new revolutionary governments. To respond to the increasing chaos caused by these problems, the National Convention in France and the Council of People's Commissars (the Sovnarkom) in Russia instituted terror programs to defeat the perceived counter-revolutionary movements. Although the events preceding both programs were similar, both Terrors adopted different revolutionary justice systems that determined whether the system overthrew itself.

This paper defines the French Reign of Terror and the Russian Red Terror as revolutionary justice systems, which operated in addition to the existing form of traditional justice in both societies. Revolutionary justice deprived the defendant of right to counsel and in some cases knowledge of the alleged crime as well as a fair verdict. In France, the continual manipulation of legal basis transformed traditional justice into revolutionary justice. In Russia, revolutionary and traditional justice systems operated in separate courts. These revolutionary justice systems have become the foundation for what is contemporarily described as state terrorism. While terrorism occurred in the English and American Revolutions, for example tarring and feathering an enemy, the English and American governments did not sanction these decentralized actions. In contrast, the French and Russian revolutionary governments created a legal basis for

terror, including giving judicial courts a central role in determining the guilt of suspects and sentencing them, thereby creating the first two instances of state terrorism in modern history.

This paper compares how the National Convention and the Sovnarkom were able to declare terror and how they operated each terror in terms of their respective definitions of revolutionary justice. By September 1793 and September 1918, the Convention and the Sovnarkom had revolutionized themselves during a series of changes that gave each government the authority to legalize the usage of terror against the counter-revolutionary movement. The French and Russian Terror programs had shifting standards of justice that were mandated by the Convention or the Sovnarkom. However, despite both systems declaring counter-revolutionaries outside the law, the application of revolutionary justice was different. The French revolutionaries operated a system that began as procedural justice but became more summary as the system was manipulated. The Russian revolutionaries operated a summary system that became more procedural.

This comparison focuses on how the Terrors worked as justice systems, not why they happened. By comparing their respective legal basis, the French Reign of Terror and the Russian Red Terror take on a meaning of re-creation. While the re-creation narrative is not new, it becomes clearer when the Terrors are not compared through circumstances that are supposed to have caused the programs. Through their attempts to remake their societies, the Convention and the Sovnarkom developed the rationale and the structure for a state terrorist system that would purge unwanted elements from society.



Sources from the historiographies of the Reign of Terror and the Red Terror provide the needed details to compare how the revolutionary justice systems were established, how they operated, and how their operations were altered because of external circumstances. Both historiographies include a range of sources that focus specifically on the Terrors and on the broader context of the Terrors. These sources reveal how both revolutionary national governments, the Convention and the Sovnarkom operated their revolutionary justice systems. Sources such as David Andress' work *The Terror, the Merciless War for Freedom in Revolutionary France* and Leonard Gearson's work *The Secret Police in Lenin's Russia* specifically focus on the development, climax and end of each Terror. Their scholarship includes analysis focusing on how the standard of justice was manipulated throughout the Terrors as a response to current circumstances. In contrast, broader sources, such as D. M. G. Sutherland's book, *The French Revolution and Empire, The Quest for a Civic Order*, and Richard Pipes' *The Russian Revolution* place both programs in context of the entire French and Russian Revolutions. They also provide insight into how French and Russian scholars treat ideology as they write about both revolutionary periods.

Sources also reveal conflicting perceptions between national and local accounts of both programs. The national narrative tells how French and Russian revolutionaries envisioned the programs and explains the legal measures manipulating each terror. In contrast, sources focusing on the Terror in the provinces interpret terror as repressive and violent. The local stories tell how the Terrors were actually conducted and how the interpretation of "terror" differed from province to province. For example, John Sirich's work, *The Revolutionary Committees in the Departments of France 1793-1794*, is a

“comparative outline of the activities of the committees of surveillance, indicating to what extent they conformed to the instructions of the Convention.”<sup>1</sup> Sirich emphasizes that through revenge and fear, local politics governed the provincial surveillance committees during the French Reign of Terror. The interpretation of the Terror depended upon where a person lived. George Leggett’s work, *The Cheka, Lenin’s Political Police*, brings out the same relationship. He includes small sections on noteworthy incidents that occurred in the provinces during the Red Terror. The national stories of the Reign of Terror and Red Terror do not necessarily reveal the corruption, the political dynamic, and the brutality that occurred on the local level. Instead, the national stories in France and Russia put forth the political dynamics in the Convention and the Sovnarkom and the intentions of both governments creating new orders from the remains of their respective Old Regimes.

In the comparative historiography, scholars focus on the circumstances that caused the terror and not on how the Terrors operated. Scholars such as Arno Mayer and Crane Brinton have written comparative works that seek to explain the complex circumstances that surrounded each Terror program; however, they do not discuss the changing concept of legal justice in terms of how each government defined the concept of terror. Both scholars point towards the interaction of variables that include war, economics, religion, violence, counter-revolution, and the centralization of the national government that influenced the course or perception of each program. Both scholars emphasize different variables as being important factors during both programs. Although he discusses the interaction of six variables, Mayer places heavy emphasis on role of the

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<sup>1</sup> John Black Sirich, *The Revolutionary Committees of France 1793-1794* (Cambridge: Harvard University Press, 1943), 5.

French foreign war and the Russian civil war in causing the Terrors. Brinton uses economics to explain the Terror from the perspective of an outsider looking into French society. He then uses religion to describe how a French citizen dedicated to the Revolution perceived the Terror. While Mayer and Brinton focus on different circumstances as being important, both scholars agree that there is no one circumstance that created the Reign of Terror and the Red Terror or one cause that influence the inner-workings of each program.

Although there is no one cause of the Terrors, some scholars emphasize the expansionist tendencies of the French foreign war and defensive tendencies of the Russian civil war. The French wanted to spread their republican ideology outward from its cities and beyond its borders. Instead of reaching outward, the Russian civil war reached inward as did the Terror. Although, there were many circumstances influencing both programs, the wars had a strong impact on the end of each program. As the French army defeated France's enemies, the Reign of Terror climaxed as the war ended. Unlike the Reign of Terror, the Red Terror's intensity tended to fluctuated according to the current circumstances. As the Red Army secured Russia's borders, the Red Terror successfully transitioned its strategies from war to peace to maintain the security of the Bolshevik ideology. Though the foreign war and the civil war are beyond the scope of this paper, they are used to provide a frame of reference for the shifting standards of justice during both programs.

This paper argues that French National Convention and the Russian Sovnarkom created the Reign of Terror and the Red Terror under similar circumstances with the same goal of re-creating their respective societies; however, both programs diverged because

differing concepts of terror defined the application of revolutionary justice. The first section of this paper compares the remarkably similar experiences of the Convention and the Sovnarkom as each national government became increasingly revolutionary. The second section of this paper compares the nature and procedure of revolutionary justice during the French Reign of Terror and the Russian Red Terror.

## **Section I: The Revolutionary Governments Becoming Revolutionary**

The first section of this paper analyzes the set of similar changes in the French Convention and the Russian Sovnarkom before the Terrors were legalized in September 1793 and September 1918. The Convention and the Sovnarkom faced similar circumstances as they established themselves as the revolutionary sovereign authority in France and Russia respectively. Both governments were not only fighting a foreign war, but were also facing increasing economic and social conflict. As the revolutions unfolded, the Convention and the Sovnarkom remade themselves and their government institutions to reflect the current circumstances and maintain their sovereign authority. During the summers of 1793 and 1918, the Convention and the Sovnarkom revolutionized their structure, image, and membership from their origins in September 1792, and October 1917.

### **The “Original” National Convention and Sovnarkom**

Both the French and Russian revolutionaries aimed to build new orders that championed the rights of the people within their two nations. Long oppressed by the monarchy and the nobility, the French people’s goal was to establish a republican government that would represent and serve the people of France. The Sovnarkom sought to liberate and mobilize the proletariat. The Commissars and Lenin believed in socialism and the power of the proletariat to rise up against the aristocracy and the bourgeois to bring about equality. The Convention claimed to act in the interest of the people of France while the Sovnarkom claimed to act in the interest of the proletariat. As the embodiment of their new orders, the Convention and the Sovnarkom were the center points for republican France and socialist Russia. Their decisions actively shaped the

image, structure and stability of revolutionary France and Russia. The governments were also revolutionary compared with the previous government; neither national government had any connection to the ruling authority that the French and Russian revolutionaries had overthrown.

The French National Convention, an elected parliamentary body, held power from September 1792 until October 1795. Its power was derived from the Legislative Assembly,<sup>2</sup> which gave the Convention a mandate to create the French Republic. The Convention was a radical government for France because it had no monarchical authority presiding over it, and it was more accessible to members of the general population. Elected by their male constituents across France, 749 deputies convened in Paris to make decisions that would determine the outcome of the Revolution. Every fortnight, the Convention deputies elected a president who was then eligible for re-election. This parliamentary procedure was for the purpose of preventing one person or political faction from controlling the political scene. *Citoyens* (French citizens) could attend the Convention sessions and petition their government with grievances.

In September 1792, the Convention deputies represented competing factions within the larger Jacobin faction.<sup>3</sup> As the Jacobin faction grew bigger, it gradually split

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<sup>2</sup> Legislative Assembly was elected in 1791, and it held authority through September, 1792. As part of the constitutional monarchy, it lost its authority to govern when the monarchy was overthrown in August 1792 due to the Assembly not granting the *sans-culotte* petitions. Members of the Girondin faction dominated the Legislative Assembly. David Andress, *The Terror: the Merciless War for Freedom in Revolutionary France* (New York: Farrar, Straus, and Giroux, 2005), 387.

<sup>3</sup> The Jacobin faction began during the *Estates-General* in Versailles in 1789 and continued to meet until the end of the Revolution. The name 'Jacobin' came from their meeting place in an old monastery building. The Jacobins had several names including 'Societies of the Friends of the Constitution' and 'Friends of Liberty and Equality.' The Jacobins were a large faction that continued to splinter into rival factions as the Revolution progressed. Jacobins members were

into several smaller factions led by French revolutionaries such as Georges-Jacques Danton,<sup>4</sup> Jacques-René Hébert<sup>5</sup> and others who sought to control the Convention and the Revolution with competing ideologies. The Girondin faction<sup>6</sup> controlled the Convention in 1792 until the trial and execution of King Louis XVI of France. After the execution of the king in January 1793, the Girondins gradually lost their influence to the Montagnards<sup>7</sup> (the Mountain) a group of liberal Jacobins who sat on the highest benches in the assembly.

From 1917 to 1922, the Council of People's Commissars was the institutional embodiment of the Bolsheviks' goal to safeguard the socialist order, while also

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always on the left of the political spectrum, and they considered themselves the opposition. Once a Jacobin faction became the government, it would no longer be part of the established opposition.

<sup>4</sup> The Dantonists, led by George-Jacques Danton, were considered the moderates in the Convention. They championed the relaxation of the Terror and peace with France's foreign enemies. After helping remove the Herbertist faction from the Convention, Danton and other moderates, such as Claud Desmoulins and Philippeaux, criticized and challenged the Committee's power and position. Danton and his supporters were arrested, tried and executed in April, 1794.

<sup>5</sup> The Hébertist faction (also known as the Cordeliers Club) was led by Jacques-René Hébert and was considered ultra-radicals. In March, 1793, Hébert openly called for the overthrow of the Convention, while denouncing the Dantonists as moderates and Robespierre as "misled" and his actions "defied the will of the people" (Andress, 266). The faction was arrested as a group in March, 1794. They were tried and convicted on the basis of having the intent to commit a counter-revolutionary action.

<sup>6</sup> The Girondin faction members were part of the Jacobin faction at the beginning of the Revolution. They became the faction associated with the Constitutional Monarchy that fell in August and September, 1792. As the ruling faction of government during the Constitutional Monarchy and the early months of the National Convention, they became the conservative party of the government. Prominent Girondins were Jean-Marie Roland and his wife Madame Roland, Jacques Pierre Brissot and Jerome Petion.

