In order to determine this exposition we should establish with all clarity the distinction between a common criminal and a "socio-political" criminal and there is nothing more appropriate for such purpose than to transcribe ENRICO FERRI's words ("Principios de Derecho Criminal," which translated into English means "Principles of Criminal Law"): "Another variety of the passional or emotive criminal is the socio-political criminal who perpetrates a crime which is essentially political (conspiracy, high treason, electoral violence, seditious assembly, printing violation, etc.) or of a socio-economic nature, including common crimes (homicide, larceny or fraud), but not for purposes of private gain or for egoistic advantages, but because of aberration of noble sentiments or in the tumult of an insurgent movement. But it is necessary to bear in mind that the political crime or the one of a political appearance - above all when it takes the form of a common atavistic crime, which is almost always homicide - may also be committed by an insane criminal (for example, RAVAILLAC, GUITEAU, PASSANANTE, etc.) and also by a born criminal (for example RAVACHOL), who prior to giving a political complexion to his crime had killed an elderly hermit for the purpose of robbing him. Therefore, it is necessary to distinguish the truly political crime from the sectarian crime, according to the accurate observations of SIGHELE. From this is derived the fact that the political criminal cannot constitute an anthropological catagory per se, as I demonstrated in contradiction to the opinion of GOLAJANNI and others. One should only consider as a socio-political criminal a species of passionate criminal displaying the biopsychic symptoms recorded above, a previous unblemished existence and, above all one who does not go to such an extreme in his fanatism as to commit common crimes. Real socio-political criminals were, for example, those who conspired to achieve the independence of Italy. During the war in Italy A.V. was convicted on the charge of high treason: The political crime was the main factor, but the criminal had perpetrated his act for money and his previous life had been disorderly and amoral. This was, therefore, a typical case of a pseudo-political criminal... " "It is the case in which the socio-political ideal is nothing more than the banner which covers the contraband, that is, the profit motive, vegenance, etc. In those cases the criminal gives rather evidence of a more refined and dangerous dangerousness. The real socio-political criminal is above all the one who does not commit any common crime in order to realize his ideal, or if he does commit it, he does not do so for egoistic advantage, or he commits it unexpectedly on occasion of a tumult, etc."

The real socio-political criminal does not reach the point of committing crimes, ENRICO FERRI has stated with good reason. The man we examined committed a crime of the common order; he believes that he has achieved an elevated purpose by killing; he believes that he preserves the catagory of the moral man after having committed murder; judging as a good act that of depriving LEON TROTSKY of

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his life for being a traitor to the working class, he does not feel repentant for the crime; he considers TROTZKY's death as beneficial to the working class; he does not consider himself to be a murderer, political assassin, morally insane, or abnormal; he admits that it is possible to commit crimes even against private convictions and ideals and he supposes absurdly that one can commit the perfect crime. He insinuates the unostensible idea of having proceeded in his criminal conductwith acts of automatism; in effect, the very interpretation is broadly contradicted by his statements as well as by his conduct, which is the most complete negation of any automatism. On the other hand, acts of automatism do not present themselves in a person in an isolated way, independent of all other manifestations, and our study demostrates precisely the impossibility of acts of such a nature on the part of the defendant.

Up to now we have considered, without exaggerating their importance, the explanations which the defendant has given regarding the crime. We shall proceed further along with the interpretation and now we shall examine, [illegible] psychological point of view, the criminal act; for this purpose it is opportune for us to first present some ideas of FRANZ ALEXANDER and HUGO STAUB (The Criminal and His Judges From the Psychoanalytical Viewpoint) the knowledge of which we consider indispensable.

In dealing with the neurotic criminal the said authors state: "One of the types which Freud designates as the exception, strives, through a fixation in a childhood situation, to be treated in life in a manner contrary to the possibilities of reality, as an exception." In such persons one would find "an injury suffered in the most remote childhood" by the individual who would feel unjustly punished. Through this mechanism would be formed the so-called "guilt-complex criminals." "In them is to be found a guilt complex of an unknown origin, which always burdens them and which, through the crime, attaches itself to a determined action, thus making it more bearable, by finding a conscious and admissable foundation." "The real causes of this feeling, are derived from an Oedipus complex, not entirely overcome, and they need not make themselves conscious when transferred in order to gravitate the real act." "The guilt-complex crime represents the combination of the mechanisms described before, that is, concealment and self-punishment." "In the majority of cases one can in addition discover analytically, together with this constant conformity, and even above it, a symbolic relationship which is finer or an allusion of any kind to what one endeavors to express." "ALEXANDER considers as being of a neurotic nature that group of pathological personalities which manifest themselves with regard to the illness, not through symptoms, but through a typical deviation, which, with respect to the social norms, the subject suffers in his conduct throughout his life. In contrast to the psy

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neurotics, who are almost always so inactive, these sick persons are men of action whose life evolves in a dramatic manner."

"The neurotic character, disregarding whether or not he commits a crime, is in any event a sick person who suffers from a neurosis without symptoms, whom the psychoanalyst, even when knowing him to be a neurotic, cannot classify ~~him~~ in any given nesological group. They are individuals of a dramatic state. In life they are impelled by a sort of demoniacal compulsion. The occasion of the symptoms makes the action irrational, whose subconscious feelings may be interpreted in the same way as that of a neurotic symptom." "A certain group of adventurers, through whose acts always throbs the same insurrection against the laws and the authorities of the state and who always manage to be unjustly punished, at least from a subjective point of view, belong to this group and they always manage to find that the paternal states is guilty of injustice." "The neurotic criminal is a particular case of the neurotic character whose instinctive acts get entwined in the penal laws." "Regularly the neurosis is perceived only in the manner of arranging a marriage or in the irrational course of the individual's professional life, characterized by ups and downs which, apparently, occur in a fortuitous way."

"We should warn that our civilization leads us to neurosis because it tends toward the degeneration of our instinctive life."

"We began, therefore, to accept the catagory of neurotic criminal for the individual we examined. Even when this appears redundantly, his attributes of a criminal are unquestionable and obvious for all to behold. No one cannot doubt that he should be cataloged within the group of neurotics as the respective parts of our work prove. We shall now compare the case's characteristics, already related, with our observations in the particular case.

Exceptional Person. - During the interview we found all the necessary elements: achieving an elevated purpose by killing, preserving the catagory of a moral man after having murdered, no feeling of repentance for the crime, failure to consider himself as a murderer, political assassin or morally insane, the admission that one can even commit crimes against personal and ideal convictions. Other data may be found in the course of the exploration of the subconscious functions (he knows extraordinary persons, he possesses exceptional abilities, etc.).

Pain suffered in the most remote youth. The infantile trauma which began to revive itself from childhood when the gastrointestinal diseases (vomiting, etc.) began to appear.

Feeling of guilt.- All the many acts of self-punishment.

Feeling of guilt which is to be found in his conscious foundation in the crime. - He is LEON TROTZKY's assassin.

The Oedipus complex is not overcome as a cause of the feeling of guilt. This same complex was already established in the examined subject.

Mechanism of concealment. - Even though the defendant did not conceal himself during the commission of the crime, he has in fact been living a life of concealment: he conceals his name, his nationality, his occupation, etc. It should not be forgotten that outside of the fact that the tendency toward concealment was discovered throughout, one of the critical words of the Jung-Bleuler test is, precisely, concealment and, during the dream of the regattas, the concealment motive is of the highest importance.

Mechanism of self-punishment. - Aside from the numerous reactions of self-punishment, already known, the feeling appears in the critical moment of the crime, when he actually allows himself to be beaten and later, when his imprisonment is effected.

Symbolic relation. - We have stated that the crime corresponds to the most serious neurotic act of the defendent and, opportunely we corroborate by way of summation, so to speak, in a symbolic manner, the entire history of the neurosis and it can even be interpreted as the experience of the affective trauma.

Deviation of conduct, following asocial norms rather than neurotic symptoms. Evidently one does not find neurotic symptoms (convulsive crises, paralysis, amnesia, etc.) and, precisely to the category of revolutionary, which the defendant lives and feels, corresponds the deviation from the social norms.

Man of action. - We shall only add one commentary which fits into a single word: exact.

Neurosis without symptoms. - It is proved by the diagnosis.

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Impelled by a demoniacal compulsion. - We even find the same expression in the explanation contained in the letter which the defendant wrote prior to committing the crime: "The motives which impelled me to execute the act... "

Interpretable irrational actions. - Undoubtedly the action which justly called the attention of the entire public: The act of murdering by thrusting a pickax into the head, which can be interpreted as a symbolic experience of the trauma.

Insurrectional adventurers. - The "revolutionary" who travels with a false passport, the "great lord of gallant adventures with loose women," etc., etc.

Activities against the laws and the state. -He is a "revolutionary."

He bears marks related to married and professional life. - His matrimonial failure and his evidently proven quality of social failure.

What is, in the end, the mechanism of the crime in this particular case? We distinguish, on the one hand, psychological factors, and, on the other hand, sociological ones; one and the other correspond to the respective categories of efficient cause and determining cause.

