

Hargens Says Trial Meticulous

Moscow, in German to Germany, Aug. 22, 1960, 1000 GMT--L

(Christian Vilhelm Hargens, advocate of the Danish Supreme Court, on the Powers trial)

(Summary) I attended all sessions and was surprised at the meticulousness with which the trial was conducted. The trial was well prepared by a number of commissions, which submitted the results of their investigations. Every word at the trial was translated into English by the two experienced translators. As a lawyer I was particularly interested in the defense, and I must say that Powers' counsel was outstanding. His address was excellent and effective. Powers could not have had a better lawyer. One cannot but say that the defendant was sentenced with complete justice. The sentence was lenient if one considers the gravity of his crime.

"Although I am convinced that Powers kept many things back, he nevertheless confessed frankly that he had committed a crime, and he understood the nature of the crime." Summing up one's impressions of the trial, it must be stated that all demands which could be made for a just trial, whether in the East or the West, were met.

"Anyone who attended the trial finds it difficult not to make comparisons. Above all, I am impelled to compare it with the Rosenberg case. Everyone will remember how those two innocent people were sentenced on the basis of completely unproved accusations, and everyone will remember that they were sentenced to death as the result of an indictment, the credibility of which does not bear any comparison whatsoever with the lawful character of the charge against Powers who was sentenced to 10 years of deprivation of freedom, including 3 years in prison.

"The thoughts which I expressed here are not subjective, because I have talked to many lawyers from various countries and whomever I talked to said exactly the same thing: The trial was conducted in an unimpeachable manner and cannot give rise to any objections."

Rogers Hails Grinev's Defense

Moscow, TASS, Radioteletype in English to Europe, Aug. 19, 1960, 1920 GMT--L

(Text) Frank Rogers, the lawyer of the Powers family, told a group of Soviet newsmen that a few months before their arrival in the Soviet Union his colleague Alexander Parker and he had studied the Soviet court procedure.

It must be said, Rogers pointed out, that it was strictly observed at the trial. Rogers said that his colleague and himself were of high opinion about Mikhail Grinev. No other, he said, could have put up a better defense than did Grinev. He fulfilled his professional duty and did it well.

USSR COVERAGE OF AUG. 19 PROCEEDINGS

Home Service Report

Moscow, Soviet Home Service, Aug. 19, 1960, 2000 GMT--L

(Recorded reportage from the Hall of Columns of Trade Union House)

(Excerpts) Commentator: The entrance of the judges. For three days running, these words have been spoken at the beginning of each hearing. They produced a threatening reverberation in the ears of Powers' of all calibers, big and small, all those who have made war their business, who are gambling on the black stock exchange of death for bigger profits, turning the grief and tears of mothers into streams of gold to enrich arms merchants. The echo of these words has resounded throughout the world, for some as a call of justice, for some a hope for the victory of law, and for some as the toll of the funeral bell. What has been buried is the idea that one can go unpunished for committing crimes against peace, that one can go unpunished for violating the sacred frontiers of our homeland.

The state prosecutor, an outstanding lawyer who gained world fame as long ago as the trial of the major Hitlerite war criminals in Nuremberg, Roman Andreyevich Rudenko, begins his speech for the prosecution. With head bowed, the defendant listens to it, a small black figure against the light background of the white-columned hall. He is obviously ashamed, painfully ashamed.

In his speech, the procurator general quoted incontrovertible facts proving that U.S. state organs and military offices took part in preparations for the criminal flight as well as his majesty moneybags himself. The aircraft which Powers flew was made by the Lockheed firm. The managers of this large California company assumed the obligation not only of manufacturing the spy plane but also of training its pilot. It is not out of place to mention here that one of the Lockheed company bosses is U.S. Vice President Richard Nixon. Is this not the reason for his raging attempts to discredit Soviet justice?