<sup>7</sup> The members of the Montagnards were the radical side of the Convention. The Dantonist and the Hébertist factions were initially part of the Montagnard faction when the faction first took control of the government. (Andresse, 387.)

progressively transforming Russia into a full communist society.<sup>8</sup> The Second All-Russian Congress of Soviets in October 1917 created the Sovnarkom to command the

Particular branches of state life entrusted to commissions, the composition of which should ensure the carrying into life of the programme proclaimed by the Congress in close unity with the mass organizations of working men and women, sailors, soldiers, peasants and office workers.<sup>9</sup>

In contrast to the Tsarist and Provisional governments, the Bolsheviks disbanded the representative parliamentary body and ruled with this committee of commissars, each with defined departments of expertise. The Second All-Russian Congress of Soviets initially elected the first 14 members of the Sovnarkom. As the chairman of the Sovnarkom, Lenin held a role similar to that of a prime minister. Each member of the Sovnarkom was in charge of one of the 14 commissariats (or commissions) which included agriculture, military affairs, naval affairs, trade and industry, education, food, foreign affairs, internal affairs, justice, labor, nationalities, post and telegraph, railway and finance. The Sovnarkom Commissars met to discuss their work and vote on decrees and policy decisions. Within each commissariat, the Commissar shared his authority with the other individuals working in his commissariat. Every commissariat worker who assisted in making decisions had one vote. Like the French, the Bolsheviks ostensibly set up a system of checks and balances on political power. Originally, the Congress of Soviets checked the Sovnarkom's authority by approving or rejecting Sovnarkom decisions. Similar to the Convention, the Bolshevik revolutionary government was designed to meet the needs of the people.

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<sup>8</sup> T.H. Rigby, preface to *Lenin's Government: Sovnarkom 1917-1922* by T.H. Rigby (Cambridge: Cambridge University Press, 1979)

<sup>9</sup> As quoted in Rigby, 3.



Since the Convention and the Sovnarkom were revolutionary governments, each government was crafted to reflect the new image of society. The French established a republic that would serve the people of France. To craft their new image, the Convention deputies were elected to represent their town or village by their peers. The French people became active participants in the government. As a government for the people, the Convention's actions must meet the needs of their constituents. On the other hand, the Sovnarkom reflected the desire to create a socialist society in which the state decided and provided what the people needed. To craft this image, the Bolsheviks simply renamed existing government institutions to reflect the revolutionary nature of the new government. Krupskaya, the wife of Bolshevik party leader Vladimir Lenin, said, "It was necessary to call the ministers by a new name ... it was necessary that the name should bear witness to the fact that they were plenipotentiaries of the revolutionary people."<sup>10</sup> "Soviet" and "people's commissar" occupied the hierarchical position of the bourgeois "council" and "minister." After establishing themselves as the national governments, the Convention and the Sovnarkom had to prove they could use their sovereign authority to manage their respective revolutions.

### **Establishing Sovereign Authority**

The Convention and the Sovnarkom used their sovereign authority to recreate their societies through conflict with other institutions in the French and Russian political systems. The rivalry between the Convention and the Paris Commune, as well as between the Sovnarkom and the Party Central Committee, forced both governments to make bold decisions that further entrenched the new order. While the Convention and

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<sup>10</sup> Ibid, 8.

the Sovnarkom could make these bold decisions, their ability to manage their revolutions and strengthen their authority rested on their ability to implement their decisions.

Compared with the Sovnarkom's ability to be an independent political unit from the Party Central Committee, the Convention appeared to be the weaker government because the deputies' decisions had to respond to the Paris Commune's threats of violence until they could curb the influence of the Commune.

In France, the rivalry between the Convention and the Paris Commune moved the Revolution forward. During the French Revolution, the Paris Commune, the Parisian city government, constantly challenged the sitting national government. The liberal *sans-culottes*<sup>11</sup> represented the forty-eight Paris sections<sup>12</sup> and believed that the Revolution must move forward to survive. The tense relationship between the Convention and the Commune created turning points that altered the path of the French Revolution. The conflict between the Legislative Assembly and the *sans-culottes* in August and September 1792 not only helped to create the Convention, but started a series of confrontations between the sitting national government and the City of Paris during pivotal moments of the Revolution. Until the collapse of the French monarchy in August and September 1792, the *sans-culottes* feared the Revolution was faltering when the Legislative Assembly did not support their petitions. To protest the Assembly's inaction

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<sup>11</sup> Meaning 'without breeches,' this satirical term described the supporters of radicalism during the Revolution until late 1793, when the meaning of the term shifted to refer to any revolutionaries. The traditional *sans-culottes* dress included a red 'liberty cap,' long trousers, and short working-man's jacket. See Albert Soboul. *The Sans-Culottes: the Popular Movement and Revolutionary Government, 1793-1794*. Translated by Remy Inglis Hall. Princeton: Princeton University Press, 1980.

<sup>12</sup> The sections were the administrative units of cities. Members of the sections met either daily or at least multiple times during the week to discuss matters related to the revolution. The forty-eight sections of the City of Paris elected one or two members to represent each section in the Paris Commune.

to dethrone Louis XVI after his attempted flight to Varennes and to indict the Marquis de Lafayette, the French general from the American Revolution, on charges of treason, the *sans-culottes* marched on the Tuileries Palace. The threat of violence in the streets prompted the Convention to grant the Paris Commune's demands in June and September 1793.

The tense relationship between the Convention and the Commune left the Convention deputies walking a fine line. The Convention needed the support of the liberal *sans-culottes* who dominated the Commune to carry out its measures, but the Convention also had to consider what was best for the Republic despite the Commune's demands. The Convention asserted its authority by making decisions regarding the fate of King Louis XVI and establishing the Revolutionary Tribunals, the Committee of Public Safety and the Revolutionary Armies to advance their revolutionary principles. However, without the *sans-culottes'* support, the Convention faced difficulty implementing its measures. The Convention had trouble wielding sovereign authority because it was never able to establish itself as a completely independent political institution.

In contrast to the French Convention, the Russian Sovnarkom established itself as a political institution independent from the Bolshevik Party Central Executive Committee (TsIK.) Although the Sovnarkom competed with the Central Committee for authority, Vladimir Lenin, a Russian Revolutionary and Bolshevik who directed the October Revolution, was determined to keep Russia's government and the Party separate. The TsIK managed and maintained the Bolshevik ideology, while the Sovnarkom applied the ideology to state affairs. Both institutions realized that they could not exist without the

other because the Sovnarkom governed Russia according to the Party's ideology, and the Party could not rule Russia without the Sovnarkom.

The Sovnarkom maintained a working relationship with the TsIK in order to preserve its sovereign authority by moving out of the Smolny Institution and then managing the move to Moscow. The Sovnarkom's move out of the Smolny Institution signaled the Sovnarkom's independence from the TsIK and its readiness to govern Russia. The establishment of the Little Sovnarkom<sup>13</sup> indicated the full Sovnarkom's position as the manager of the revolution because it dedicated its time and energy to institutionalizing the communist state.

Although the move to Moscow protected the government from a German advance on St. Petersburg, Lenin used the transition to continue to establish the Sovnarkom as the institution governing Russia. The Lenin and the Sovnarkom Commissars were on the same train with tight security. In contrast, members of the TsIK were on another train departing from a different location and with less security. Lenin dedicated space in the Kremlin for the Sovnarkom officials and support personnel, but the individual commissars and the TsIK had to find space for their own offices in Moscow. These differences in security and departures continued to emphasize the differences between the Party and the Sovnarkom members. As the national government, the Sovnarkom commissars were more important than the other party members. The Sovnarkom was clearly marked as the main institution of the government that was vested with control over security and space in the Kremlin.

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<sup>13</sup> The Little Sovnarkom was a standing sub-committee created to deal with minor matters and specific requests for financial allocations involving more than one commissariat. Members of the Little Sovnarkom were second-echelon officials from the Commissariats of Internal Affairs, Justice, State Control, Labour and Finance. (Rigby, 58 & 77.)

## **The ‘Original’ Committee of Public Safety and the All-Russian Extraordinary Commission for Combating Counter-Revolution and Sabotage (Cheka)**

The Convention created the Committee of Public Safety (the Committee) while the Sovnarkom created the All-Russian Extraordinary Commission for Combating Counter-Revolution and Sabotage (the Cheka) as temporary and special institutions to manage problems that needed constant attention and decisions. In their original form, the Committee and the Cheka were government agencies sharing authority with other government agencies. Both institutions worked for the Convention or the Sovnarkom by doing the “necessary work” for the revolutionary purification of France and Russia.

The First Committee of Public Safety was created in April 1793, as a nine-member committee charged with coordinating all government activities that supported the foreign war and the administration of the country. The Committee was formally subordinated to the Convention, but it held equal authority with the twelve Executive Commissions<sup>14</sup> and the Committee of General Security.<sup>15</sup> The Convention deputies voted once a month to confirm the Committee’s membership and authority. As in a cabinet of ministers, each Committee member was in charge of a specific department of expertise such as war, police, ideology, justice and food supply. Each Committee member

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<sup>14</sup> The Council of Ministers was an institution left over from the constitutional monarchy formed by the Girondins. During the Constitutional Monarchy members of the Council of Ministers were appointed by the King and approved by the Constituent Assembly. After the fall of the monarchy, the Legislative Assembly and the National Convention appointed and approved the ministers. Under the Convention the Council reported directly to the Committee of Public Safety. In April, 1794 the Council of Ministers was renamed the Twelve Executive Commissions.

<sup>15</sup> The Committee of General Security was the other major government committee in addition to the Committee of Public Safety. The Committee of General Security was responsible for the police system and operation of the Terror apparatus until its operations were placed under the Committee of Public Safety. The Committee of Public Safety eventually set up its own police force, a body that created tensions between the Committee of Public Safety and the Committee of General Security.

compiled information from his department to report to the entire Committee during meetings.

The original nine members of the Committee (including Bertrand Barère, Danton and other left-leaning moderates) had difficulty controlling France's current circumstances. From April to July 1793, France was in uproar over repeated defeats related to the foreign war, the Vendée Rebellion<sup>16</sup> and the internal Federalist War.<sup>17</sup> The French army experienced defeats in Condé (northeast of Amiens in eastern France,) Valenciennes (on the French and Belgium border near Lille) and Mainz (Germany) after troops were sent to put down the Vendée rebels who had taken Saumur.<sup>18</sup> In addition to the Vendée Rebellion, the Committee needed resources to fight the Federalist War, which started in major cities such as Lyon, Caen and Marseilles, to protest the expulsion of the Girondins in June 1793. Danton's negotiations to end the foreign war proved fruitless, since his position was weakened by recent defeats. His efforts were eventually denounced as unpatriotic and treasonous. The First Committee of Public Safety which fell in July, 1793, failed to manage the escalating external and internal crises.

In December 1917, the Sovnarkom disbanded the Military Revolutionary Committee (MRC) that had been in charge of organizing the insurrection in October 1917 and established the Cheka. The Cheka took over the MRC's responsibilities with limited

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<sup>16</sup> The Vendée Rebellion was an anti-republican and pro-Catholic revolt that started in March, 1793. The Vendée army was defeated in December, 1793, but the rebellion was not formally put down until seven years later. The Vendée department is south of the lower Loire valley. (Andress, 389.)

<sup>17</sup> The Federalist War involved those who revolted to protest the purge of the Girondins from the Convention on June 2, 1793. The rebellion was especially concentrated in Lyon, Caen, Marseille and Bordeaux. "Federalist" became a generalized term for those who resisted centralized authority. (Andress, 386.)

<sup>18</sup> John Hardman. *Robespierre* (New York: Longman, 1999), 88.

authority. The Cheka's original charter gave the institution "the extensive task of suppressing 'counter-revolution' and 'sabotage' throughout Russia...[T]he only sanctions initially authorised for Cheka use were...confiscation, expropriation, deprivation of ration-cards, and publication of lists of 'enemies of the people.'"<sup>19</sup> On December 16, the Commissariat of Justice gave the Cheka the authority to arrest, conduct searches and seizures, and to engage in other investigative acts. Although the Cheka was to become Lenin's main police unit, in December 1917, it shared authority with the Committee for Combating Pogroms, investigation units attached to local Soviets, and the Investigation Commission attached to the Petrograd Soviet.

The organizational structure of the Cheka made it a fluid hierarchy because it could easily adapted to its evolving mission from the Sovnarkom. From its beginning, the Cheka was charged with "tracking down and liquidating all counter-revolutionary and sabotage attempts and actions throughout Russia, irrespective from which they stem."<sup>20</sup> Governed by the Collegium of the Moscow Cheka, an extensive network of Cheka units in all cities, towns, villages and provinces were established to fulfill the Sovnarkom's mandate. The Collegium of the Moscow Cheka presided over by Felix Dzerzhinsky, a hardened Polish revolutionary dedicated to the Bolshevik ideology, was the executive body of the Cheka.<sup>21</sup> The Cheka Collegium was composed of five to eight members who met constantly to assess current circumstances and make any necessary changes to the

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<sup>19</sup> Lennard D. Gerson. *The Secret Police in Lenin's Russia* (Philadelphia: Temple University Press, 1976), 45-46.