In the neurosis "without symptoms" we find the principal factor which, at the same time, is composed as follows: Within the constitution which predisposes the subject to neurosis (admitted by Professor FRAUD), we find in him what we refer to as lack of conflict or disharmony, of a sexual biological nature; this circumstance preceeds the crime as well as the neurosis. From such predisposition comes the neurotic orientation of the organic tendencies which are discovered through the somato-functional characterization, by virtue of the affective trauma suffered in the earliest childhood. Once the said trauma has occurred there appears the neurotic state of the evolutionary character which disturbs, so to speak, the course of the life of the defendant and which, each time that the man finds himself in critical periods (critical from the triple biological, psychological social point of view), critical periods, we repeat, of life, it becomes apparent in a more or less concealed manner: At times there are organic symptoms of a neurotic sort (gastrointestinal childhood diseases, vomiting, malnutrition, tendencies to remain in bed etc.), on occasion they are manifested in the psycho-social conduct (activities of the ringleader, lack of interest for school, tendency toward self-punishment, accidents, etc.) and, progressively, with greater obstacles in adult life (matrimonial failure, reoccurance, accidents, professional failure, disorientated and agitated life, etc.).

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Finally, there remains the serious act, represented by the crime, true synthesis of the evolution of the neurotic personality. Throughout all of this man's life appears constantly the impulse, deviation or neurotic orientation by virtue of the principle of repetition, even of the concealment of trivial facts, at all times the symbolic expression which, because of the psychological determinism, ~~which~~ will ~~always~~ lead to the same subconscious tendencies. The central Oedipus complex, not overcome, through a thousand different forms, has interposed itself permanently in the life of this subject, who could well have been an honorable surgeon.

Together with the efficient psychological factor, already treated, appears the social determining factor, inseparable from the first. The neurotic state constantly provokes an infinite amount of daily conflicts, big and small, which, so long as the man lives in society, take him through the excited path, without plan, wavering, always regressive and also always useless because of being unproductive. The central conflict is to be found where the individual every day discovers himself to be capable for a commercial activity, in some way superior (aptitude for professional work) and in the daily instances of life which lead from failure to failure. The passage of the days is implacable, with every instant the supreme moment of death comes closer and, therefore, when the midday of human existence has arrived and when, as in the present case, the man turns his head back and discovers his useless past and his painful catagory as a man who, despite his capabilities, is an obscure individual without personal value, without profession and without course, the most serious psycho-social crisis appears: the moment of human rectification, the instant in which to decide hurriedly to take a course because life is short. During this definite period of the defendant's life he discovers the restless atmosphere of Paris, new horizons of destructive revolutionaries offer themselves before his eyes and an opportunity to work in co-ordination with those unsuspected subconscious tendencies appears and he dedicates himself to the easy task of reading, simply reading the books which in three months would convert him into a revolutionary with a program in life, on the road of spectacular actions, master of all secrets of society and possessor of a doctrine which lends itself beautifully to being twisted and to finding arguments for the worst human indignities, provided one does not understand clearly that social evolution is, by means of the mechanism of contradictions through the work of social determinism, one of so many mediocre failures in life is placed at the side of one of the modern redeemers of the oppressed class and has incorporated himself into a powerful mob of malcontents who, some day, will perform the miracle of changing the social order of the world.

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If by art of magic it were possible to return the murderer to his previous life, in relation to the crisis in the middle of his life, and then if he were to live in some quiet part of the world, in some place immune to the revolutionary fermentation of Paris, nowadays he would be one more member of the legion of those obscure neuropaths who suffer in silence.

We shall now examine some of the circumstances which, regardless how dangerous they may appear, we shall deal within the school of our studies.

Did the murderer work by himself, in an independent way, or, at the contrary, can it be thought that he intervened as part of a criminal organization? From such a question are derived numerous and diverse investigations; one is, evidently, a police investigation and it does not correspond to, nor interest, us. Another one proceeds from the individual who is being studied, in other words: our subject may correspond, because his individual traits, to the type who is apt to be sent to murder a person. We shall approach this problem utilizing, exclusively, the data corroborated by us and which are deduced from our exploration.

We have proved his vocation for murder and, in particular, for political assassination. On the other hand, one certainly cannot omit the human qualities necessary for his being sent to commit, [illegible] things change if one takes into consideration the tendencies which are derived from the Oedipus complex, which has not been overcome, and, in particular, the solution by means of the decomposition of the symbolism of the father, the one really insignificant and despised/ person, the substitute for the detested, famous, powerful, important and great person; it serves to displace the image of the father to whom is due obedience and submission, the antithesis of the former, by what remains concealed, inaccessible and mysterious. It is very important to make clear that we present the problem of ascertaining whether the defendant has all the traits of the type of individual who can be sent to commit a crime and that for the same reason, our discussion has nothing to do, nor can it in any way serve with regards to the entirely different problem of ascertaining who could have sent him. Let us go on and soon we shall discover new aptitudes, so to say, which could send him to kill. We distinguish now the traits

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of three classes: (a)physiological (b) psychological and (c) sociological.

a) His motor abilities, his ability of touch, his need for movement (excitement), his aptitudes for sports and also his gonadal insufficiency which makes of him a man whose conduct will not/be very much influenced by women.

b) His perceptive, meticulous and scrupulous type, his very good memory, his condition as a pathological/liar, his tachypsychosis, his emotive type controlled by cerebral erothism, his impulsiveness, his suggestibility.

The activity which has not overcome the Oedipus complex, the tendency toward self-punishment, the tendency toward concealment.

c) His correct, moderate, clean and elegant bearing, his activities as a great gentlemen, his socialbility, his enthusiasm for sports, his ability for humor, his ability for learning foreign languages, his ability as a good conversationalist and, likewise, on the negative side: his audacity, his revolutionary tendency (if even it is wordy and self-taught) and the essence of his social conduct, which is hypocrisy and the ability to deceive.

We consequently conclude that the studied subject contains all the most important characteristics of the individual who can be sent to murder.

Let us now briefly look at some other interesting problems: the one relative to the accomplices. Again we insist that this type of question will be examined by us from our particular point of view, without invading fields which do not correspond to us, in the function of the data established in the course of our exploration. In order to facilitate the work we shall allude to the following points: (a) the money; (b) the letters; (c) PEDRO; (d) CARMEN and (e) SIQUEROS.

a) The Money. - The money which he spends, according to the final explanation of the defendant, comes from $5,000.00 (dollars) which his mother gave him. If we stress that this is a final explanation/it is because it was preceeded by others which are, so to say, rather absurd attempts. From the psychological point of view the fact that he has arrived at a final explanation, following others, does not lose importance merely because of the fact that the defendant claims that he produced false reports and that he was making up stories. Such conduct corresponds to a need and makes good sense; on the one hand, they are attempts to get off the course, but, on the other hand, they reveal a need to conceal the origin of the money. It is a completely

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frusterated act full of significance. No matter what a genius the man may be, regardless how shrewd he thinks he is, regardless how much he cherishes the nonsensical idea of the perfect crime, every human being moves within a narrow determinism. Money, one of the first childhood interests (the gold coins which he stole from his grandfather), money, which is also a compromiser, with the trial explanations, remains on the level of something whose origin should be concealed and, as a final explanation it is necessary to link it with the mother; that is, the Oedipus complex. If this last explanation were correct, which undoubtedly it is not, it should from the outset have appeared with complete clarity, without obstacles, in a certain and spontaneous manner.

The Letters. - At the appropriate time we stressed an important event, which is that on the day of the crime the defendant was at the "American Express," where he received his correspondence. His female companion was in Mexico, therefore he was moved by the fear of receiving some compromising letter. Now then, it should be remembered that our man made manifest his ability to decipher messages in code and we should likewise state that once he was imprisoned some letters addressed to him were received.

PEDRO. - PEDRO is one of those names which "escaped" under the most inopportune conditions and which the defendant mentioned much to his sorrow; it is an important act which took place. Within the field of hypothesis it may very well correspond to the nebulous gentleman of the Fourth International or, to put it in better words, it may be covered in that way. It is, for the examinee, "my friend PEDRO" who, according to the hypothesis, actually had been his friend and who was familiar with the subject's injurious disposition for the crime which we have been studying, who, because of knowing him, could make what appeared to be absurd proposals on the lips of an unidentified "gentleman" of the Fourth International who, almost by devilish art discovers a rare aptitude in the defendant whom he judges to be something more than a mere militant member of the Trotzky Party.

CARMEN. - CARMEN came out, like PEDRO, much to the examinee's sorrow, during a good-humored and reminiscent vertigo about Paris. He noticed at once his imprudence and found no other way of concealing it than to invent a merry anecdote, in which, by tour de force, CARMEN turned out to be a French swimming champion. With the same act it will be necessary to present some reports originating from other persons: Miss AGELOFF declared that in Paris the defendant only greeted an elegant woman once; SILVIA herself subsequently declared that in Mexico this person again greeted her companion in the "One-Two-Three" Restaurant. We shall add still other reports which we were able to obtain through Mrs. MARIA RICAUD, a collaborator of ours:

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"MORALES E. ITURBIDE. - Mr. HERNANDEZ. - on December 7, 1939, the defendant bought a 1937 Buick on credit. He also furnished as part payment a Ford which two or three months before he had bought at the same place and for which he had paid $1,400.00; the price of the Buick was $4,000.00; at that time the defendant lived in the Guardiola Hotel. On one occasion prior to purchasing the Buick, he had trouble with his Ford and he complained with irritation to the Agency of Messers. HERNANDEZ and claimed that he was a native of Canada and that he was travelling in the company of his wife. On another occasion he appeared at the same place accompanied by a lady 50 years of age whom he introduced as his mother."