USSR INTERNATIONAL AFFAIRS
AUG. 21, 1960

The prosecutor continues to speak. I am looking toward the balcony at a young man with a thin moustache. He is an American journalist. At the beginning of Rudenko's speech, he hastily took out his notebook and his pen. Ten minutes have passed and his notebook is still empty, 20 minutes, and it is still empty. But this American blushes. Finally he takes his notebook and fans himself. (Recording of Rudenko stating that the U.S. Government inspired and organized Powers crimes omitted.)

More and more absolutely irrefutable proofs are quoted by the prosecutor general. We are sitting next to the box where the members of the family of defendant Powers are. His mother, a woman with white hair, is tormented by shame. Each word of the prosecutor falls on her heart like a stone. In fact, the purpose of that speech is to protect millions of mothers from the torment to which the bosses of Washington have condemned this woman. Soviet justice is being done in this hall so that smiles, not tears, may be seen on the faces of mothers, Russian or American, Japanese or Cuban, Congolese or British, all those who think of peace, not of war.

(Recording of Rudenko asking the court to sentence Powers to 15 years imprisonment omitted)

Commentator: The hall is applauding. That is not customary at a trial, but those who are present in this hall could not refrain from applauding. Those applauding are Soviet people who admire the strength and logic of the ideas of socialism heard in the vivid speech made by the USSR procurator general. Those applauding also include foreigners, people who are very remote from the (sensations?) in our country, even biased bourgeois journalists whose editors had told them not to spare any effort in their attempts to blacken Soviet legal procedure.

They applaud the humanity of socialist law which tries criminals for their crimes and never proceeds from considerations of hatred and revenge. The procurator had every reason to demand exceptional punishment, the death sentence, and did not demand it. He did not demand it because Soviet law does not seek revenge.

Mikhail Ilyich Grinev, the defendant's counsel, begins his speech. It is difficult to act as counsel for the defense in a trial in which the defendant's great guilt has been proved so fully and clearly, but Soviet law demands that counsel for the defense should seek and find all circumstances which may mitigate the guilt of the defendant, if they exist.

Grinev: Comrade presiding judge, comrades people's assessors of the Military Collegium of the USSR Supreme Court! I will not conceal from you the extremely difficult and unprecedentedly complex situation in which counsel for the defense finds himself in this case. Defendant Powers is accused of a serious crime, of intruding into USSR airspace with a view to gathering espionage information and carrying out aerial photography of industrial and defense objectives as well as gathering other data of an espionage order.

Commentator: The hall listens attentively to the speech of counsel for the defense.

Grinev: It is regrettable that it is only Powers who sits in the defendant's dock. If those who sent him to his crime were sitting beside him one could be sure that the position of defendant Powers would be different for he would then occupy a place of secondary importance and could consequently doubtless rely on a considerable mitigation of his punishment. First of all, I would like to draw the court's attention to the defendant's age. Powers is still young. Quite recently he had his 31st birthday. I also believe it my duty to remind the court of the fact that when he signed his contract with the U.S. Central Intelligence Agency he did not know the true aims of the tasks given to him.

When I, as Powers' counsel, ask for a mitigation of his punishment, I proceed not only from the motives of the crime, the circumstances in which it was committed, and Powers' behavior after his detention. I also proceed from the strength, might, and power of the USSR and from the proposition that initiative and strength are now in the hands of peace-loving forces, the camp of peace and socialism. That, comrade judges, is why I again ask you to take into account, when you pass sentence, the considerations I put forward and to apply to Powers a milder measure of punishment than the one demanded by the state prosecutor.

Commentator: The defendant waits for the moment when the presiding judge will allow him to speak in conclusion. Oh, how those who sent Powers on his senseless flight have feared this moment. They provided him with a poisoned pin. They fitted an explosive device to his airplane. They hoped for, wanted, thirsted for his death, and now they would without a doubt be overjoyed at a death sentence. Criminals like to know that none will be the wiser. Powers' death was necessary to them to draw the punishing sword of the law away from the chief criminals in this trial, from those who devised, prepared, and launched this provocation against the Soviet people, against the whole of mankind. The accused is speaking.