<sup>20</sup> Rigby, 21.

<sup>21</sup> Felix Dzerzhinsky was a hardened revolutionary who devoted twenty years of his life to revolutionary socialism (Leggett, 250). He built Lenin's political police during the Revolution and helped restructure Russia's economy and transport system. Dzerzhinsky presided over the Cheka, the GPU and the OGPU until his death in 1926. Dzerzhinsky was the only head of the Soviet political police to die in his bed of natural causes.

Cheka's operations via decrees. Their decrees governed all Cheka units, not necessarily the general population. Any decision or decree made by the Collegium was instantly binding on all Cheka units and was prosecuted to the highest degree. Despite the bureaucracy within the Cheka and the extensive network of units, the Cheka remained a fluid unit with the ability to adapt to its changing authority during the Red Terror.

Although the Committee's and the Cheka's activities were closely monitored, both institutions already acted with a degree of autonomy from the Convention and the Sovnarkom. The Committee could issue arrest warrants for individuals accused of counter-revolutionary activity<sup>22</sup> and suspend the decrees of the Executive Council<sup>23</sup> as long as it kept the Convention informed of its activities. Similarly, the Cheka could arrest and investigate an individual without formal instructions from the Revolutionary Tribunal provided Cheka officials reported their activities to the Tribunal. The Committee and the Cheka's ability to run operations independently of the Convention and the Sovnarkom gave them a degree of entitlement because of the importance of their mandate from the Convention or the Sovnarkom.

Tensions developed within the French and Russian revolutionary governments when the Committee's or the Cheka's mission conflicted with another government institution. The tensions between the Convention and the Committee reflected the complex balance of power in the French government. The Committee was one of several government committees that held equal power in advising the Convention.

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<sup>22</sup> As quoted in James Logan Godfrey, "Revolutionary Justice A Study of the Organization, Personnel, and Procedure of the Paris Tribunal, 1793-1795." *The James Sprunt Studies in History and Political Sciences* 33 (1951): 60.

<sup>23</sup> D. M. G. Sutherland, *The French Revolution and Empire, The Quest for Civil Order* (Oxford: Blackwell Publishing, 2003), 160.



Committee members felt that since their mission to manage the foreign war was more important than other concerns. Although, the Committee had the authority to manage the war, its decisions were not legal without the Convention's approval. The Convention did not always approve the Committee's decisions to manage the foreign war when considered with propositions from other government committees. Barère declared on the floor of the Convention that "[the Committee] is a portion, a summary version of yourselves; one cannot accuse it unjustly without attacking every one of you."<sup>24</sup> Later Maximilien Robespierre and George Couthan, both Jacobin revolutionaries echoed Barère by declaring the Committee's policies as coming from a body that refused to call itself a government because "We are the arm set in motion by the Assembly."<sup>25</sup> Barère's and Robespierre's statements outline the complex balance of power between the Convention and the Committee. The revolutionaries claimed that the Committee's actions were in accordance to the Convention's mandate to manage the foreign war. The Committee maintained that, because of the importance of its job to manage the foreign war, its decisions should be passed without question.

The Russian Cheka and the Commissariat of Justice had a tense relationship because each institution felt the other should not exist or hold its current authority. The Commissariat officials cried foul when the Cheka acted on its own authority, while the Cheka cried foul when the Commissariat limited the scope of its operations. In December, 1917, the Bolsheviks and the Left Social Revolutionaries (the Left SRs)<sup>26</sup>

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<sup>24</sup> Marc Bouloiseau, *The Jacobin Republic, 1792-1794*, trans. Jonathan Mandelbaum (Cambridge: Cambridge University Press, 1983), 88.

<sup>25</sup> *Ibid*, 88.

<sup>26</sup> The Left Socialist Revolutionaries were originally part of the Socialist Revolutionary Party (SR), which was part of the Russian populist movement. This faction supported a socialist

formed a coalition government to disband the Constituent Assembly. The Bolsheviks and the Left SRs, a very junior coalition partner, tolerated each other's participation in the government as neither party wanted to be associated with the other's ideology. After their agreement in December 1917, several Left SRs gained positions on the Sovnarkom, including I. Z. Steinberg, a Left SR who became the Commissar of Justice.<sup>27</sup> Tensions mounted as the Cheka and the Left SR-dominated Commissariat of Justice had a series of disputes that challenged each other's authority.

In December 1917, the battle lines between the Cheka and the Commissariat were drawn as the two entities began to argue over the image of revolutionary justice.

Steinberg signed a decree that arrested individuals would no longer be brought before the Revolutionary Tribunals, but would be taken directly to prison. The legality of all arrests would be verified within forty-eight hours, or the prisoner would be released. According to George Leggett's research, Steinberg's actions pointed toward the beginnings of a *habeas corpus* safeguard, namely a prisoner's right to come before a judge for a determination of lawful detention or immediate release.<sup>28</sup> Steinberg's emphasis on procedure annoyed Cheka officials because lengthy procedural justice was contrary to their concept of quickly dispensed summary justice. When Steinberg released a group of Menshevik and Socialist Revolutionaries because of a question of whether or not the

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revolution in Russia led by the radical intelligentsia, the peasantry and the industrial workers. The LSRs officially split with the SR party in November 1917 during the Fourth Congress of the SR party. The LSRs supported neither the Constituent Assembly nor the Treaty of Brest-Livtosk. They wanted to create a multi-party, democratic version of Soviet power.

<sup>27</sup> George Leggett, *The Cheka: Lenin's Political Police: the All-Russian Extraordinary Commission for the Combating Counter-revolution and Sabotage, December 1917 to February 1922* (Oxford: Clarendon Press, 1981), 45.

<sup>28</sup> *Ibid*, 47.

group's arrest was legal, the issue of who had oversight over the Cheka's operations came to a head.

The resolution of the dispute clarified the Cheka's position in the Bolshevik government. Although Lenin's resolution was never actually passed, it stated that the Cheka acted according to the Sovnarkom decisions, rather than explicitly to the directions of the Commissar of Justice.<sup>29</sup> The resolution also reprimanded Steinberg's actions as a contravention of the Cheka's rights and the Sovnarkom's authority. The resolution drafted by Steinberg proposed that the Commissariat of Justice should coordinate and supervise the work of all the investigatory commissions including the Cheka, and that it should be the only institution authorized to sign arrest warrants. Steinberg's resolution passed after Lenin amended it by requiring that all investigatory commissions' activities be systemized under the Commissars' direct supervision of the Commissions, the Commissar of Internal Affairs, and the Commissar of Justice.<sup>30</sup> Lenin's additions to Steinberg's resolutions ensured that no Commissariat only the Sovnarkom as a whole controlled the Cheka.

The Committee and the Cheka were designed by the Convention and the Sovnarkom to manage sensitive issues such as the foreign war and internal security. Both institutions made themselves indispensable parts of their governments because they could act where the national government could not. The Committee could make quick decisions that did not require long debate on the Convention floor while the Cheka could actively fight the counter-revolutionary movement. Although similar in their natures, the

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<sup>29</sup> Ibid, 47.

<sup>30</sup> As quoted in Leggett, *The Cheka: Lenin's Political Police: the All Russian Extraordinary Commission for the Combating of Counter-revolution and Sabotage, December 1917 to February 1922*, 48.

Committee and the Cheka would become very different institutions during their respective Terrors. The Committee became a government institution with increasing executive authority while the Cheka remained in charge of internal security and just one part of the Sovnarkom's overall plan to secure the Bolshevik Revolution.

### **The Foundations of Revolutionary Justice**

Before the Terrors began, the Convention and the Sovnarkom had already begun to establish the legal foundation of their revolutionary justice systems. The French and Russian revolutionaries passed measures that created a legal definition of a counter-revolutionary and special courts, known as Revolutionary Tribunals, to administer revolutionary justice. Although, the measures passed in France during March 1793 and in Russia during February 1918 seemed reactionary, but the legal definition of a counter-revolutionary and the Revolutionary Tribunals became the foundations for both programs.

The first element of the two revolutionary justice systems was the Convention's and the Sovnarkom's legal classification of accused counter-revolutionaries as outlaws. The French and the Russians revolutionaries reasoned that counter-revolutionaries acted against the state, therefore, forfeiting their civil rights. The French used republican theory while the Russians used Marxist theory to justify their classification of counter-revolutionaries outside the law.

The Jacobins created a new criminal definition using the legal concept *hostis humani generis* meaning the "enemies of mankind" to define counter-revolutionaries as outlaws (*hors-la-loi*.) As Dan Edelstein's book *The Terror of Natural Right* argues, the Jacobins championed a mutant strain of republicanism called "natural republicanism,"

that used the concept of “natural right” to authorize and draft laws.<sup>31</sup> The laws of the Republic supported and upheld the theory of natural right, which assumed supreme authority over the laws of man.<sup>32</sup> Natural right was God’s laws. By defining counter-revolutionaries as outlaws, the Jacobins created a class of people who were seen as violating not only French law, but natural law as well. William Blackstone, a 18<sup>th</sup> century English judge, jurist and professor, defined of a pirate explained the concept of the outlaw based on natural right:

As therefore, he has renounced all the benefits of society and government, and has reduced himself afresh to the savage state of nature, by declaring war against all mankind, all mankind must declare war against him: so that every community has a right, by the rule of self-defense, to inflict that punishment upon him, which every individual would in a state of nature have been otherwise entitled to, any invasion of his person or personal property.<sup>33</sup>

The Jacobins followed this line of reasoning during the trial of King Louis XVI in December 1792. While the King had not violated the Constitution, he had broken the laws of nature, which meant the only penalty was death. Edelstein argued that by casting the King as an outlaw, the Jacobins began to set up a revolutionary system of justice designed to deliver swift and terrible punishment.

The law of 19 March 1793 continued to define a counter-revolutionary and their place in the legal justice system. Reacting to the beginning of the Vendée Rebellion, the Convention deputies passed a measure decreeing that any counter-revolutionary who was caught bearing arms must be tried and executed within 24 hours by a military commission, without a jury or an appeal. The law continued to develop the Jacobin’s

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<sup>31</sup> Dan Edelstein, *The Terror of Natural Right, Republicanism, the Cult of Nature and the French Revolution* (Chicago: The University of Chicago Press, 2009),

<sup>32</sup>Ibid, 4.

<sup>33</sup> As quoted in Edelstein, *The Terror of Natural Right, Republicanism, the Cult of Nature and the French Revolution*, 35.

legal concept of counter-revolutionaries being outside the law to advocate the need for public vigilance to protect public safety. The Vendée Rebellion and recent plots involving émigrés, foreign agents and priests, convinced Barère, a Convention deputy and chairman of the Committee, that the “counter revolution had started and conspiracies were exploding everywhere”<sup>34</sup> against the Republic. The counter-revolutionary movement threatened to destroy the Republic and drastic measures became necessary.

Just as Jacobins drew on republican theory, the Bolsheviks drew upon Marx’s and Engel’s philosophies to justify why the bourgeois could not be considered members of the proletariat state and were, therefore, a class enemy. The state’s role was to protect the proletariat’s interests from the bourgeoisie, who did not share the same interests. Lenin pointed towards the presence of the state government, which indicated “the irreconcilability of class antagonisms.”<sup>35</sup> Like the French, the Bolsheviks decided that death was the only acceptable penalty for those who worked against the revolution.

The Russian counterpart to France’s Law of 19 March was the Sovnarkom’s decree “The Socialist Fatherland is in Danger.”<sup>36</sup> Issued in February 1918, the decree outlined how the Revolution was going to be defended using “the country’s entire

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<sup>34</sup> As quoted in Arno J. Mayer, *The Furies, Violence and Terror in the French and Russian Revolutions* (Princeton: Princeton University Press, 2000), 333.

<sup>35</sup> Henry M. Christman, ed. *Essential Works of Lenin “What is to be Done?” and Other Writings* (New York: Dover Publications, Inc. 1966), 273.