It is likewise opportune to note the defendant's conduct in Paris, according to Miss AGELOFF's reports, in the part of which is of interest to us we find a manner of acting which is too suspicious, as we shall demonstrate. According to the examinee, he lived for some time in Paris; he has referred us to an untold number of anecdotes, he was a newspaperman, socialable, cheerful, a man with a lot of friends, evidently. On the other hand, as soon as Miss AGELOFF appears in his story, our subject, with the exception of the well-dressed lady, knows in Paris only the friends of his female companion. The good accomplices know how to alienate themselves opportunely and how to visit each other secretly.

SIQUEIROS. - The Mexican painter makes his appearance, in relation to the defendant, at the moment at which the defendant is trapped through another act which has taken place and enters in his female companion's notebook the address ("Edificio Ermita," or "Ermita Building," in Tacubaya) of Mr. SIQUEIROS. It is known that Mrs. MARGARITA ROSEMARE went to the "Ermita Building," and there obtained the report to the effect that Mr. MORNARD was not in at the moment. During our exploration the same painter's name has been on the subject's lips, which we study behind the symbolism of "my only companion," "my friend" (in the mock dream) and "the 15 meters" (in the regatta dream). Now these are longer are dreams, either with regard to trivialities or with regard to accomplished facts, but in the dramatic life of TROTZKY, during the attempt ~~in~~ which SIQUEIROS led, a "Frenchman" moves who could very well be our exception. On the other hand, it is known that the Mexican painter was in Spain during the last civil strife and it is very probable that in that same place he met the defendant together with that CARMEN and that PEDRO, well-known by the present Spanish political refugees.

Behind the vulgar name of BARTOLO PEREZ one will also find a guilty accomplice who has been careful to disappear opportunely. We return to the reports which Mrs. MARIA RICAUD obtain in "Shirley Courts": When the defendant stayed at that place he had a very heavy trunk which was always kept in the storerooms and ~~that~~ a manservant, whom it is supposed is related to the defendant's activities, left the same establishment.

In this part of our work we have gathered, certainly, conjectures, hypotheses and suppositions which were ~~more or less~~ very probable. Taken by themselves these data are not very valuable, in the aggregate of our entire investigation they appear, at least, as very useful clues.

We shall now deal with other interesting matters which have direct connections with the criminal act. Mrs. NATALIA SEDOFF declared on September 7, 1940, that JACSON appeared as a rather timid and even to a certain point irresolute and strange person; regarding this impression she conversed with Mrs. ROSEMARE. She supposes that the man endeavored to have the guards become accustomed to seeing him enter and leave the house; he entered only into the patio and a few minutes later would leave. He only entered LEON TROTZKY's office twice. After the attempt in the month of May, JACSON visited the house introduced himself to her, this being an exception; she called attention to the indifferent and distracted manner in which JACSON observed everything and this lead to comments with TROTZKY. Following the assault JACSON went to the United States and gave as an explanation that he had to see his Chief because things were going bad. He left his automobile in TROTZKY's home. Upon his return he went to greet them and took his automobile. When for the first time he took to his subsequent victim "his article," he talked about 5 or 10 minutes and kept his hat on. TROTZKY indicated to her that JACSON had made a strange impression on him, because he had sat on the table and the "article" was somewhat confusing. Following the aggression suffered by TROTZKY the latter had enough time to tell Mrs. SEDOFF that he had realized that JACSON would attack him.

Mr. JOSEPH LE ROY HANSEN declared on August 24, 1940, that "LEON TROTZKY"was the one who indicated the way in which he could ~~be~~ easily be killed. In the statements which he made with regard to the assault he said that there was no reason for such a big apparatus and so many people if "a single agent of the GPU who passes for my friend can murder me in my own house."

The attempt took place on May 24, 1940, at 4 o'clock and TROTZKY's murder took place on August 20 of the same year at 17:30 o'clock. In that same interval LEON TROTZKY himself wrote articles filled with fear and, to a certain extent, with misgivings. The reports which we have presented have as object to make manifest the really suicidal conduct of TROTZKY, who, so to say, allowed himself to be killed. It is inadmissible that a man trained to come out unscathed from the most dangerous conditions, that an intelligent and shrewd individual, who remained alive despite the attempt, should have committed the

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imprudence of closing himself up by himself in his office when he [illegible] foresaw that a single person who would pass as his friend could murder him in his own house.

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LOMBROSO and FERRI, according to HENRY CLAUDE (Legal Medical Psychiatry), divide political crimes into the following catagories:

(a) Born political criminals, burdened by heredity, bearers of stigmas of degeneration, unaffected, impulsive.

(b) Truly insane political criminals whose heredity frequently explains monomanias, paranoic tendencies and epiliptic manifestations.

(c) Political assassins who distinguish themselves from criminals because of their almost complete integrity of the moral sense; they differ from the insane, particularly from the paranoics, whom they resemble so much, through the absence of delirums, through less impulsiveness and through the almost complete preservation of the affective sentiment. They lack degenerative traits and even the morbid heredity. This catagory of criminals distinguishes itself through the altruistic, conceited tendencies, the prolixity of its writers and / the impulsive, almost epiliptoid, nature of the gestures.

(d) Political criminals who, because of the occasion or by contagion, are epidemic.

(e) Political criminals who are such by passion, who distinguish themselves because of their exaggerated sensibilities and excessive altruism and who are willing to sacrifice their life.

Our examinee, evidently, possesses all the traits of two of the varieties distinguished by LOMBROSO and FERRI in the group of political [illegible] he corresponds, both to the political assassin and the political [illegible] passion. Likewise, he can be considered as a criminal for passion in the variety of ~~the~~ political criminals according to the ideas of MAURICE PARMELEE ("Criminology") as a criminal for passion according to the criteria of ENRICO FERRI; and [illegible] a political criminal according to the classification of HAVELOCK ELLIS.

According to LUIS JIMENEZ DE ASUA ("Criminal Psychoanalysis"), Dr. EMILIO MIRA distinguishes the type which he refers to as "pseudorevolutionary psychopaths;"

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whose traits are to be found in the subject whom we have been studying.

It is opportune to transcribe the thoughts of the afore-mentioned Mr. LUIS JIMENEZ DE ASUA, who, upon characterizing the political criminal, states: "Not infrequently subjects who believe themselves to be true political criminals build up a political revolutionary doctrine or attach themselves to the most extreme political formulas in order to be able to pave the way for their parricidal tendencies, which they hold in rather high esteem, without feeling of guilt or remorse."

Let us return to LOMBROSO ("Les anarchistes," or in English "The Anarchist") and we find a description which in our day fits LEON TROTZKY's murderer: These political criminals use argot, a special argot, different from the one customary among criminals, and have a manner of seeing themselves in their lyrical chants; the unbalanced are difficult to examine because they present negative traits, they do not have any facial anomalies, they are be found in large cities, they have an extremely well prepared nervous system, an exaggerated practical sense and a great love for society; their intelligence does not offer any important anomalies; occasionally they possess a notable finesse and ability and some of them attain the positions of physicians, capitalists, professors, but they are characterized by morbid activities, an exaggerated industriousness for matters strange to their profession and out of proportion with regard to their intelligence. Frequently they change activities, produce abundant writings or are monomaniacs. From a sublime concept they pass, without transition, to thoughts that are less than mediocre, grotesque and paradoxical. They oppose the mediocrity of their ideas, the imperfection of their style, with exclamations, interrogations, a large quantity of underlined words, neologisms, strange expressions. A large part of the reaction on the part of the criminals for passion is due to a socio-economical fanatism; they lie at the opposite extreme, or are the antithesis, of the born criminal; the physiognomy is normal, "uncriminal," they are young, honest and excessively hypocritical.

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TRANSLATION OF THE WRITTEN MATERIAL ACCOMPANYING PHOTOGRAPHS APPEARING [illegible]

CHART WHICH DISPLAYS THE IDENTITY OF
RAMON MERCADER DEL RIO with JAQUES MORNARD

(Three photographs)

1935 in Spain RAMON MERCADER	Photograph taken from the passport with which he entered Mexico	1940 in Mexico JAQUES MORNARD

(Two cuts depicting the same right index finger)

References

1	Delta	10	"Cortada"	20	Bifurcation
2	"Cortada" (cut ?)	11	Bifurcation	21	"Cortada"
3	Island	12	Loop	22	"Cortada"
4	"Fragment"	14	Branch	23	"Cortada"
5	Loop	15	"Cortada"	24	"Cortada"
6	"Cortada"	16	"Cortada"	25	Fragment
7	"Cortada"	17	Bifurcation	26	Branch
8	"Isolated"	18	"Cortada"	27	"Cortada"
9	"Cortada"	19	Island		

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Editorial

"POR UN CONGRESO NACIONAL DE TECNICOS IDENTIFICADORES"

El auge e incremento que ha tomado la ciencia de la identificación en nuestra patria, así como los progresos que en el orden científico hemos alcanzado, aun cuando no es, ni con mucho, lo que debía ser dado el número de años que llevamos laborando a plena capacidad, estos triunfos, evidentes en el Campo Científico, no se han obtenido en el Campo de los beneficios materiales para la clase, beneficios a que son dignos acreedores por su capacidad indiscutible y por su laboriosidad.