(Powers' voice, taken from the English, translated into Russian phrase by phrase) You've heard all the evidence in the case, and now you must decide what my punishment is to be. I answer that I have committed a grave crime and must be punished for it. I ask the court to weigh all the evidence and take into consideration not only the fact that I have committed the crime but also the circumstances which led me to do so. I (answer?) that the Russian people (count?) me as an enemy. I can understand that, but I would like to stress the fact that I do not feel nor have I ever felt any enmity whatsoever for the Russian people. I plead with the court to judge me not as an enemy but as a human being who is not a personal enemy of the Russian people, who has never had any charges brought against him in any court, and who is deeply repentant and supremely sorry for what he has done.

(Commentator repeats Powers' last sentence, which was not translated, and continues.) The court leaves for consultation. Those present in the hall go out into the foyer. All are awaiting the decision of the court which is to fairly judge the crime committed by Francis Gary Powers.

But somebody brings joyous news. A new Soviet spaceship, a new step by the Soviet people in the conquering of interplanetary space. The faces of the journalists are confused. They do not know whether to go and get detailed information on the new feat of Soviet scientists or to wait for the verdict. When necessary, the journalist must deal with both jobs at once, and I hear of a correspondent dictating an account of the court proceedings on the telephone who interrupts his dispatch and almost shouts into the microphone: "Stop. I have a flash. A new Soviet spaceship." He pronounces the word "korabl" (Russian for ship) It has already become international.

At one time, the bourgeois press wrote of a marvellous coincidence in the Soviet space program. Well, gentlemen, you may regard this event as a coincidence also. At the same time Soviet technicians and engineers launched yet another peaceful star, the Soviet court proclaimed a verdict on an American who used American machinery for aggression against a peaceful people, for a provocation against peaceful toil. There was no need for Powers to be at the bar. He could be preparing for space flights. His experience and health are suitable for such a purpose, but he has become a criminal, a spy. He was pushed onto this road by those who threaten universal peace. He was pushed on this road by the whole savage system of capitalism.

The Hall of Columns is crowded once again. The concluding part of the verdict states: (Conclusion of verdict omitted)

Commentator: The sentence passed on Powers sounds as a warning to all those who intend to encroach upon the Soviet Union's borders, on our people's peaceful toil. It will cool the ardor of small and big Powers' beyond the ocean.

The trial has ended: American imperialism has been condemned.

Coverage of Trial

(Editor's Note--M/R) Several regional transmitters relay Moscow Radio's broadcast of recorded excerpts of Powers' testimony and Moscow Radio's broadcast of the indictment Aug. 19.

Several Soviet regional transmitters also carry a Moscow relay--an announcer's reading of Prosecutor Rudenko's final summation--on Aug. 19. Blagoveshchensk, Khabarovsk, Ulan Ude, and Vladivostok extend their usual Moscow relay time to air Rudenko's remarks. Petropavlovsk breaks into regular local program time. Birobidzhan, Yakutsk, and Yuzhno-Sakhalinsk do not carry the Moscow relay, but continue with locally originated programs.

Soviet regional transmitters, in general, refrain from commenting independently on the trial of Francis G. Powers during the trial, but relay Moscow Home Service accounts or give translated vernacular versions. Several transmitters report that the local press carries official TASS reports on the trial.

On Aug. 20, Soviet regional transmitters report workers meetings and comment on the sentence passed on Powers, unanimously claiming that the sentence is just, that Powers had a fair trial, and that the conduct of the Soviet court of justice was very humane. All Soviet regional commentaries make a point that in the dock with Powers were the ruling circles of the United States.

An Aug. 20 late evening newscast from Baku reports that workers at the Lenin textile combine met to discuss the sentence as soon as newspapers arrived at the plant. Expressing general satisfaction at the sentence, workers said that the sentence was aimed also against those who take part in provocations against the Soviet motherland. "At the same time the decision of the court has shown the whole world the humanitarian attitude of the Soviet people toward persons like Powers, a simple instrument in the hands of the warmongers."

Regional commentaries have made no allusion to the future prospects of American-Soviet relations, but some commentaries state that the Soviet people wish to live in peace and maintain good relations with other nations.