<sup>36</sup> “The Socialist Fatherland is in Danger” decree also related to the Russian Civil War. The first seven provisions detailed the appropriate mobilization of manpower and usage of resources on the warfront. All of Russia’s manpower and resources were to be mobilized in defense of the country until the end of the conflict with Germany. This decree can also be compared to the Convention’s *Levy en Masse* which was a mass mobilization of the entire French population to support the war effort in late August 1793.

manpower and resources.”<sup>37</sup> The decree warned of a possible German invasion when peace talks after the Treaty of Brest-Litovsk ended abruptly. Lenin declared a state of emergency because of the government’s belief that “until the proletariat of Germany rises and triumphs, it is the sacred duty of the workers and peasants of Russia devotedly to defend the Republic of Soviets against the hordes of bourgeois-imperialist Germany.”<sup>38</sup>

Provision eight of the decree was the Russian definition of a counter-revolutionary: “Enemy agents, speculators, thugs, hooligans, counter-revolutionary agitators, German spies, are to be shot on the scene of their crime.”<sup>39</sup> Crimes against the state were punished using summary justice because they were regarded as a threat to the stability of Socialist Russia. By using a common vernacular, the Sovnarkom defined who threatened the Revolution. The decree used specific language to define a counter-revolutionary so the people could readily identify counter-revolutionaries. Speculators threatened the nationalized economy by altering prices and the availability of goods. Enemy agents and German spies were considered imperialistic threats who undermined the principles of socialism. Thugs and hooligans were ordinary criminals, pre-revolutionary holdovers from the bourgeois society. By defining counter-revolutionaries in terms of the Old Regime, Lenin was able to create a revolutionary vernacular that the people and the Party could understand.

France’s law of March 19, 1793 and Russia’s “The Socialist Fatherland is in Danger” decree began to define the differences between the two revolutionary justice

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<sup>37</sup> Lenin, “The Socialist Fatherland is in Danger,” Lenin Internet Archive, <http://www.marxists.org/archive/lenin/works/1918/feb/21b.htm>

<sup>38</sup> Ibid.

<sup>39</sup> As quoted in Leggett, *The Cheka: Lenin’s Political Police: the All Russian Extraordinary Commission for the Combating of Counter-revolution and Sabotage, December 1917 to February 1922*, 57.

systems. The law of 19 March did not necessarily clearly define who constituted a counter-revolutionary, but the law continued to develop why the counter-revolutionary movement was important to defeat. Although, it only gave the military and the Revolutionary Tribunals the authority to try and execute those caught with arms, the law began to define who did not belong in Republican society. Although the law was central to the government's mission, it is relatively obscure in the French Revolution's historiography. In contrast, provision eight of the "Socialist Fatherland is in Danger" decree created the legal definition of a counter-revolutionary almost six months before the Red Terror began.

The second element of the revolutionary justice systems was the creation of the Revolutionary Tribunals. The Revolutionary Tribunals were special courts dedicated to protecting the new order. Although the French and Russian Revolutionary Tribunals played different roles in both Terrors, they had the same purpose, which was to prosecute and punish French and Russian counter-revolutionaries.

On March 10 – 11, 1793, the French Convention passed a series of decrees establishing the Parisian Revolutionary Tribunal. The Jacobins demanded "the formation of a revolutionary tribunal to judge the former [Girondin] minister [Roland] and his accomplices."<sup>40</sup> The decree, passed in March 1793, established the core purpose of the Tribunal as having "cognizance of all counter-revolutionary activities, of all attacks against the liberty, the equality, the unity, the indivisibility of the Republic, the internal and external security of the state."<sup>41</sup> The Tribunal consisted of five judges, twelve

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<sup>40</sup> Godfrey, "Revolutionary Justice A Study of the Organization, Personnel, and Procedure of the Paris Tribunal, 1793-1795." 6.

<sup>41</sup> Ibid, 7.



jurors, and a public prosecutor, all elected by the Convention. On April 5, 1793 the Convention authorized the public prosecutor's office to arrest and try those accused of counter-revolutionary activity. The Convention established the Revolutionary Tribunal as the only judicial organ in France that could administer revolutionary justice.

Created in November 1917, the Bolshevik Revolutionary Tribunal was a special court modeled after the Paris Revolutionary Tribunal. Initially, the judge and six elected assessors who served on the Tribunal considered only those cases where the accused had been charged with a crime against the state. Crimes against the state included misuse of public office, sabotage, hoarding, organizing or being part of an insurrection, and infringement of Soviet decrees.<sup>42</sup> After an arrest, the Investigative Commissions including the Cheka unit attached to the local Soviet, had forty-eight hours either to dismiss the case or refer it to the Tribunal. As the caseload increased, the number of Tribunal personnel was expanded to include a president with two deputies, a secretary with two deputies and forty assessors. Tribunal sessions were public, with the accused present, and the Tribunal's decision was final. Punishments given by the Tribunal included fines, imprisonment, banishment, deprivation of civil rights, confiscation of personal property, and, after June, 1918, death.<sup>43</sup>

Initially, the procedure of both Tribunals was similar, but the differences in their initial mandate and trials revealed how the Russian Tribunal was created to be a more permanent part of Bolshevik society. The French Revolutionary Tribunal acted according to a very defined procedure. Its decisions were based on evidence that was

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<sup>42</sup> Leggett, *The Cheka: Lenin's Political Police: the All Russian Extraordinary Commission for the Combating of Counter-revolution and Sabotage, December 1917 to February 1922*, 172.

<sup>43</sup> *Ibid*, 173.

presented by both the public prosecutor and the defendant's counsel. Often the most ardent patriots served as judges and jury members in order to ensure a guilty verdict. The Bolshevik Revolutionary Tribunal was part of the Commissariat of Justice, which was represented by the Commissar of Justice in the Sovnarkom. Unlike the French Revolutionary Tribunal, the Russian Revolutionary Tribunal did not figure prominently during the Red Terror. It did not become the foundation of the revolutionary justice system until the end of the Red Terror when it presided over the "show trials" during the 1920s and the 1930s.

### **The New Revolutionary Governments**

Events during the summers of 1793 and 1918 resolved the tensions within the French and Russian governments because the Jacobins and the Bolsheviks formed one-faction or single party governments that pushed their Revolutions forward by continually expanding or defending their revolutionary principles. Both the Jacobins and the Bolsheviks feared that the Girondin and the Left SRs presence in the respective governments would impede the Revolutions. Being ardent defenders of their causes, the liberal Jacobins and the Bolsheviks pledged to protect and to advance their revolutions.

The purge of the Girondins in June 1793 was another pivotal point between the Convention and the Paris Commune that changed the course of the Revolution. During the *journée*<sup>44</sup> of June 2, 1793, members of the Paris Sections and the Commune marched on the Convention demanding the arrest of twenty-two Girondin representatives. At the request of the Convention, the Committee heard the crowd's demands and recommended the twenty-two "voluntarily suspend themselves from office for a time, removing their

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<sup>44</sup> *journée* means in French the day's events.

apparent threat to national unity.”<sup>45</sup> Not satisfied, the Paris Commune made ready its troops who encircled the Tuileries Palace to fire on the Convention unless its demands were met. When the Convention voted the arrest of the twenty-two deputies, the Commune ordered its troops to stand down. The Convention, like the Legislative Assembly, bowed to the demands of the Paris Commune to avoid mass violence and the disbanding of the Convention.

The Left SR Uprising, which started on July 6, 1918 with the Left SR assassination of Count Mirbach, the ambassador from Germany created a new revolutionary Sovnarkom controlled only by the Bolsheviks. The Left SR-Bolshevik coalition had already begun to splinter in March when the Left SRs resigned their positions in the Sovnarkom to protest the Treaty of Brest-Livotsk;<sup>46</sup> but they did not resign from the Cheka Collegium. After investigating the incident, Dzerzhinsky was arrested by the Left SR Cheka officials at the Cheka’s headquarters. The Left SRs were eventually cornered in the Bolshoi Theater, where they had attempted to address the Congress of Soviets. The Bolsheviks attacked the theater and routed the Left SR forces on July 7th. Although the LSR uprising was unsuccessful, it left a bitter taste because the Left SRs had successfully infiltrated and attacked the Bolsheviks through the very institution that was designed to safeguard the new regime.

After the purge of the Girondin and the Left SRs, both governments held different degrees of sovereign authority. The *journée* of June 2, 1793 proved that the Convention

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<sup>45</sup> Andress, *The Terror: the Merciless War for Freedom in Revolutionary France*, 176.

<sup>46</sup> The Brest-Livotsk Treaty was signed in March 1918 between Russia and the Central powers marking Russia’s exit from World War I. The treaty humiliated Russia because it forced Russia to give up all claims to Finland, the Baltic States, Poland, Belarus and Ukraine. The Germans renounced the Treaty in November 1918 because of Soviet revolutionary propaganda against Germany.

could not govern France without the consent of the Commune. By threatening violence, the Paris Commune was able to force the creation of a liberal Jacobin government that would advance the *sans-culotte* agenda. In contrast to the Convention, the Sovnarkom dealt with internal conflict with the Left SRs while maintaining the government's authority. According to Steinberg, the Left SR uprising was not about seizing the government apparatus from the Bolsheviks. The uprising sought to make a "radical alteration of Soviet policy."<sup>47</sup> The Left SRs wanted to regulate the use of the death penalty and establish a procedural justice system. After having failed to regulate the Cheka through the Commissariat of Justice, the Left SRs attempted to control the Cheka by placing representatives on the Cheka Collegium.

The revolutionized Convention and Sovnarkom pushed both governments to the left as the Girondin and the Left SRs were purged from the governments. According to Crane Brinton's research, the purge of the Girondin and the Left SRs ended the governance of the moderates by the established liberal opposition.<sup>48</sup> Both parties, the Mountain and the Bolsheviks who assumed control of the Convention and the Sovnarkom would push their respective Revolutions to the left to keep them from faltering.

### **New Revolutionary Committee and the Cheka**

To continue to revolutionize an already revolutionary government, the French Convention changed the membership of the Committee, while the Russian Sovnarkom changed the authority of the Cheka to reflect the new revolutionary nature of the national

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<sup>47</sup> As quoted in Leggett, *The Cheka: Lenin's Political Police: the All Russian Extraordinary Commission for the Combating of Counter-revolution and Sabotage, December 1917 to February 1922*, 78.

<sup>48</sup> For further information on Brinton's paradigms for revolutions, See Crane Brinton. *The Anatomy of Revolution*. New York: Vintage Books, 1965.

government. The election of the Second Committee of Public Safety and the purge of the Left SRs from the Cheka turned both bodies into the institutions that would operate the Reign of Terror and the Red Terror. As the Committee and the Cheka were transformed into their revolutionary roles, both institutions gained more autonomy from the Convention and the Sovnarkom to manage the revolutionary justice systems aimed to remake the French and Russian populations and to solidify their respective revolutions.

During July 1793, with a simple vote, the French Convention deputies created the Second Committee of Public Safety. The deputies removed Danton and other Dantonists, elected Robespierre, Louis-Antoine Léon Saint-Just, and other Jacobins, and expanded the Committee to twelve members. Prior to their election, the new Committee members had denounced Danton's efforts to make peace with France's foreign and internal enemies as stalling the Revolution as well as unpatriotic. The new members wanted to continue the expansion effort abroad and to extend domestically the reach of the republican government. The new members shifted the Committee's agenda to the left, with the aim of consolidating the Convention's sovereign state power under the Committee.<sup>49</sup>

The purge of the Left SRs from the Cheka and the Commissariat of Justice during the summer of 1918 silenced the Cheka's most vocal critics and ended their long-running feud. Lenin moved one step closer to creating a revolutionary justice system that would be administered by the Cheka by granting the Cheka the authority to administer full summary justice by executing criminals at the scene of the supposed crime without due process. Lenin made it clear that the Commissariat of Justice was in charge of justice in

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<sup>49</sup> Andress, *The Terror: the Merciless War for Freedom in Revolutionary France*, 198-199.

the courts as well as in the Revolutionary Tribunals. However, legal justice and the Revolutionary Tribunals gradually were losing their authority to the Cheka. The Cheka continued to have an ambiguous place in the Russian revolutionary government because although it still officially answered only to the Sovnarkom, it began to be under the sole control of Lenin.

By October 1793, and September 1918, the Committee and the Cheka had assumed their roles as revolutionary managers because they were the purest expression of the current revolutionary principles. Their roles were simple. They were to safeguard the revolutionary principles according to the French Jacobin or the Russian Bolshevik ideology. The Committee coordinated the foreign war and internal security along with the government administration. However, it asserted its authority freely because now the National Convention routinely approved the Committee's decisions. Consequently, the Committee was on track to eventually have complete control over the course of the Revolution and the Paris Commune. The Cheka was "the bodyguard of the [Bolshevik] state."<sup>50</sup> The Cheka had not only expanded its operations to track down and liquidate the counter-revolution, but also had assumed sufficient power to prevent investigatory commissions or individual Commissariats from challenging its operations. Both institutions still had the same mission, but on a much wider and grander scale.