Estimamos que ha llegado el momento propicio para que todos los que nos interesemos en la identificación científica en nuestra patria podamos aportar nuestras experiencias y exponer nuestros planes e ideas a desarrollar con vista a un mejoramiento de la ciencia de la identificación, de su auge e incremento, y, al mejoramiento económico, moral y científico de la clase. Por ello es que nos atrevemos a lanzar la idea de celebrar un "Congreso Nacional de Técnicos Identificadores" ahora que está en el ánimo de todos la idea de reconsiderar cuanto se ha hecho con miras a lograr una clase a tono con la época actual. Sabemos cuál es la magnitud de la empresa. Diversos son los problemas que deben ser tratados en ese Congreso, no tan solo en la parte científica, económica, de jurisdicción, de fuero, de competencia, de prestigio; sino también de todos los problemas que pueden ser resueltos en un Congreso de esta naturaleza donde los Delegados, presididos y dirigidos por una persona de alta solvencia moral y científica, puedan dar forma y nueva estructura a todo aquello que se considere susceptible de perfección, para, al final, elevar los resultados a quienes deban resolverlo. El empeño es urgente, en él va el prestigio de lo que somos

y del ideal que servimos. Basta ya de procedimientos empíricos y anticuados; un cuerpo integrado por personal con formación científica debe utilizar procedimientos y medios científicos en todo caso, tiempo y lugar, y además, estos técnicos deben ser tratados con toda la consideración y el respeto que como tales especialistas le deben ser dispensados.

Ha llegado el momento de reunirnos para tan elevado propósito y nada mejor que aprovechar la ocasión de que en el próximo año de 1956 celebraremos el Centenario del Nacimiento del Pionero de la Identificación en nuestra patria, - Juan Francisco Steegers y Perera,— para celebrar también nuestro Primer Congreso. La idea está lanzada, cuenta la propuesta nuestros compañeros del Colegio Nacional de Técnicos Dactiloscópicos e Identificadores de Armas de Fuego y Documentos de Cuba; la Asociación Nacional de Identificadores; la Sociedad Cubana de Policiología y Criminalística; la Escuela Nacional de Técnicos Identificadores; el Instituto Nacional de Criminología; el Gabinete Nacional de Identificación; la Sociedad de Estudios Odonto-Legales y Criminológicos; la Cátedra de Medicina Legal de la Escuela de Medicina y la Cátedra de Antropología Jurídica de la Escuela de Derecho, ambas de nuestra Universidad de la Habana, etc.. Instituciones todas que pueden auspiciar este magno evento con lo cual se le daría todo el realce y prestigio a que aspiramos en beneficio de la Ciencia y de la Clase.

Prof. Rafael LUBIAN ARIAS, M. M.

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¿ES PELIGROSO EL ASESINO DE LEON TROTZKY?

Por ALFONSO QUIROZ,

Profesor de Medicina Legal de la Facultad de Medicina y de *Criminología en* el Doctorado en Derecho, de la *Universidad* Nacional Autónoma de México.

En 1941 el señor Dr. Raúl Carrancá y Trujillo, Juez Instructor de la causa contra el asesino de León Trotzky, desde las primerísimas diligencias dispuso la designación de Peritos con el fin de dictaminar acerca de la personalidad del homicida, en los términos del Artículo 52 del Código Penal para el Distrito y Territorios Federales, de México. Tal designación tuvimos el señalado honor de que recayera en las personas de mi maestro y amigo, el señor Dr. José Gómez Robleda y en la del autor de estas líneas. Como resultado de nuestra labor, en 1941 entregamos al Juez un detallado estudio de la personalidad del asesino, en 1.332 páginas.

Recientemente el asesino de León Trotzky ha solicitado a las autoridades mexicanas su libertad preparatoria, en vista de haber cumplido ya las dos terceras partes del tiempo de prisión a que fué sentenciado.

En esta importante y magnífica revista CRIMINALISTICA, que es en América lo que en Europa "Revue Internationale de Criminologie et de Police Technique", en el número 5, correspondiente a Septiembre-Octubre de 1954, el señor Prof. don Rafael Lubián Arias, M.M. publicó un artículo bajo el muy justo título de **"Un triunfo en Dactiloscopía":** La identificación del asesino de León Trotzky". Con los datos indudables de la identidad del asesino de León Trotzky, ya publicados, y con la solicitud de libertad preparatoria que ha enviado a las autoridades mexicanas, adquieren actualidad las conclusiones que establecimos en 1941. Planteamos entonces el problema de la peligrosidad criminal del sujeto, que precisamente es el que ahora deberán resolver las autoridades mexicanas. Ignoramos en qué sentido lo harán y por ésto pensamos que es oportuno dar a conocer las conclusiones ya mencionadas, establecidas en 1941:

1. El delito corresponde a un **acto impulsivo.**
2. El medio material utilizado para delinquir fué un zapapico, pero son medios, también, de otra naturaleza, las **habilidades** reconocidas por el procesado para el **manejo de este instrumento** y las que tiene para **ocultar, engañar y fingir.**

3. El daño causado corresponde a la **pérdida de la vida de la víctima** a consecuencia de la lesión que le produjo el procesado, *en la cabeza con el zapapico.*

4. Debido a la **cuidadosa preparación** y **meditación del crimen, el procesado no se expuso a graves peligros ni aún en los momentos que siguieron inmediatamente a la ejecución del asesinato,** porque la víctima ordenó que se respetara la vida de su agresor. El procesado sufrió traumatismo craneal que solamente lesionaron la piel y los tejidos adyacentes, sin interesar al esqueleto que, posteriormente, **no han tenido consecuencias de importancia porque la exploración demuestra la integridad funcional de los órganos contenidos en la extremidad cefálica.**

5. No debe darse crédito a la edad declarada por el procesado porque es **mitómano;** sin embargo, con toda seguridad puede estimarse que se encuentra en la época evolutiva de la vida llamada **edad adulta.**

6. Entendiendo por educación el grado de cultura general, la del procesado es **muy superficial**, notoriamente deficiente. Posee **cultura elemental sobre** ocultismo y superficial (sin los necesarios antecedentes), autodidacta y verbalista, acerca de Materialismo Dialéctico.

7. Entendiendo por ilustración su nivel pedagógico, el procesado es una **persona ignorante** (considerando su edad, sus capacidades para aprender y su experiencia) cuyo nivel pedagógico es **inferior al grado de la enseñanza secundaria.**

8. Las costumbres comprobadas durante su permanencia en México, anteriores y posteriores al delito, son de **tipo burgués:** no trabajaba, constantemente hacía viajes (en automóvil y en aeroplano) y excursiones, practicaba diversiones costosas (deportes como alpinismo y el automovilismo). Habitó lugares de residencia caros y asistió a cantinas frecuentadas por aristócratas y capitalistas.

9. Su conducta anterior al delito fué siempre **sospechosa y anormal:** nombre falso, pasaporte falso, aislamiento, no trabajaba y gastaba dinero (pagó alojamientos caros, cantinas caras, diversiones caras, medios caros de transporte, compró dos automóviles).

10. El acto impulso delictuoso, **aparentemente** fué determinado por un sentimiento de odio hacia León Trotzky, su más remoto origen es de *naturaleza subconsciente* (*complejo de Edipo* muy activo) y corresponde a la más grave exteriorización de un **estado neurótico,** evolutivo, que debió iniciarse desde la

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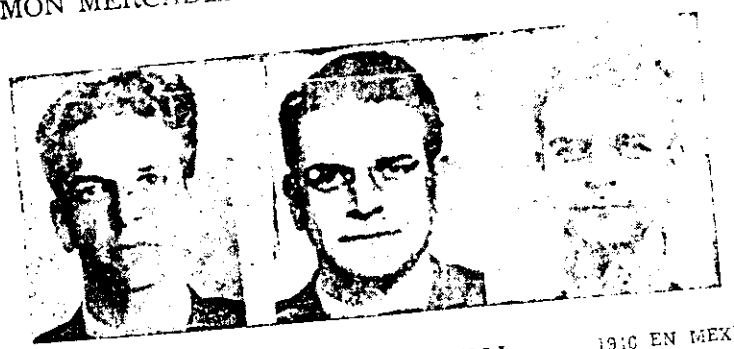
CUADRO QUE MUESTRA LA IDENTIDAD DE

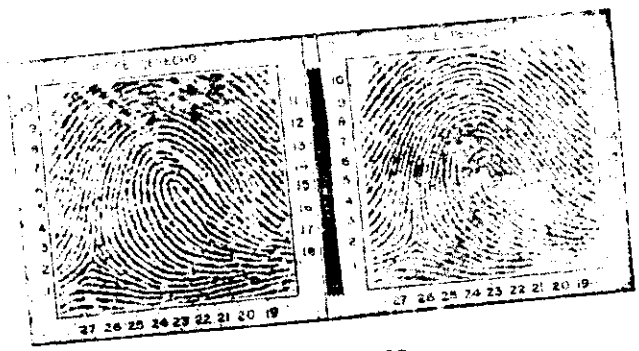
RAMON MERCADER DEL RIO CON JAQUES MORNARD



1935 EN ESPAÑA
RAMON MERCADER

FOTOGRAFIA TOMADA DEL PASAPORTE CON EL QUE INGRESO A MEXICO

1940 EN MEXICO
JAQUES MORNARD



REFERENCIAS

1 DELTA
2 CORTADA
3 ISLOTE
4 FRAGMENTO
5 HORQUILLA
6 CORTADA
7 CORTADA
8 AISLADA
9 CORTADA
10 CORTADA
11 BIFURCADA
12 HORQUILLA
14 RAMA
15 CORTADA
16 CORTADA
17 BIFURCACION
18 CORTADA
19 ISLOTE
20 BIFURCADA
21 CORTADA
22 CORTADA
23 CORTADA
24 CORTADA
25 FRAGMENTO
26 RAMA
27 CORTADA

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más temprana infancia como consecuencia de un trauma afectivo. Posteriormente intervinieron motivos derivados de la crisis psico-social del adulto, (fracasado social) que determinaron por la acción circunstancial del medio, su categoría de **"revolucionario" destructivo,** con **vocación genérica para el asesinato y específica para el magnicidio.**

11. Individuo **improductivo, destructivo,** que gasta dinero que no puede justificar como el producto de algún tipo honesto de trabajo humano.

12. Durante el momento de la comisión del delito se encontraba probablemente emocionado, pero aún así, plenamente **consciente de sus actos,** puesto que su tipo emotivo es de **reacciones controladas con eretismo cerebral.**

13. Debe juzgársele **ignorante, comunista,** (conocimientos elementales), **fracasado social,** sano, desde el punto de vista médico-social (aún cuando presente un estado neurótico que no corresponde al de los enfermos neurópatas), con aptitudes para el trabajo profesional de cirujano; reúne los caracteres para ser mandado a matar y probablemente tiene cómplices.

14. Ningún vínculo de parentezco con la víctima.

15. **Simuló ser amigo** de la víctima y de sus partidarios.

16. Simuló participar de las ideas políticas de la víctima.

17. De la víctima debe establecerse que era un hombre, viejo, político, famoso, en estado de salud, jefe de una agrupación política y persona dotada de pleno vigor intelectual.

18. El procesado actuó durante la época posterior a un atentado en contra de León Trotzky, en la casa de la víctima, en una **ocasión preparada por él, traicionando, engañando, de manera premeditada, con indiscutible ventaja y alevosía.**

19. El procesado **reúne los más graves caracteres de la más alta peligrosidad social.**

Y, para terminar, diremos que no hemos sido nombrados para halagar ni para ofender a nadie, nuestro estudio no sirve ni en favor ni en contra del procesado; está equivocado quien mal interprete este trabajo para tratar de satisfacer pasiones políticas y es torpe quien vea en nuestra labor ruín pasión o idea preconcebida. Trabajamos lealmente para servir a la Justicia que representa el señor Juez y al Juez decimos la verdad que, por sí misma, siempre se abre paso aún entre los más intrincados caminos de la Historia.

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Establecido lo anterior, es conveniente abordar el tema de la peligrosidad.

El concepto de peligrosidad tiene origen en la Escuela Positiva y, en particular, en las ideas de Garófalo y Ferri. Si se considera que la Reforma Penal es reciente en nuestro medio, puesto que se inició en el año de 1929, esto explica que muchas personas aún persistan en las ideas de la Escuela Clásica y que, de hecho, traten siempre de buscar la expiación, la retribución y la compensación. Otros, ideológicamente atrasados, que forman el grupo llamado de "transición", han desplazado el concepto clásico de imputabilidad al positivo de peligrosidad, circunstancia que ha motivado una deformación mística, de la idea de peligrosidad, que la aleja de su verdadero sentido. Científicamente considerado, el mismo concepto moderno es claro de entender y puede establecerse con seguridad.

Desde su primer escrito, Garófalo, en 1880, distinguió dos elementos de peligrosidad: uno objetivo, relativo a la gravedad del acto delictuoso y el otro subjetivo, dependiente de la intensidad, perseverancia o tenacidad para resolver el impulso criminal: la peligrosidad es la resultante, por decirlo así, de las anteriores dos fuerzas y cuando ambas alcanzan su máxima intensidad, ocurre, también, la peligrosidad máxima. A mayor influencia de los factores personales durante la comisión del delito, corresponde una mayor probabilidad para la realización de una nueva infracción. Es criminalmente peligroso quien haya cometido un delito o intentado cometerlo y el grado de peligrosidad se determina por la gravedad del hecho y la posibilidad de la reincidencia. La peligrosidad es una simple condición personal y el delito sólo viene a corresponder a un síntoma o manifestación de la misma peligrosidad. En síntesis, la peligrosidad criminal es la **probabilidad** de que un delincuente vuelva a delinquir. En consecuencia, interesa saber apreciar la citada probabilidad para la comisión de una nueva infracción. En otros términos, es necesario establecer un pronóstico acerca de la futura conducta de una persona que haya delinquido, y tal labor, se deduce del cuidadoso estudio de la personalidad: en cada delincuente existe un hombre y, además, un delito que viene a ser la más valiosa señal para el criminólogo, el delito que forma parte de la individualidad que es, como se sabe, única en su apariencia pero múltiple y variada y que, también, aparece determinada desde el más alejado principio de la existencia humana. Para resolver el problema científico que implica el pronóstico criminológico existe una técnica rigurosa y una especialización concreta.

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Es útil reseñar lo que bien puede llamarse "semiología de la peligrosidad" y, para tal fin, habremos de transcribir el pensamiento de autores muy distinguidos.

Según el penalista español, Don Luis Jiménez de Asúa, la discriminación de la peligrosidad debe realizarse de la manera siguiente:

1. Personalidad del delincuente, estudiando desde el triple punto de vista:
   a) Antropológico.
   b) Psicológico.
   c) Moral.
2. Género de vida anterior al delito.
3. Conducta posterior al delito.
4. Calidad de los motivos.
5. Por el acto que pone de manifiesto la peligrosidad.

En opinión de Bambarén, de Lima (Perú), debe estudiarse:

1. La personalidad.
2. Los antecedentes o vida anterior al delito.
3. El delito.
4. La conducta post-delictiva.

En México, el Lic. José Almaraz, autor del primer Código Penal de la Reforma ("Exposición de Motivos"), puntualiza las circunstancias que implican temibilidad, como enseguida anotamos:

1. Personalidad del autor.
2. Motivos.
3. El hecho.
4. El procedimiento.
5. La conducta posterior al hecho.
6. Las circunstancias especiales de atenuación.

Posteriormente, el mismo autor ha opinado que deben tomarse en consideración los hechos que a continuación tratamos.

Disposición.—O capacidad para delinquir, o aptitud para violar las leyes penales. El que aprovecha una oportunidad para de-

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linquir creyéndose impune revela peligrosidad, no así quien deja pasar la oportunidad, contrariando la satisfacción de una necesidad.

Inclinación.—Cuando el estímulo delictivo produce sensación agradable porque armoniza con los sentimientos del sujeto.

Tendencia.—O tensión permanente hacia determinado acto o una excitación interior hacia el delito. Las tendencias proceden de las tendencias orgánicas y el delito viene a ser el reflejo fiel de la personalidad.

Calidad de los motivos.—A más reprobables motivos corresponde mayor peligrosidad. Teniendo en cuenta el carácter social o antisocial de los motivos (intrínsecos y extrínsecos).

Estudio del hecho mismo.—Su preparación y modo de ejecución. La peligrosidad no se mide por la causa, corresponde a una característica del causante.

Emoción.—Muy influída por el factor tiempo que, normalmente, calma las emociones, pues, evidentemente, son antagónicas la cólera y la meditación. A este respecto, el autor de quien nos venimos ocupando distingue los siguientes tipos emotivos:

a) La retardada.

b) Con elaboración posterior.

c) Comprimida.

d) Comprimida y renovada.

En el interesante proyecto de Código Penal argentino, la "semiología" de que nos venimos ocupando ha sido establecida en el Artículo número 41:

Son circunstancias de mayor peligrosidad:

a) Haber llevado vida deshonesta, disoluta y parasitaria.

b) Tener antecedentes policiales y penales.

c) La precocidad en la comisión de un delito grave.

d) Haber obrado por motivos innobles.

e) La naturaleza de la acción, lugar, tiempo y medios.

f) Obrar con la participación de otros.

g) La preparación minuciosa.

h) Cometer el delito durante estado de procesado o en libertad condicional.

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i) La agravación de las consecuencias del delito.

j) La conducta reprochable post-delictiva.

Son circunstancias de menor peligrosidad:

a) La honestidad y laboriosidad de la vida precedente al delito.

b) Lo que revele que el delito fué puramente circunstancial y carezca de valor sintomático como manifestación de tendencia criminal.