By September 1793 and September 1918, the Convention and the Sovnarkom, respectively had shed their original identities in terms of membership and policy and began to embrace extreme measures to preserve their Revolutions. As the guardians of their respective Revolutions, the French Committee and the Russian Cheka needed to

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<sup>50</sup> Peter Deriabin, *Watchdogs of Terror: Russian Bodyguards from the Tsars to the Commissars* (Frederick: University Publications of America, 1984), 14.

reflect the ideology that the Convention deputies and the Sovnarkom commissars advocated. To protect their revolutions, both governments used the Committee and the Cheka to operate revolutionary justice systems to purge the counter-revolutionary movement from their respective societies.

## Section Two: Divergent Terrors

When the French Reign of Terror and the Russian Red Terror were legalized, both the Convention and the Sovnarkom presumed that Terror would serve to enforce the transition from the old order to a dramatically new one, although the French and Russian revolutionaries came to this conclusion at different stages of these planned changes. Despite the previous similarities before the Terrors, the Convention and the Sovnarkom made choices that made the French Reign of Terror and the Russian Red Terror different programs that sought to transform society. The French and Russian Terrors were operated according to how the Convention and the Sovnarkom defined the concept of Terror. The French Convention regarded Terror as an individual experience that would emotionally create virtuous Republicans as the physical population was purged. The Russian Sovnarkom viewed Terror as the means to purge the actual Russian population.

### **The Purpose of Terror**

The Terrors began to diverge at the beginning because the French and Russian revolutionary governments defined the purpose of Terror differently to build their new orders. The French Jacobin, Robespierre outlined terror as creating virtuous citizens by inspiring love of the *patrie* (country.) The Convention believed that Terror would individually remake each French subject into citizens; however, Lenin viewed terror as transforming the entire country into a new order by destroying the need the for a state apparatus.

In his famous speech, *On the Principles of Political Morality* in February 1794, Robespierre convinced increasingly wary Convention deputies that the Terror was still important and necessary despite military successes because of the virtuous results.



Robespierre stated, “the fundamental principle of popular or democratic governments...is virtue...virtue which is nothing more than the love of the nation and its laws.”<sup>51</sup> He challenged to the Convention to “to excite love of country, to purify morals, to elevate souls, to direct the passions of the human heart toward the public interest,”<sup>52</sup> in the people of France. Robespierre, then, posited that terror administered by the government created virtuous people.

If the mainspring of popular government in peacetime is virtue, amid revolution it is at the same time [both] virtue and terror; virtue, without which terror is fatal; terror, without which virtue is impotent. Terror is nothing but prompt, severe, inflexible justice; it is therefore emanation of virtue. It is less a special principle than a consequence of the general principle of democracy applied to our country’s most pressing need.<sup>53</sup>

According to Robespierre’s theory, the Reign of Terror was recreating French society by purging it of unvirtuous people that represented prejudice, corruption and weak morals of the Old Regime. French citizens could individually obtain virtue by being part of the Terror apparatus. Virtuous citizens would uphold the laws of nature, which would inspire love of the *patrie* that supported the Convention. By using terror, the Convention not only ensured its future as a virtuous government upholding the laws of nature but also the success of the Revolution. Robespierre’s speech articulated the Convention’s concept of terror during the actual program. Although, the Convention’s concept was stated five months before the Reign of Terror ended, the whole program reflected the emphasis on individual citizens obtaining virtue through terror.

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<sup>51</sup> Keith Michael Baker ed., *The Old Regime and the French Revolution* (Chicago: The University of Chicago Press, 1987), 371.

<sup>52</sup> *Ibid*, 372.

<sup>53</sup> *Ibid*, 374.

Unlike Robespierre, who asserted his support of and the need for terror during the Reign of Terror, Lenin firmly believed in the usage of terror and violence as the necessary means to bring about the communist state. In 1901, Lenin wrote “In principle, we have never rejected and we cannot reject, terror.”<sup>54</sup> In order to bring about the proletarian revolution, the proletariat would have to arm itself and the rest of the toiling masses to break the resistance of the landlords and bourgeoisie. The proletariat needed an “apparatus of violence” if it were to sustain itself and bring about the communist state.

In *State and Revolution*, published in 1917, Lenin theorized that the dictatorship of the proletariat would achieve the abolition of the state through organized violence. Lenin supported and explained Marx’s “doctrine of the class struggle to the doctrine of political power, the doctrine of the state.”<sup>55</sup> Lenin quoted Engels’ statement that “the bourgeois state does not ‘wither’ away, but is ‘put an end to.’”<sup>56</sup> The state becomes a “special repressive force” for the “suppression of the bourgeoisie by the proletariat (the dictatorship of the proletariat.)”<sup>57</sup> Building on Engel’s philosophy, Lenin theorized that the state existed to support “organization of violence” until the “toilers overcome the resistance of the exploiters.”<sup>58</sup> Once the dictatorship of the proletariat has ended the bourgeois state, the state would wither away, and full communism would be achieved.

While the Convention and the Sovnarkom used Terror to recreate their respective societies, the differences between the two programs begins with how each government thought the Terror would work to recreate their respective societies. The French

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<sup>54</sup> Lennard D. Gerson, *The Secret Police in Lenin’s Russia* (Philadelphia: Temple University Press, 1976). 4.

<sup>55</sup> Christman, *Essential Works of Lenin “What is to be Done?” and Other Writings*, 287.

<sup>56</sup> *Ibid*, 282.

<sup>57</sup> *Ibid*, 282.

<sup>58</sup> *Ibid*, 287.

theorized that the Terror would individually remake every French subject into a citizen. and inspire the people of France to love the *patrie*. The Russians assumed that Terror would recreate the Russian state into a socialist society.

### **Declaration of Terror**

The Convention and the Sovnarkom legalized the Reign of Terror and the Red Terror on the belief that a strengthening counter-revolutionary movement was going to threaten their respective revolutions. The French and Russian revolutionaries feared the counter-revolutionary movement was going to gain enough strength to stop and undo the achievements of their respective revolutions. Heeding calls from the people of France and members of the Bolshevik Party, the Convention and the Sovnarkom legalized Terror through a simple vote and a government decree. Once started, both systems began to reflect each government's concept of terror whether or not the concept was fully defined. The Terrors aimed to rally the people of France and the Party to continue to support their respective revolutions.

On September 5, 1793, the liberal *sans-culottes* successfully petitioned the Convention to take action to solve the recent war's defeats and food shortages as well as the Vendée Rebellion. The *sans-culottes* petitioners from the Paris Commune continued to influence the Convention's actions similarly to the circumstances surrounding the *journée* of June 2. Remembering the Commune's actions during the *journée* of June 1792 and the Prison Massacres of September 1792, Danton (and later Robespierre) urged the Convention to take the lead in combating the counter-revolution in order to avoid another instance similar to the Prison Massacres. Unlike Lenin, the French did not

necessarily use the word “terror,” instead they called upon the French people to be revolutionary (terror) against suspected counter-revolutionaries.

During the Convention’s session on September 5, 1793, Citizen Chaumette, a member of the Paris Commune, openly challenged the Convention deputies’ loyalty to the Revolution and their efforts to maintain it:

every day we learn of new betrayals, new crimes; every day we are disturbed by the discovery and reappearance of new conspiracies; every day new disturbances trouble the republic and are ready to drag it into their stormy whirlwinds, hurling it into the bottomless abyss of centuries to come... Where is the proud and immovable being, unyielding to any kind of intrigue or corruption, who will tear up the pages of the book written with the blood of the people, and turn it immediately into death against those who are starving the people?<sup>59</sup>

He demanded to know why the Convention was not actively solving the food shortages and successfully fighting the foreign war. He challenged the Convention by stating, “Your fate, and ours, is tied to an unchanging establishment of the republic. We must either destroy its enemies, or be destroyed by them... Today the mass of people must destroy them without resources, by its own weight and will.”<sup>60</sup> Finally, Chaumette demanded on behalf of the other petitioners, that revolutionary armies be formed to dispense revolutionary justice to move the Revolution forward.

Convention deputies Billard-Varennes and Danton amended Chaumette’s proposal by praising the deputies’ enthusiastic response to the petitioners’ demands. Both deputies championed the national government for having actively responded to the will of the people. Billard-Varennes and Danton addressed the Convention by stressing the need for the government not only to establish and support a terror program, but also to inspire the people to be revolutionary in order to make the program function. Both

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<sup>59</sup> Baker, *The Old Regime and the French Revolution*, 344.

<sup>60</sup> *Ibid*, 344.

deputies insisted that since the Terror was a government program, the people must be part of the revolution. Billard-Varennes demanded the immediate arrest of all known suspects in the capital, while lauding “the energy of the people” to “exterminate the enemies of the revolution.”<sup>61</sup> Danton echoed Billard-Varennes by insisting that “a revolutionary army is not enough; be revolutionary yourselves.”<sup>62</sup> Danton’s assertion that the people needed to be revolutionary evokes comparison with Robespierre’s later statements that the state must take action to inspire the love of the *patrie*. As the voice of the people, the Convention deputies knew that the people must support the Terror in order to enact the program. At the end of the session, Chaumette’s proposal with the additional amendments passed with overwhelming support. Historians often mark this session as the formal beginning of the Reign of Terror although the laws passed during March 1793 to combat the Vendée Rebellion had established the legal foundation for the program.

The Reign of Terror declaration was a statement of intent that preserved the Convention’s authority. The actual declaration did not alter the current laws except for expanding the number of judges who sat on the Revolutionary Tribunal to twelve rather than the previous six. The Convention’s declaration was an action prompted by the moment, and as the Reign of Terror progressed, the Convention and the Committee passed measures as they were needed to ensure the apparatus worked smoothly.

Unlike the French revolutionaries, Lenin had already made it clear in his work, *State and Revolution* that terror was a necessary part of a revolution. Lenin used the image of terror as a type of midwife to the new order to make his intentions clear that terror was about re-birth, not destruction. Through terror and violence, the new state

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<sup>61</sup> Ibid, 347.

<sup>62</sup> Ibid, 348.

would be born. The terror program when authorized by law would fulfill Lenin's expectation set forth in *State and Revolution*. However, Lenin knew he must wait for the right moment in order for his program to work. This moment came during September, 1918.

In Petrograd, the July 1918 assassination of V. Volodarskii, the Commissar for Press, Agitation and Propaganda, incited a wave of unrest. Bolshevik officials in Moscow rebuked the Petrograd Central Committee for its restraint in avenging Volodarskii's death. The Petrograd Central Committee eventually arrested several suspects in the assassination and promptly executed them. Moisei Uritskii, the official in charge of the proceedings, was then shot and killed by a friend of one of the executed suspects in late August. A few days later, Fanny Kaplan, a Social Revolutionary, attempted to assassinate Lenin as he was leaving a worker's meeting in Moscow. Despite the fact that these events were unconnected, the Bolsheviks decided that there was a nexus because Socialist Revolutionaries were involved in all three plots. The Bolsheviks started a campaign in the press advocating the use of terror.

In contrast to the spirited and passionate debate on the floor of the French National Convention, the need for terror in Russia was disseminated through the pro-Bolshevik press. The press published Cheka proclamations, telegrams, and calls from prominent Bolsheviks supporting and lauding the use of terror. A Cheka proclamation, dated August, 31 1918, warned the bourgeoisie of consequences:

Let the enemies of the working class remember that anyone arrested when carrying arms without the necessary permits and identity papers will be subject to instant execution; any who dares to agitate against Soviet authority will be

arrested immediately and confined in a concentration camp.<sup>63</sup>

In addition to the proclamation, Stalin called for “open, mass, systematic terror against the bourgeoisie and its agents.”<sup>64</sup> The press complained of leniency towards the Revolution’s enemies. The clamor for terror in the press intensified with a telegram from G. I. Petroskii, the Commissar for Internal Affairs ending with the words, “Not the slightest wavering, not the least indecision in the application of mass terror.”<sup>65</sup> The calls for terror culminated on September 5, 1918, when the Sovnarkom decree, which legalized the use of mass terror, was published in *Pravda*, the Bolshevik Party newspaper.

The Sovnarkom’s decree lacked the passion characteristic of the French to push their Revolution forward. Instead, the decree was a measure designed to consolidate and defend with violence to secure Socialist Russia.