Puede comprobarse, a través de lo anteriormente expuesto, que los criterios de los diferentes autores, substancialmente son concordantes en cuanto a la apreciación de la peligrosidad criminal. En síntesis, la dicha peligrosidad puede estimarse como un problema de Clínica Criminológica encaminado a establecer un diagnóstico cierto y un pronóstico fundado; para tal fin sirve el estudio somático-funcional y social de la persona, como el que hemos hecho al asesino de León Trotzky.

Hemos de agregar, todavía, otros elementos útiles para estimar la peligrosidad. El señor Gregorio Suárez Peñalver, en artículo publicado en la revista "Policía Secreta", de Cuba (febrero de 1941), intitulado "De las circunstancias agravantes personales y de mayor peligrosidad: cometer el delito mediante precio, dádiva, recompensa, ofrecimiento o promesa", dice: "En nuestro Código de Defensa Social se llama asesinato a varias formas de homicidio, entre las cuales se comprenden:

1. Cometer el delito mediante precio, dádiva, recompensa, ofrecimiento o promesa.
2. Haber cometido el delito a virtud de orden arbitraria de la autoridad o sus agentes.
3. Haber usado alevosía.
4. Haber empleado ensañamiento.
5. Haber obrado con premeditación conocida.
6. Haber ejecutado el hecho por medio de explosivos, gases perjudiciales, incendio, veneno, narcótico o cualquier otro medio idóneo para ocasionar estragos de carácter general.
7. Haber ejecutado el crimen para preparar, facilitar, consumar u ocultar otro delito, o para impedir su descubrimiento.
8. Haber obrado por impulsos sádicos o de brutal perversidad.
9. Haber precedido el homicidio de rapto, secuestro o plagio.

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Para que exista esta circunstancia agravante, es preciso que haya dos o más autores del delito; el que da, ofrece o promete y el que acepta, siendo tan autor del delito el uno como el otro; el primero, porque induce directamente al segundo a cometerlo; y éste porque lo ejecuta.

Resulta fácil, ahora, hacer el balance de las circunstancias de peligrosidad que manifiesta nuestro examinado.

Y ya que hemos tocado el problema de los "sicarios", será oportuno transcribir algunos antecedentes que tomamos de Gabriel Tarde ("Filosofía Penal"). "El asesinato por medio de sicarios, de bravos, tan corriente en Alemania e Italia en la Edad Media, ¿no habrá sido la fase de transición del homicidio que ha debido atravesar, descendiendo desde lo alto de la sociedad a las clases bajas? El hecho es que el poder matar, de donde se ha deducido el derecho a matar, ha sido en toda sociedad primitiva el signo distintivo de las clases elevadas, hasta el Siglo XVII, eran aún esas tendencias las de la nobleza de los países atrasados. En el Siglo XVI, durante las guerras religiosas, reyes, reinas, príncipes, grandes vasallos, gentiles hombres, bravos todos, por otra parte, se creían con derecho, no sólo a matar en duelo a sus enemigos derribados, sino a asesinarlos por venganza, por ambición y a veces por codicia. Se llegaba entonces a ser ilustre por el número de audaces asesinatos cometidos; por ejemplo, el Barón Vittand, a quien la dulce Margarita Valois fué en persona a ver al Convento de los Augustinos para confiarle la misión de matar a De Guast, favorito del Rey, que la había ultrajado. Felipe II condecoró y ennobleció a sus sicarios... La evolución del asesinato político es instructiva. Hubo un tiempo en que los reyes, los jefes de República, asesinaban por sí mismos, por ejemplo, Clodoveo. Más tarde los príncipes cometen asesinatos por comisión. Se tiene la prueba de ello, particularmente, en los archivos de Venecia. M. Lamaushy, que les consultó, ha descubierto de mil cuatrocientos setenta y cinco a mil setecientos sesenta y ocho, más de cien deliberaciones del Consejo de los Diez relativas a comisiones de esta especie. He aquí una muestra: «1448, 5 de septiembre. El Consejo de los Diez encarga a Lorenzo Minio haga saber al personaje desconocido, que se acepta su oferta consistente en dar muerte al Conde Francisco Sforcia, y que después de su ejecución puede prometerle de 10 a 20 mil ducados». Llega en fin un momento y por dicha más pronto de ordinario que en Venecia, en que los hombres de Estado se avergonzarían de hacer parecidas compras, y en el momento en que los regicidas surgen espontáneamente del populacho enardecido. Hay que advertir que a las grandes recrudecencias del homicidio primitivo, hasta donde puede juzgarse en un pasado desprovisto de estadísticas, se siguen inmediatamente las explosiones de guerras civiles, es decir, las grandes

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intemperancias del homicidio oficial bautizado con el nombre de razón de Estado".

Volvamos a la peligrosidad y consideremos los conceptos vertidos por el Dr. Mariano Ruiz Funes, el año próximo pasado, durante el Congreso de Prevención Social:

"Deben considerarse peligrosos los que no se dedican a un trabajo **honesto sin causa justificada.** Un caso de peligrosidad sin delito es el de los vagos habituales, rufianes y proxenetas o sujetos **en posesión de dinero o efectos, no justificada a requerimiento de la autoridad. Los que ocultan su verdadero nombre, disimulan su personalidad o falsearen su domicilio y los que usaren o tuvieren documentos de identidad falsos u ocultaren los propios"...** Como se comprende, esta caracterización hecha por don Mariano Ruiz Funes, conviene al asesino de León Trotzky. Continúa el ilustre profesor de Murcia: "El concepto de estado peligroso implica la vehemente presunción de que una determinada persona quebrantará la ley penal. El delito tiene valor sintomático. Revela, a veces, como un episodio, toda una conducta antisocial; pero este episodio es un hecho aislado y se puede fundadamente presumir que, si no se adoptan contra el sujeto ciertas medidas, repetirá sistemáticamente su conducta antisocial".

Para determinar esta exposición, hemos de establecer con toda claridad la distinción entre **delincuente común y delincuente "político-social"**, y nada más apropiado para este fin que transcribir las palabras de Enrico Ferri ("Principios de Derecho Criminal"): "Otra variedad del delincuente pasional o emotivo la constituye el delincuente político-social, que realiza un delito o esencialmente político (conspiración, alta traición, violencia electoral, reunión sediciosa, delito de imprenta, etc.) o de índole económico-social, o incluso común (homicidio, hurto o falsificación), pero no por motivos de provecho propio o ventaja egoísta, sino por aberración de sentimientos nobles o en el tumulto de un movimiento insurgente. Pero es preciso tener en cuenta que el delito político o de apariencia política —sobre todo cuando se concreta en un delito común atávico que casi siempre es el homicidio—, puede también ser cometido por un delincuente loco (por ejemplo Ravaillac, Guiteau, Passanante, etc.) e incluso por un delincuente nato (por ejemplo Ravachol), quien antes de dar un tinte político a sus delitos, había matado a un viejo ermitaño con el objeto de robarlo. Por ello es preciso distinguir la delincuencia verdaderamente política de la **delincuencia sectaria** según las certeras observaciones de Sighele. De lo que resulta que el delincuente político no puede constituir una categoría antropológica per se estante como demostré en contra de la opinión de Colajanni y otros. Sólo debe entenderse por delincuente político-social una especie de delin-

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cuente pasional, siempre que muestre los síntomas biopsíquicos antes recordados, una vida anterior intachable y, sobre todo, **que no llegue en su fanatismo a la comisión de delitos comunes.** Verdaderos delincuentes político-sociales fueron, por ejemplo, los conspiradores para lograr la independencia de Italia. Durante la guerra fué condenado en Italia A. V. a causa de delito de alta traición: el delito era político por excelencia, pero el delincuente había actuado por dinero y su vida anterior había sido desordenada y amoral. Era, por tanto, un caso típico de delincuente **pseudopolítico...**" "es el caso en que el ideal político-social no es sino la bandera que cubre el contrabando, esto es, el fin de lucro, de venganza, etc. En estos casos el delincuente más bien da pruebas de una peligrosidad más refinada y peligrosa. El verdadero delincuente político-social es ante todo el que no comete delito común alguno para realizar su ideal, o si lo comete no lo hace por motivos de provecho egoísta, o lo comete de improviso, con ocasión de un tumulto, etc.".

El verdadero delincuente político-social no llega a la comisión de delitos comunes, ha dicho con toda razón Enrico Ferri. Nuestro examinado ha cometido un delito del orden común; él piensa que ha logrado un fin elevado matando; él cree conservar la categoría de hombre moral después de haber asesinado; juzga bueno el acto de haber privado de la vida a León Trotzky por ser traidor a la clase obrera; él no siente arrepentimiento por el crimen; tiene como benéfica para la clase obrera la muerte de Trotzky; no se considera ni como asesino, ni como magnicida, ni como loco moral, ni como anormal, admite que se pueden cometer crímenes aún en contra de las particulares convicciones e ideales y supone el absurdo de que se puede cometer el crimen perfecto. Insinúa la insostenible idea de haber procedido en su conducta criminal con actos de automatismo; en efecto, la misma interpretación queda ampliamente desmentida, lo mismo por sus declaraciones que por su conducta, que viene a ser la más acabada negación de todo automatismo. Por otra parte, los actos de automatismo no se presentan en una persona de manera aislada, independiente de toda otra manifestación y nuestro estudio viene a demostrar, precisamente, la imposibilidad de actos de tal naturaleza en la persona del procesado.