The Council of the People’s Commissars, having heard the report of the Chairman of the [Cheka,] finds that in the given situation it is absolutely essential to safeguard the rear by means of terror; that in order to increase the activity of the All-Russian Extraordinary Commission, and to instill into it a more systematic approach, it is necessary to reinforce it with as many responsible Party comrades as possible.<sup>66</sup>

The Red Terror called upon the Bolshevik Party to use revolutionary means to support the Cheka’s mission. In contrast to Danton’s appeals to the French people, the Red Terror declaration was about the Bolsheviks’ safeguarding the new regime, not about Russians becoming revolutionary. Like the French Terror declaration reaffirmed the laws

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<sup>63</sup> As quoted in Leggett, *The Cheka: Lenin’s Political Police: the All Russian Extraordinary Commission for the Combating of Counter-revolution and Sabotage, December 1917 to February 1922*, 108.

<sup>64</sup> Ibid, 108.

<sup>65</sup> Ibid, 109.

<sup>66</sup> Ibid, 110.

passed during March 1793, the Red Terror decree reaffirmed the eighth provision in “The Socialist Fatherland is in Danger” decree that had been issued in February 1918 by allowing the Cheka to exercise its summary justice powers more freely.

Danton’s passionate appeals to the people and the Sovnarkom’s decree in *Pravda* continued to develop the Convention’s and the Sovnarkom’s concept of Terror. By rallying the people, Danton made the Terror part of each individual *citoyen*’s duty to protect the Republic from the any representation of the Old Regime. The emotion displayed by the representatives of the Paris Commune and the Convention deputies set the French Terror as one built on emotion and symbolism. Instead of making a highly-charged emotional appeal to the people, the Bolsheviks leaders made an emotional appeal to loyal Party members to be revolutionary and mobilize to support the ideology. If the Convention or the Sovnarkom lost the support of the people or the proletariat, the transformation of France and Russia would be jeopardized. Who the Convention and the Sovnarkom called upon to be revolutionary also mattered because it continued to define who was a part of republican French society and socialist Russian society. The declarations made a statement as to who was revolutionizing France or Russia and what the revolutionaries were fighting against.

### **Defining a Suspect**

The terrors continued to diverge in regards as to when the legal definition of a counter-revolutionary was passed. Unlike the Bolsheviks who had already defined a counter-revolutionary, the French asserted that a counter-revolutionary movement was threatening France without defining who was or what constituted a counter-revolutionary action. The French revolutionary courts did not have a legal standard to judge whether a



suspect was a counter-revolutionary except in cases a citizen was found armed or participating in open insurrection in accordance to the law of 19 March 1793. The physical apparatus of the Reign of Terror could not work because the emotional charge of the declaration only stated the intent to purge but not how the population was going to be purged. The Law of Suspects, which was passed by the Convention on September 20, 1793, was legal definition of a counter-revolutionary in France.

Like “The Socialist Fatherland is in Danger” decree, the Law of Suspects used existing revolutionary language to define who should be considered a counter-revolutionary. The law was not only the first legal measure passed that governed the revolutionary justice system after the Terror declaration; it was also an official governmental statement of the ideal French Republican. The Jacobins feared that if the Revolution ceased, the gains in liberty and equality would be lost if unwanted elements of the population were allowed to remain in France. The Law of Suspects stipulated six different provisions that determine if a suspect threatened the Revolution or was a good French Republican.

1<sup>st</sup>, Those who, by their conduct, associations, talk, or writings have shown themselves partisans of tyranny or federalism and enemies of liberty; 2<sup>nd</sup>, those who are unable to justify...their means of existence and the performance of their civic duties; 3<sup>rd</sup>, those to whom certificates of patriotism have been refused; 4<sup>th</sup>, public functionaries suspended or dismissed from their positions by the National Convention or by its commissioners, and not reinstated, especially those who have been or are to be dismissed by virtue of the decree of 14 August last; 5<sup>th</sup>, those former nobles, husbands, wives, fathers, mothers, sons or daughters, brothers or sisters, and agents of the émigrés, who have steadily not manifested their devotion to the Revolution; 6<sup>th</sup>, those who emigrated during the interval between 1 July, 1789, and the publication of the decree of 30 March – 8 April, 1792, even though they may have returned to France within the period established by said decree or prior thereto.<sup>67</sup>

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<sup>67</sup> Baker, *The Old Regime and the French Revolution*, 353.

According to the six provisions, a good French republican held a certificate of patriotism, made an honest living, demonstrated the necessary revolutionary fervor, did not express any sympathies for “partisans of tyranny or federalism,” and was not associated with the nobility nor any member of the nobility who had emigrated. The law defined the exact behaviors that were unacceptable in the Republic and implied that the people could understand that the opposite behavior was acceptable. Similar to the Bolsheviks, the Convention used the words “tyranny” and “federalism” to identify members of two commonly known political groups as suspects. The words specifically referred to two groups of people that had already acted contrary to the Revolution. Tyranny referred to the Old Regime’s nobility who had oppressed the Third Estate. The Federalist revolt was a reference to those individuals involved in the widespread rebellion opposed to Jacobin rule in June 1793. The measure’s language was broad, but specific enough for the local surveillance committees to use as a standard to determine whether the suspect was a good French republican or a counter-revolutionary.

The timing of the Law of Suspects and the “Socialist Fatherland is in Danger” decree continues to explain how the Terrors diverged. Lenin set the legal standard almost six months before the Red Terror was legalized. By the time the Red Terror had actually started, Lenin already had the Party operating on a flexible maxim of how to define a counter-revolutionary. In contrast, the French did not define a counter-revolutionary until after they had declared terror. After complaints from the local surveillance committees, the Convention deputies realized that they must define a suspect so that the apparatus could operate.

## Sovereignty during the Terrors

The Terrors ushered in a new phase of revolutionary government in both countries. Revolutionary government differed in both countries because the French and Russian revolutionaries did not manage their Revolutions in the same manner. While both governments declared the Terrors as extraordinary programs, the French actually changed the structure of their government with the Law of 14 frimaire<sup>68</sup> while the Russian government simply altered the authority given to government institutions.

In October and December 1793, the French Convention altered the structure of their government to reflect the extraordinary circumstances of the Terror. Events such as the *Levy en Masse*, the Law of Suspects and the Law of the General Maximum<sup>69</sup> forced the Convention to reaffirm its confidence in the Committee when they claimed to be unable to implement the Constitution without the Convention's exclusive support. On October 10, 1793, the Convention adopted Saint-Just's proposal entitled "The Provisional government of France is revolutionary until the peace."<sup>70</sup> The proposal read, "the Committee should supervise the Revolutionary Army, the generals of the real armies, the ministers of state and the constituted authorities."<sup>71</sup> With the temporary suspension of the

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<sup>68</sup> In October 1793, the French adopted a new calendar to conform daily life to a new republican existence. The Gregorian years and months were replaced by twelve equal thirty-day months with the extra days running up to the autumnal equinox. The week was ten days long with one day of rest. The months were named with agriculturally related names associated with the season the month belonged too. Frimaire became the former Gregorian month of December.

<sup>69</sup> The *maximum general* was a series of laws passed to control prices and wages. The price controls are considered to be the economic Reign of Terror. Price controls on various goods such as sugar, soap, and grain were passed in February and May, 1793. The *maximum general*, passed in September, 1793, federally regulated the prices on all commodities and wages.

<sup>70</sup> R.R. Palmer, *Twelve Who Ruled: The Year of Terror in the French Revolution* (Princeton: Princeton University Press, 1969), 75.

<sup>71</sup> *Ibid*, 74.

Montagnard Constitution<sup>72</sup> and the escalating external and internal crisis, the Committee was given emergency executive authority to govern the Republic. Saint-Just's proposal changed the balance of power in the French revolutionary government because the Committee had the authority in charge of the day-to-day operations as well as the foreign war and the Terror program.

Law of 14 frimaire (December 4, 1793) continued to centralize the French government under the Committee. The new law formalized the new revolutionary government established in October and restructured the entire government. The government was revolutionary because it was out of step with the traditional norms of republican government. It made quick decisions that were carried out immediately, without second thought. The Committee and the Committee of General Security continued to supervise all constituents, departments, districts, and communes. Only the national government could raise armies and taxes. As the sole entity that could enforce the measures of the Law of 14 frimaire, the Committee wielded sovereign authority over the Convention and had the power to begin to limit the Commune's influence on the Revolution. The Convention simply re-affirmed the Committee's membership and rubber-stamped their measures.

Unlike the Committee, the Cheka's independence did have its limits. Although the Red Terror declaration gave the Cheka full authority to conduct its operations, the

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<sup>72</sup> The Montagnard Constitution was ratified in June 1793 by the Convention. The Constitution was an idealistic document based on the Declaration of the Rights of Man and of the Citizen (adopted by the National Constituent Assembly on August 26<sup>th</sup> or 27<sup>th</sup> 1792.) The Constitution granted universal male suffrage and affirmed various rights such as the right to food and to revolt. The Constitution also abolished slavery in France and its colonies. Historians often assert that the Constitution was written with the intention of never being implemented. R.R. Palmer suggests in his book, *The Twelve who Ruled* that the constitution was a symbolic gesture to calm the widespread Federalist Revolt after the *journée* of June 2, 1793.

Cheka had to act within the guidelines set by the Sovnarkom. The Cheka had full autonomy from the Commissariat of Justice, but Lenin and the members of the Sovnarkom supervised the Cheka Collegium. As the liaison between the Cheka and the Sovnarkom, Dzerzhinsky ensured that the Cheka's operations matched the Sovnarkom's decrees and policies. For example, when the Sovnarkom repealed the death penalty, the Cheka could no longer execute suspects unless special parameters were met. Cheka decrees issued by Dzerzhinsky often indicated a change in the Cheka's operation that was dictated by the Sovnarkom. The Sovnarkom gave the Cheka an unlimited scope of power as long as it was acting according to the Sovnarkom's parameters.

The Committee and the Sovnarkom wielded sovereign power during the Reign of Terror and the Red Terror in order to continue the expansion or defense of their respective revolutions to re-create their societies. In France, executive authority was concentrated in the Committee because they had the authority to manage the foreign war and the Terrors. However, the Committee did not delegate tasks to the Committee of General Security and the twelve Commissions. Instead, the Committee members worked long days to solve France's problems. In contrast, the Sovnarkom maintained its sovereign authority by delegating the tasks of defending Russia's physical borders and physically re-creating Russia's population to the Commissariat of War and the Cheka.

### **Expanding Revolutionary Justice**

In addition to a new phase of governance, the Terrors also instituted a new standard of justice. As the Terrors changed, the Committee and the Sovnarkom used their authority to change the role and meaning of justice in Revolutionary France and Russia. The revolutionaries used a mix of procedural and summary justice to purge

counter-revolutionaries. The Committee and the Convention began the Reign of Terror using a procedural system that consisted of a jury trial with a judge, jury, prosecutor, and defense counsel. As the Reign of Terror progressed, the French revolutionary government gradually streamlined the justice system to resemble a summary system with procedural rules. In contrast, the Russian Cheka's system started with summary justice where an individual was accused, tried and executed on the spot by Cheka officials acting as the judge, jury and executioner. As the Red Terror unfolded, the summary system gradually transitioned to a procedural system with summary rules.

The mix of procedural and summary justice reflected the fluidity of revolutionary justice. Whether or not it was procedural or summary, revolutionary justice had to be able to purge counter-revolutionaries efficiently and quickly. The French procedural and summary justice did not necessarily resemble the Russian procedural and summary justice because they each occurred at different times during the two Terrors. The fluidity of the justice system indicated the extent that the Committee and the Cheka perceived the threat of counter-revolutionaries. The Committee streamlined revolutionary justice because the Terror program was losing popular support and it was harder to justify someone being a counter-revolutionary, while the Cheka's transition from a summary justice indicated that the fight against the counter-revolutionaries was changing.

### **French Procedural Justice**

After the declaration, but before the Law of 14 frimaire, the French had a procedural justice system. The French revolutionary justice system had three distinct parts. Suspects were accused and confined, tried before the Revolutionary Tribunal and then executed. The procedural process observed by the French reflected a traditional

American jury trial by preserving the defendant's rights to counsel and to be tried by one's peers.

The local surveillance committees were responsible for identifying suspected counter-revolutionaries. Considered to be one's patriotic duty, the public was encouraged to submit written denunciations of suspected counter-revolutionaries to their local surveillance committee. The committee determined whether or not the denunciation(s) held enough merit to arrest the accused individual. If action was deemed necessary, the suspect was arrested. Scholars of the Reign of Terror in the provinces have found that the members of the local surveillance committee and those who were denounced depended on local circumstances and politics.<sup>73</sup>

Once arrested, accused counter-revolutionaries were held in prison until their trial in front of the Revolutionary Tribunal. Prison life in Republican France was miserable. Prisons including the *Conciergerie*, monasteries and other buildings were overcrowded, unsanitary and dark. Wealthy prisoners could pay for a bed, better meals and lodging while poorer prisoners were held in miserable conditions including sleeping on hay in cramped and crowded cells. Still, prison life was what the prisoner made it to be. Prisoners formed their own communities to support each other. Often group of prisoners would rehearse their trial in front of the Revolutionary Tribunal and execution to prepare them for what was to come. Some prisoners were resigned to their fate and wasted away

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<sup>73</sup> The local stories of the Reign of Terror demonstrate how the political dynamic in each province dictated their interpretation of the Terror and how it was implemented in that particular province. For a general explanation of terror in the provinces see Richard Cobb *The People's Armies: the Armées révolutionnaires, instrument of the terror in the departments, April 1793 to floreal year II*, Translated by Marianne Elliott. New Haven: Yale University Press, 1987 and John Sichiach, *The Revolutionary Committees of France 1793-1794*, Cambridge: Harvard University Press, 1943. For terror specific to Marseilles, see Michael Kennedy, *The Jacobin Clubs in the French Revolution: 1793-1795*, New York: Berghahn Books, 2000.

before their trial in front of the Revolutionary Tribunal. Other prisoners saw their arrests as their protest against the system.

The early French Revolutionary Tribunal trials reflected what are considered traditional standards of justice. The accused had the right to counsel who would argue the defendant's case in front of a jury and a judge after the public prosecutor had presented the government's case. After arguments from both sides, the jury would decide the fate of the accused. The tribunal was considered lenient by the *sans-culottes* and other radical revolutionaries. In the beginning months, few prisoners received the death penalty, and many were either cleared or given lighter sentences. The courts' lenient actions infuriated many of the extreme revolutionaries because they wanted swift action to stop the enemies of the Republic. The tribunal had been set up to be an agent for revolutionary justice, and by its not imposing guilty judgments and sentences, it was not removing the people who Robespierre would later declare as unvirtuous and not inspiring the rest of the people of France to be virtuous.

### **Russian Summary Justice**

After the terror declaration, Russian revolutionary justice was centered on the Cheka's ability to administer summary justice. During the Terror the Cheka had absolute judicial power. It functioned as a complete judicial system by serving as the investigator, the police, the interrogator, the judge, and executioner. Arrests were often arbitrary. A person could be arrested simply because he or she had the same name of a suspect on the arrest list.

Once arrested, suspects had no due process. Imprisoned suspects did not know the nature of their crime of which they were accused and were crowded into prisons.



Cells were so crowded that there was no room for suspects to lie or sit down. Many prisoners signed false confessions after brutal interrogations. Most prisoners did not even know the charge against them. There was no trial. Prisoners languished in crowded prisons until the guards summoning them either to further questioning or to their death by standing in the doorway and calling their name. Never knowing what was going to happen, prisoners always took their belongings in case they never came back.

### **French Summary Justice**

After the Law of 14 frimaire, the Committee actively manipulated the terror apparatus to strengthen the authority of revolutionary justice. The Committee passed three measures that streamlined the justice system by creating a pre-determined trial length, altering the jurisdiction of the Revolutionary Tribunals, and implementing a pre-determined guilty verdict. As the French system began to lean toward summary justice, it retained nonetheless a modicum of order and procedure. The process preserved the purpose, but not the integrity of a jury trial in the administration of fair justice. All three measures that passed retained a strict procedure, but they compromised the prestige and purpose of a jury trial. Unlike Russian summary justice, the judge, jury, and prosecutor remained separate. In France, the counterpart to the Cheka was the Revolutionary Armies, but they also acted in line with procedures set by the Revolutionary Tribunals. There was never a French entity parallel to the Cheka that acted as prosecutor, judge, and jury in the French system. As a summary system began to take hold, the Convention lost sight of the Terror creating vitreous citizens of France.

During the show trials of the French Revolution, the Committee began to see weaknesses in the revolutionary justice system that prompted them to take action. The

Tribunal trials were always open to the public because the Convention saw the trial as part of the terror apparatus that would inspire virtue in the crowd. The focus on a particular individual or ideologies demonstrated to the crowd in galleries what was not considered to be virtuous republican behavior. Often the audience was involved in the process by being permitted to vocalize their own opinions by cheering the verdict and taunting the accused. Attendance depended upon who was being tried by the tribunal. People packed the courtroom's galleries to witness the show trials of the twenty-two Girondins, Marie-Antoinette, as well as Danton and his followers in order to see that justice was served to those who betrayed the Revolution.

The first show trial defendants were the twenty-two Girondins who were arrested during the *journée* of June 2, 1793. During the trial, the Girondins' eloquent and convincing defense made the weaknesses of the government's evidence more apparent. To prevent losing the case, the Convention limited trials to three days, provided that the public prosecutor had presented enough evidence to convince the jury of the defendant's guilt. This measure was a deliberate reaction because the Convention realized that if the Girondins were acquitted, the creditability of the French revolutionary justice system would be badly damaged. This measure would ensure a guilty verdict in the remaining show trials against Marie-Antoinette, the Hébertists, and the Dantonists. The show trials were important ideological victories for the Convention because they justified the need for revolutionary justice.

The second measure, the Law of 19 floreal (May 8, 1794) centralized the terror apparatus in Paris and elevated the Paris Revolutionary Tribunal as the supreme authority of counter-revolutionary activity. The provincial revolutionary tribunals no longer had

the right to prosecute individuals on counter-revolutionary related charges. Instead, the accused persons traveled to Paris for their trials. This provision made the Paris Revolutionary Tribunal's interpretation of the Law of Suspect the official interpretation of the Terror laws. The differing regional interpretations of the Terror and local political dynamics could no longer taint the national program to purge the population.

The third measure, the Law of 22 prairial (June 10, 1794,) was the Committee's final step that accelerated the Terror by streamlining the judicial process of the Revolutionary Tribunals. The law started a new phase of the Terror, known as the Great Terror, which was marked by an increase of executions over previous months. According to David Sutherland's research, 57 percent of all of the victims of the Paris Revolutionary Tribunal (from September 1793 until July 1794) were convicted in June and July 1794.<sup>74</sup> The increase in executions reflected the new changes in the judicial process. The law denied the accused the right to counsel and the right to present witnesses on his or her behalf. Convictions were made on the basis of moral certainty of guilt rather than proof of guilt. The Committee and the National Convention decided that intent to commit a counter-revolutionary act would be as serious as the actual commission of a counter-revolutionary act, and the jury was instructed to this effect. The government had shifted its focus from purging existing counter-revolutionary elements such as the members of the aristocracy, the refractory priests and the Vendée rebels to focusing on purging prospective enemies of the Republic. Under the Law of 22 prairial, the Terror lost the focus of the individual obtaining virtue by being involved in the

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<sup>74</sup> Sutherland, *The French Revolution and Empire, The Quest for Civil Order*, 229.

revolutionary justice system. Instead, with the swift speed of trials and public executions, the crowd began to lose interest in the whole process.

### **Russian Procedural Justice**

As the Red Terror progressed, the concept of justice began to lean away from outright summary justice. The concept of Russian revolutionary justice wavered around the appropriateness of the death penalty. On two occasions, the Bolsheviks revised the administration of the death penalty and then followed both decrees with another decree reinstating the use of capital punishment. The controversy regarding the death penalty reveals that the Bolsheviks were wavering about the rightness of this punishment despite the firm rhetoric in support of it.

In February, 1919, and again in January, 1920, decrees were issued that abolished the use of the death penalty by the Cheka and the Revolutionary Tribunals. By the discontinuation of the death penalty, the Bolshevik revolutionary justice system began to lean toward a camp system of forced labor, later known as the Gulag. A February, 1919, decree issued by the Party Central Committee restricted the Cheka's use of the death penalty to instances of armed rebellion and banditry and to areas under martial law.<sup>75</sup> The Revolutionary Tribunals were the only authority that could order and carry out sentences. A decree in June, 1919, followed the February decree by listing those offenses such as treason, espionage, arson, and membership in a counter-revolutionary organization, etc that warranted summary justice. In January, 1920, almost a year later, the Sovnarkom formally repealed the death penalty, robbing the Cheka and the

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<sup>75</sup> As quoted in Leggett, *The Cheka: Lenin's Political Police: the All Russian Extraordinary Commission for the Combating of Counter-revolution and Sabotage, December 1917 to February 1922*, 183.

Revolutionary Tribunals of their revolutionary justice sanctions. The Bolsheviks were moving toward a system based on prolonged confinement rather than on capital punishment.<sup>76</sup>

In January 1921, the administration of Bolshevik revolutionary justice began to transition from the Cheka to the Revolutionary Tribunals. The debate on the status and authority of the Cheka in Socialist Russia began when Dzerzhinsky sent a letter to the Party Central Committee outlining the “Vecheka’s [the Cheka] views and actions with regard to restriction of the death penalty, contraction of the Vecheka’s punitive functions, and the need for systematization of judicial machinery, now that the Civil War was over.”<sup>77</sup> In December 1920, Dzerzhinsky had already banned executions without official sanction except in cases of open insurrection. In June, the Party Central Committee subordinated all the Revolutionary Tribunals created during the Red Terror including those in the Red Army and the Railway under the Commissariat of Justice. The unification of the Revolutionary Tribunals, together with the Cheka’s new limited authority except in cases of banditry, espionage and armed rebellion, signaled a shift away from outright summary justice to a more procedural system with death not being the only punishment.

When the New Economic Program (NEP) was introduced, the Cheka’s authority and status were further diminished, while the status of the Revolutionary Tribunals

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<sup>76</sup> Lenin believed that labor discipline was “the most decisive and draconic measures for raising the workers’ and peasants’ discipline and self-discipline.” (As quoted in Leggett, 172.) As early as April 1919, the Bolsheviks were already operating forced labor camps in Russia. A decree passed by the TsIK formally introduced the concept of forced labor in the Bolshevik system calling it “compulsory labour [sic] mobilization.” (As quoted in Leggett, 176.)

<sup>77</sup> As quoted in Leggett, *The Cheka: Lenin’s Political Police: the All Russian Extraordinary Commission for the Combating of Counter-revolution and Sabotage, December 1917 to February 1922*, 340.

increased. A resolution passed at the Party's Eleventh Conference in December 1921, stated "New forms of relations, emerging in the process of revolution and on the basis of the economic policy pursued by the state, should reflect in the law...the establishment in all spheres of life of the strict principles of revolutionary legality."<sup>78</sup> Judicial organs such as the Revolutionary Tribunal were in charge of revolutionary justice and legal justice in Bolshevik Russia. The Cheka's extensive network of personnel and resources would be used to reinforce the Commissariat of Justice's efforts.

The changes in the revolutionary justice system culminated in the dissolution of the Cheka and the establishment of the State Political Administration (GPU.) The GPU was part of the Commissariat of Justice and was responsible for "(a) suppression of overt counter-revolutionary activity... (b) counter-espionage; (c) protection of railways and waterways; [and] (d) political security of the RSFSR's Frontiers."<sup>79</sup> The stated purpose of GPU made it solely responsible for politically related crimes, not criminal ones. Neither the People's Court nor the Revolutionary Tribunals had the authority to try cases, pass sentences, and/or enforce the sentences that related to political activities. The GPU was vested with the authority only to search and arrest, after which it had to transfer cases to the appropriate court. Accused persons arrested by the GPU officials had to be notified of their charges within fourteen days of their arrest and be tried within two months after their having heard the charge against them.<sup>80</sup> At least on paper, the GPU

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<sup>78</sup> As quoted in Leggett, *The Cheka: Lenin's Political Police: the All Russian Extraordinary Commission for the Combating of Counter-revolution and Sabotage, December 1917 to February 1922*, 342 – 343.

<sup>79</sup> *Ibid*, 344.

<sup>80</sup> Leggett, *The Cheka: Lenin's Political Police: the All Russian Extraordinary Commission for the Combating of Counter-revolution and Sabotage, December 1917 to February 1922*, 345.

adhered to traditional standards of justice that former Commissar of Justice Steinberg had tried to implement during the spring of 1918.