Hasta aquí hemos considerado, sin exagerar su importancia, las explicaciones que el procesado ha dado acerca del crimen. Seguiremos adelante la interpretación y ahora examinaremos, desde el punto de vista psicológico, el acto delictivo; para este fin, es oportuno que previamente expongamos algunas ideas de Franz Alexander y Hugo Staub ("El delincuente y sus jueces desde el

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punto de vista psicoanalítico") cuyo conocimiento nos parece indispensable.

Al ocuparse del criminal neurótico, los dichos autores dicen: "Uno de estos tipos, que Freud denomina **la excepción,** intenta, fijado en una situación infantil, ser tratado en la vida en contra de las posibilidades de la realidad, como una excepción". En estas personas se encontraría "un dolor sufrido en la niñez más remota" por el que se sentirían injustamente castigados. Por este mecanismo se formarían los llamados "criminales por sentimiento de culpabilidad". "En ellos existe un sentimiento de culpabilidad, de origen desconocido, que siempre pesa sobre ellos y que mediante el delito se enlaza con una acción determinada, haciéndose así más soportable, al encontrar una fundamentación consciente y admisible". "Las verdaderas causas de este sentimiento, provenientes siempre del complejo de Edipo, no superado por completo, no necesitan hacerse conscientes al trasladarlo para que gravite sobre el hecho real". "El delito por sentimiento de culpabilidad representa la combinación de dos mecanismos antes descritos, a saber, el **escondimiento y el autocastigo".** "En la mayoría de los casos se puede además descubrir analíticamente, junto a esta conformidad constante y aún por encima de ella, una relación simbólica más fina o una alusión a cualquier especie o a lo que se ha querido expresar". "Considera Alexander como **caracteres neuróticos** a aquel grupo de personalidades patológicas que en lo enfermo no se manifiesta por medio de síntomas, sino en una desviación típica que respecto de las normas sociales sufre durante toda la vida la conducta del sujeto. A diferencia de los neuróticos puros, tan inactivos casi siempre, estos enfermos son hombres de acción, cuya vida transcurre de un modo dramático".

"El carácter neurótico, prescindiendo de que delinca o no, es de todas maneras un enfermo que padece una neurosis sin síntomas, al que el psicoanálisis, aún conociéndolo como neurótico, no puede clasificar en un grupo nosológico determinado. Son individuos de una suerte dramática. En la vida están empujados por una especie de coacción demoníaca. La vez de los síntomas la hacen las acciones irracionales, cuyo sentido inconsciente puede ser interpretado lo mismo que el de un síntoma neurótico". "Forman parte de este grupo ciertos aventureros, tras cuyos actos late siempre la misma insurrección contra las leyes y la autoridad del Estado, y que siempre logran ser castigados injustamente, al menos desde un punto de vista subjetivo, consiguiendo que el Estado-Padre incurra en injusticia". "El criminal neurótico es un caso particular del carácter neurótico, cuyo actuar instintivo se enreda en las leyes penales". "Con frecuencia lo neurótico se percibe apenas en la forma de concertar un matrimonio o en el curso

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irracional de su vida profesional, caracterizada por altibajos que, aparentemente, ocurren de un modo fortuito".

"Hemos de advertir que nuestra civilización nos lleva a la neurosis, porque tiende a la degeneración de nuestra vida instintiva".

Principiamos por aceptar, desde luego, la categoría de **criminal neurótico** para nuestro examinado. Aún cuando parezca redundante, su atributo de criminal es indiscutible y a todas luces evidente y a su catalogación dentro de los neuróticos es indudable, como lo prueba la respectiva parte de nuestro trabajo. Cotejaremos ahora los caracteres esenciales, ya relatados, con nuestras observaciones en el caso particular.

Persona excepcional.—Durante el interrogatorio, encontramos todos los elementos necesarios: lograr un fin elevado matando, conservar la categoría de hombre moral después de haber asesinado, no sentir arrepentimiento por el crimen, no considerarse ni como asesino, ni como magnicida, ni como loco moral, admitir que se pueden cometer crímenes aún en contra de las personales convicciones e ideales. Otros datos pueden encontrarse en el curso de la exploración de las funciones subconscientes (él conoce a personas extraordinarias, él posee habilidades excepcionales, etc., etcétera).

Dolor sufrido en la niñez más remota.—El trauma infantil que empieza a revivirse desde la infancia cuando aparecen las enfermedades gastrointestinales (vómitos, etc.).

Sentimiento de culpabilidad.—Todos los numerosos actos de autocastigo.

Sentimiento de culpabilidad que encuentra su fundamentación consciente en el delito.—Es el asesino de León Trotzky.

Complejo de Edipo no superado como causa del sentimiento de culpabilidad.—Ya fué establecido el mismo complejo en el examinado.

Mecanismo del escondimiento.—Aún cuando el procesado aparece durante el delito sin esconderse, de hecho ha venido viviendo una vida de ocultación: oculta su nombre, su nacionalidad, sus ocupaciones, etc. No debe olvidarse que aparte de que constantemente fué descubierta la **tendencia a ocultar**, una de las palabras críticas de la prueba de Jung-Bleuler es, precisamente, **ocultar** y, durante el sueño de las regatas, el motivo de la ocultación es de la más alta importancia.

Mecanismo del autocastigo.—Independientemente de las numerosas reacciones de autocastigo, ya conocidas, el mismo sentido

aparece en el momento crítico del delito, cuando en verdad se deja golpear y después, cuando se produce su encarcelamiento.

Relación simbólica.—Hemos dicho que el delito viene a corresponder al más grave acto de la neurosis del procesado y, en su oportunidad comprobamos cómo resume, por decirlo así, de manera simbólica, toda la historia de la neurosis y aún puede interpretarse como la vivencia del trauma afectivo.

Desviación de la conducta, de las normas asociales en vez de síntomas neuróticos. Evidentemente no se encuentran síntomas neuróticos (crisis convulsivas, parálisis, amnesias, etc.) y, justamente, la categoría de **revolucionario** que el procesado vive y siente, viene a corresponder a la desviación de las normas sociales.

Hombre de acción.—Sólo agregamos un comentario que cabe en una palabra: exacto.

Neurosis sin síntomas.—Está probado en el diagnóstico.

Empujados por una coacción demoníaca.—Hallamos hasta la misma expresión en la explicación contenida en la carta que el procesado escribió antes de cometer el crimen: **"los motivos que me empujaron a ejecutar el acto"...**

Acciones irracionales interpretables.—Indudablemente, la que con justicia llamó vivamente la atención de todo el público: asesinar encajando un zapapico en la cabeza, que puede interpretarse como una vivencia simbólica del trauma.

Aventureros insurrectos.—El "revolucionario" que viaja con pasaporte falso, el "gran señor de las aventuras galantes con mujeres fáciles", etc., etc.

Actividades contra las leyes y el Estado.—Es "revolucionario".

Leves señales relacionadas con la vida matrimonial y la profesional.—Su fracaso matrimonial y su calidad evidentemente probada de fracasado social.

¿Cuál es, al fin, el mecanismo del delito en el caso particular? Distinguimos por una parte factores psicológicos y, por la otra, sociológicos; uno y otro vienen a corresponder a las respectivas categorías de causa eficiente y causa determinante.

En la neurosis "sin síntomas" hallamos el factor principal que, a su vez, queda integrado de la manera siguiente: dentro de la constitución que predispone a la neurosis (admitida por el profesor Freud), encontramos el que llamamos conflicto o desarmonía, de carácter biológico-sexual; esta circunstancia es anterior al crimen y también a la neurosis. De tal predisposición, parte la

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orientación neurótica de las tendencias orgánicas que se descubren mediante la caracterización somático-funcional, por virtud del trauma afectivo sufrido en la más temprana infancia. Una vez ocurrido el dicho trauma aparece el estado neurótico de carácter evolutivo que estorba, por decirlo así, el curso de la vida del procesado y que, cada vez que el hombre se encuentra en los períodos críticos (críticos desde el triple punto de vista biológico, psicológico y social), períodos críticos, repetimos, de la vida, se vuelve aparente de manera más o menos encubierta: a veces son síntomas orgánicos con sentido neurótico (enfermedades infantiles, gastro intestinales, vómitos, desnutrición, tendencia a permanecer encamado, etc.), en ocasiones son exteriorizaciones en la conducta psico-social (actividades de jefe de pandilla, falta de interés por la escuela, tendencia al autocastigo, accidentes, etc.) y, progresivamente, con mayores tropiezos en la vida de adulto (fracaso matrimonial, nuevamente accidentes, fracaso profesional, vida desorientada y agitada, etc.). Al fin queda el acto más grave, representado por el crimen, verdadera síntesis de la evolución de la personalidad neurótica. En toda la vida de este hombre, aparece constantemente el empuje, la desviación o la orientación neurótica, por virtud del principio de la repetición aún los actos triviales esconden, en todo momento, la expresión simbólica que, por obra del determinismo psicológico, siempre habrá de conducir a las mismas tendencias subconscientes. Permanentemente, a través de mil formas distintas, el complejo central de Edipo, no superado, se ha interpuesto en el curso de la vida de este sujeto que bien pudo ser un honorable cirujano.