Revolutionary justice in both countries shifted within their original form. The French Revolutionary Tribunal trials retained a procedural nature through the end of the Reign of Terror, with some trials operating under more formal procedure than others. The first French Revolutionary trials in the fall of 1793, and the trials in June and July of 1794, were very different because the French standards of justice changed. In 1793, the suspect had the right to counsel and convicted on actual evidence, but by the summer of 1794, the defendant could be convicted on moral grounds, with death as the only penalty. The Russian Terror system retained a summary nature. Trials at the beginning of the Red Terror were dispensed more summarily than the later ones. Originally, the Cheka operated the entire summary justice system. Towards the end of the Red Terror and after, the Revolutionary Tribunal administered a summary procedural form of justice. The Russian system was unlike the French procedural justice system because the procedural justice masked the summary nature. The shift from summary to procedural justice allowed terror to become part of Bolshevik Russia.

### **Public and Hidden Executions**

Revolutionary justice culminated in the execution of all convicted counter-revolutionaries in France as well as in Russia. The public executions of French counter-revolutionaries continued the public spectacle that was started at the condemned's trial. The condemned counter-revolutionaries were loaded into a tumbrel twelve at a time and

taken to the public square where the guillotine<sup>81</sup> was mounted on a scaffold. One by one, the condemned counter-revolutionaries walked up the steps to the guillotine, strapped to a board and beheaded. In Russia, the hidden executions of Russian counter-revolutionaries continued to hide the Terror apparatus from the public eye although its operations were widely known. The condemned Russian counter-revolutionaries were taken to a secluded place, ordered to undress and then shot with one bullet in the back of the head. Furthermore, lorries would idle their engines to conceal the cries of the condemned and the fatal shot.

The differences between the methods of execution point towards how each government relied on the public being part of the Terror's apparatus. The French revolutionaries believed that the public's participation was essential because by witnessing the trials and executions they became virtuous. In contrast, the hidden executions of Russian counter-revolutionaries indicated an emphasis on purging the physical population of Russia while placing the public spectacle outside of the revolutionary justice system to lessen a negative connotation of the national government.

The French revolutionaries relied on the public executions to destroy the Old Regime and to create virtuous citizens who were part of the Republic. The violence would inspire a love of the *patrie* because it conveyed a message for constant vigilance needed to protect the Republic. While the condemned counter-revolutionaries were the

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<sup>81</sup> Dr. Joseph Guillotin introduced a bill to the Constituent Assembly that proposed decapitation as the only lawful form of capital punishment. Under the Old Regime's standards, a condemned man's execution would depend on the nature of the crime and his rank in society. Decapitation changed the execution process by establishing a method to preserve humanity, dignity and equality. The guillotine shortened the ordeal both for the condemned and the executioner because the machine performed the actual execution. The executioner's supporting role of releasing the blade ensured impartiality. Dr. Guillotin insisted that a priest be present on the scaffold in order to administer any last rites to ensure the condemned's salvation.



center of the public executions, the crowd was a captive audience. According to the Robespierre the crowd's actions such as throwing rotten vegetables at prisoners and cheering when the executioner held up a severed head were needed so the crowd could attain virtue. As the crowd became more virtuous through witnessing and being part of the public executions, the Convention would achieve virtue and then the Republic would be maintained. As the rate of executions increased, the crowd got lost in the speed. They no longer had their moment to cheer the death of a counter-revolutionary to attain their virtue.

In contrast, the Bolsheviks hid executions of counter-revolutionaries so they could create a public spectacle that was not part of the Terror apparatus. Although the Cheka's operations were widely known, with the exception of arrests, the only people who saw the apparatus at work were the arrested counter-revolutionaries and Cheka officials. By removing the public spectacle from the Terror apparatus, the Bolsheviks defined Terror as purging the physical population of Russia of counter-revolutionary elements. They did not glorify the Old Regime's tradition of public executions by allowing counter-revolutionaries to die like martyrs supporting any previous regime.

While the French executed counter-revolutionaries in the public square to emotionally create Republicans, the Russians created a public spectacle outside of the Terror apparatus. Similar to the reversal of the use of procedural and summary justice, the Bolsheviks created a cultural education program that taught Russians how to be good socialists. The agitations trials analyzed by Elizabeth Woods in her work *Performing Justice Agitation Trials in Early Soviet Russia* were the public spectacle of the Russian Revolution that engaged the workers and the Red Army soldiers in an on going

discussion to explain how socialist society works including its values and legal norms. The Bolsheviks slowly built the socialist state through these agitation trials. In contrast, the public executions did not build the French Republic because the cheers from the crowd did not teach “revolutionary consciousness” because the cheers reaffirmed the public’s approval of the executions. The crowd’s cheers were one of the few behaviors the crowds knew that were uniquely republican. In contrast, the agitation trials taught “revolutionary consciousness” and “Soviet legal consciousness”<sup>82</sup> because the public learned how to “act Bolshevik.”<sup>83</sup> The French revolutionaries believed in the people conforming to abstract ideal expressed by the public executions. In contrast, the Bolsheviks taught the Russians to conform to socialist society by teaching them the legal and social norms.

### **To Purge or Not to Purge**

The end of both Terrors created new revolutionary governments that indicated a turning point in the fervor for change in both France and Russia. The patriotic fervor in both countries began to dampen as the French and Russian armies successfully ended the foreign invasions of their respective countries. The people did not have a reason to be patriotic because their countries were no longer attack. As the need for a state emergency lessened, both the Convention and the Sovnarkom found it necessary to remake their government policies and institutions, including the Committee and the Cheka in order for both revolutions to continue. Both national governments changed in order to reflect another interpretation of the revolutionary principles.

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<sup>82</sup> Elizabeth Woods, *Performing Justice Agitation Trials in Early Soviet Russia* (Ithaca: Cornell University Press, 2005), 6.

<sup>83</sup> *Ibid*, 11.

With the French army's victories, the French Revolution was no longer expanding within or outside of France. The revolutionary spirit was dampening as French citizens sought to make sense of the revolution and its results. As pressure mounted to end the Terror, the Robespierrists<sup>84</sup>, who controlled the Committee of Public Safety continued their efforts to keep the Terror going. Robespierre's speech to the Convention on 8 Thermidor (July 26, 1794) explicitly named three members of the Finance Committee as enemies of the Republic and alludes to other enemies through their positions and supposed misdeeds. His speech prompted the weary Convention deputies to take action to prevent another government purge. Those deputies accused of being enemies defended themselves with vigor. After being accused by Robespierre of counter-revolution activities, Pierre-Joseph Cambon, the chair of the Finance Committee declared, "A single man has paralysed the will of the Nation Convention...It is Robespierre, judge for yourselves."<sup>85</sup> Cambon's startling assertion set in motion a series of events that ended the Committee's dominance over the Convention. On 9 Thermidor (July 27, 1794) Convention forces arrested Robespierre and several other Robespierrists. On 10 thermidor (July 28, 1794) the Reign of Terror ended as Robespierre's haunting screams were silenced when he was executed. The silence must have been deafening, as the terrorist framework came to a complete stop.

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<sup>84</sup> The Robespierrist faction was a small group of Jacobins led by Robespierre that included Louis-Antoine Saint-Just, Georges Couthon, Augustin Robespierre, Claude Francois Payan and Francois Hanroit who were members of the Committee as well as loyal Jacobins who worked in the Paris Commune and other institutions. Along with Robespierre, these five Robespierrists were executed on 9 thermidor. Other Robespierrists and prominent Reign of Terror officials such as Antoine Fouquier-Tinville were executed after the Reign of Terror ended.

<sup>85</sup> As quoted in Andress, *The Terror: the Merciless War for Freedom in Revolutionary France*, 335.

The downfall of the Committee restored the Convention's sovereign authority. The Convention elected new Committee members and subordinated the Committee under its authority. The Convention could not avoid accountability for the Terror program because as Barère had said earlier in the Revolution, "[The Committee] is a portion, a summary version of yourselves; one cannot accuse it unjustly without attacking every one of you."<sup>86</sup> The purge of the Robespierriest faction from the Convention was the last and final purge of a revolutionary faction. The Terror ended with the mastermind of the program's death. Although the Convention's authority had been weakened, the Convention continued to govern France until it ceded its authority to the Directory in 1795.

The Red Terror ended the way it began with a simple decree abolishing the Cheka. Unlike the Convention, the Sovnarkom avoided being held accountable for the Terror. The Cheka was a completely separate entity from the Sovnarkom since Cheka officials, with the exception of Dzerzhinsky, did not serve in the Sovnarkom. The Sovnarkom was able to adapt to the changing circumstances prevented it from losing its sovereign authority like the Convention. With the introduction of NEP, the Bolsheviks re-evaluated their positions and decided to eliminate the Cheka because its function was no longer beneficial to the Revolution.

Although the Red Terror was over, the Bolsheviks continued to use terror in a different form. Governed by the Commissariat of Internal Affairs, the creation of the concentration camp system, later know as the *Gulag*, preserved the struggle against the bourgeois. The Bolsheviks re-evaluated their actions and determined that, since peasants

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<sup>86</sup> Bouloiseau, *The Jacobin Republic, 1792-1794*, 88.

and workers were the true inhabitants of the communist society, they could be re-educated within society, while the bourgeois must be removed.

At the end of the Reign of Terror, the Committee no longer had the public support for the program. The Committee was unable to relax the Terror apparatus because they did not want to lose their emergency executive authority. In the end, the faction that supported the Terror was purged because it could not adapt to the changing demands of the Revolution. Robespierre and his followers refused to change because they believed that they were the embodiment of the new orders. In contrast, the Bolsheviks were able to change to adapt the changing needs of Russia. By being able to relax the justice system gradually and dissolve the Cheka, the Bolsheviks were able to introduce the concept of being a Bolshevik and establishing a standard of behavior and social norms. In Russia, terror became a part of society, perhaps the way Robespierre and the other Robespierrists had envisioned it would be in France.

## **Thesis Conclusion**

This paper analyzed how the Reign of Terror and the Red Terror started with the same objective to re-create their respective societies but diverged according to the Convention's and Sovnarkom's definition of terror. The French revolutionaries had been able to articulate the theory of a counter-revolutionaries being an enemy of the state; however, they were unable to implement a terror system that would continuously revolutionize France. In contrast the Bolsheviks articulated who were counter-revolutionaries and worked to purge them from Socialist Russia without threatening the Sovnarkom's sovereign authority.

The first section compared how the Convention and the Sovnarkom remade themselves repeatedly as the Revolutions progressed. The Convention and the Sovnarkom were revolutionary for France and Russia because both governments sought to represent the people of France or the Russian working class. After asserting themselves as the sovereign authority, the Convention and the Sovnarkom created the Committee and the Cheka to solve the most important issues such as the foreign war and internal security that threatened the existence of their Revolutions. As the Revolutions unfolded, the Convention and the Sovnarkom transformed themselves by eliminating the moderate Girondin political faction or Left SRs viewed as a hindrance to the Revolution. To reflect the changes in their national governments, the Committee and the Cheka were purged of any remaining influences that were viewed as hindering the forward progress of both revolutions.

The second section compared the elements of both Terror programs including their declarations, justice systems and executions of counter-revolutionaries. Until their

declarations of Terror, the Convention and the Sovnarkom experienced several similar changes within their respective governments; however after the declarations, the French Reign of Terror and the Russian Red Terror began to diverge to create two different models of state terrorism. The divergence begins because the Convention viewed Terror as transforming the individual while the Russians viewed the Terror as transforming the state by purging the physical population. The legal basis for both Terrors was also constantly changing. French procedural justice turned into summary justice with a nod to procedure. Russian summary justice was slowly manipulated into procedural justice with a pre-determined verdict. Although all counter-revolutionaries in both countries were executed, the public display or lack of a public display of these executions point towards the French Terror executing the Old Regime while the Russians built the new order.

This comparison has shown how Robespierre and Lenin ran different Terror programs with the same objective because of their different philosophies of terror. The French Terror developed as it progressed and turned on itself because the Convention deputies did not know exactly how to transition their terror into a peacetime strategy. Unlike the Bolsheviks, the French did not create a system that would continuously revolutionize France. Although the French Terror became Lenin's model, Lenin and the Bolsheviks revised the Reign of Terror to create another state Terror model that regenerated society according to Bolshevik revolutionary principles. His changes highlighted in this paper included not allowing the Cheka to have complete autonomy from the Sovnarkom, reversing the use of procedural and summary justice, and removing the public spectacle of death from the apparatus. The Red Terror did not turn on itself

because Lenin successfully dissolved the Cheka and upheld the Sovnarkom's image as the sovereign authority. The differences between the French and Russia Terrors highlight that both state terror systems had the same philosophies but were executed using different strategies according to French and Russian revolutionary principles.



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