Junto al factor eficiente, psicológico, ya tratado, aparece el social determinante, inseparable al anterior. El estado neurótico provoca constantemente infinidad de conflictos diarios, grandes y pequeños que, en tanto que el hombre vive en sociedad, lo llevan por el camino de la conducta agitada, sin plan, vacilante, siempre regresiva y siempre también inútil por improductiva. El conflicto central ha de encontrarse ahí donde el individuo todos los días se descubre a sí mismo como capacitado para una actividad comercial, en cierta manera superior (aptitudes para el trabajo profesional) y en los diarios instantes de la vida que transcurre de fracaso en fracaso. El correr de los días es implacable, a cada instante se acerca más el supremo de la muerte y, por esto, cuando ha llegado el mediodía de la existencia humana y cuando, como en el presente caso, el hombre vuelve la cara hacia atrás y descubre su pasado inútil y su dolorosa categoría de hombre que, a pesar de sus capacidades, es un obscuro individuo sin valor personal, sin profesión y sin rumbo, aparece la más grave crisis psicosocial: el momento de las rectificaciones humanas, el instante de decidirse apresuradamente a tomar un rumbo porque la vida es

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corta. Durante esta época definitiva de la vida del procesado, descubre el inquieto ambiente de París, se ofrece ante sus ojos el nuevo horizonte de los revolucionarios destructores y aparece la oportunidad de obrar concordantemente con esas tendencias subconscientes insospechadas dedicándose a la cómoda tarea de leer, simplemente de leer los libros que en tres meses lo dejarían convertido en revolucionario con programa en la vida, sobre el camino de las actuaciones espectaculares, dueño de todos los secretos de la sociedad y en posesión de una doctrina que se presta a maravilla para retorcerla y encontrar disculpa a las peores indignidades humanas a condición de no entender, raíalmente, lo que es la evolución social por el mecanismo de las contradicciones. Por obra del determinismo social, uno de tantos mediocres fracasados en la vida, queda situado al lado de los modernos redentores de las clases oprimidas y se ha incorporado a una poderosa muchedumbre de descontentos que, algún día, hará el milagro de cambiar el orden social del mundo.

Si por arte de magia fuera posible hacer retroceder la vida del asesino a la época anterior, relativa a la crisis de la mitad de la vida y si entonces hubiera vivido en alguna parte tranquila del mundo, en algún lugar inmune al fermento revolucionario de París, en estos días sería uno más de la legión de esos obscuros neurópatas que sufren en silencio.

Examinaremos ahora algunas circunstancias que, por muy peligrosas que parezcan, habremos de tratar dentro de la escuela de nuestros estudios.

¿El asesino obró solo, de manera independiente, o por el contrario, puede pensarse que intervino como parte de una organización delictiva? De tal interrogación parten muy numerosas y diversas investigaciones; una es, evidentemente, policíaca y no nos corresponde ni, tampoco, nos interesa. Otra procede del individuo estudiado, dicho en otros términos: que nuestro sujeto pueda corresponder, por sus caracteres individuales, al tipo del apto para ser enviado a asesinar a una persona. Abordaremos este problema utilizando, exclusivamente, los datos comprobados por nosotros y que se deducen de nuestra exploración.

Hemos probado su vocación para el asesinato y, en particular, para el magnicidio. Por esta parte, ciertamente no deberá admitirse la calidad humana necesaria para quien pueda ser mandado a cometer un asesinato. Las cosas cambian si se toman en consideración las tendencias que parten del complejo de Edipo no superado y, en particular, la solución por la descomposición del simbolismo del padre: el real insignificante, despreciado; el sustituto de la persona odiada, famosa, poderosa, importante, grande; el que

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sirve para desplazar la imagen del padre a quien se debe obediencia y sumisión, antítesis del anterior, por lo común oculto, inaccesible y misterioso. Es muy importante hacer notar con toda claridad que planteamos el problema de saber si el procesado reúne los caracteres del que puede ser mandado a delinquir y que, por lo mismo, nuestra discusión nada tiene que ver y para nada sirve con respecto al problema diferente de saber **quién** pudo haberlo mandado. Sigamos adelante y pronto descubriremos nuevas aptitudes, por decirlo así, para ser enviado a matar. Distinguiremos ahora caracteres de tres clases: (a) fisiológicos; (b) psicológicos y (c) sociológicos.

a) Sus habilidades motoras, su habilidad táctil, su necesidad de movimiento (agitación), sus aptitudes para el deporte y también, su insuficiencia gonadal que hace de él un hombre cuya conducta no quedará muy influída por las mujeres.

b) Su tipo perceptivo, minucioso y detallista, su buena memoria, su mitomanía, su taquipsiquia, su tipo emotivo controlado con erotismo cerebral, su impulsivismo, su sugestibilidad.

La actividad no superada del complejo de Edipo, la tendencia al autocastigo, la tendencia a ocultar.

c) Su porte correcto, arreglado, limpio y elegante, sus actitudes de gran señor, su sociabilidad, su afición por los deportes, su habilidad para el humorismo, su habilidad para aprender idiomas extranjeros, su habilidad de buen conversador y, también, del lado negativo: su audacia, su revolucionarismo (aún cuando sea palabrista y autodidacta) y la esencia de su conducta social, que es la hipocresía y la habilidad para engañar.

Concluímos, en consecuencia, **que el sujeto estudiado reúne las más importantes de las características del individuo que puede ser mandado a asesinar.**

Veamos ahora, muy brevemente, otro problema interesante: el relativo a los cómplices. Nuevamente insistimos en que esta clase de cuestiones las examinamos desde nuestro particular punto de vista, sin invadir terrenos que no nos corresponden y en función de los datos establecidos en el curso de nuestra exploración. Para facilitar la labor, aludiremos a los puntos siguientes: (a) el dinero; (b) las cartas; (c) Pedro; (d) Carmen y (e) Siqueiros.

a) **El dinero.**—El dinero que gasta procede, según la final explicación del procesado de 5,000.00 dólares que le dió su señora

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madre. Si hacemos notar que esta es una **explicación final** es porque fué precedida de otras que son, por decirlo así, ensayos más o menos torpes. Desde el punto de vista psicológico no pierde importancia el hecho de llegar a una explicación final después de otras, por sólo la circunstancia de que el procesado diga que produjo informes falsos y que estuvo fantaseando. Esta conducta corresponde a una necesidad y tiene un **claro sentido:** por una parte son los tanteos para salir del paso, pero, por la otra, revela la **necesidad de ocultar la procedencia del dinero.** Es un permanente **acto fallido** lleno de significación. Por más ingenioso que sea el hombre, por más audaz que se estime, por más que acaricie la idea disparatada del crimen perfecto, todo ser humano se mueve dentro de un estrecho determinismo. El dinero, uno de los primeros intereses infantiles (las monedas de oro que robaba al abuelo), el dinero que es también comprometedor, con las explicaciones de tanteo queda en la calidad de algo cuya procedencia debe ocultarse y, con la explicación final, acaba por unirse necesariamente, a la madre; esto es, el complejo de Edipo. Si la última explicación fuera cierta, que indudablemente no lo es, debió haber aparecido desde el primer momento con toda claridad, sin trabas, de manera segura y espontánea.

Las cartas.—En su oportunidad hicimos notar un hecho importante cual es el de que **el día del crimen el procesado estuvo en "American Express"**, donde recibía su correspondencia. Su compañera estaba en México, luego fué movido por el temor de recibir alguna carta comprometedora. Ahora bien, debe recordarse que nuestro hombre puso de manifiesto su habilidad para cifrar mensajes en clave y hemos de decir, también, que ya preso se recibieron algunas cartas dirigidas a él.

Pedro.—Pedro es uno de esos nombres que se "escapan" en las condiciones más inoportunas y que el procesado dijo a pesar suyo; es un acto fallido de mucha importancia. Dentro del terreno de las hipótesis puede muy bien corresponder al nebuloso señor miembro de la Cuarta Internacional o, para mejor decir, puede ser el encubierto de esa manera. Es, para el examinado, "mi amigo Pedro" que, según la hipótesis, pudo realmente ser su amigo que conocía las nocivas disposiciones para el crimen del sujeto que venimos estudiando el mismo que, por conocerlo, sí pudo hacerle las que parecen absurdas proposiciones en labios de "un señor" indefinido, de la Cuarta Internacional que casi por arte diabólico descubre unas raras aptitudes en el procesado a quien juzga capaz de ser algo más que un simple militante del partido trotzkista.

Carmen.—Carmen surgió, como Pedro, muy a pesar del examinado durante un vértigo de buen humor y de reminiscencias de París. Advirtió inmediatamente su imprudencia y no encontro

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más manera de ocultarla que inventar una regocijada anécdota en la que forzadamente resultó una Carmen campeona de natación de Francia. Con el mismo acto fallido habrá que prestar algunos informes que proceden de otras personas: la señorita Ageloff declaró que en París sólo una vez el procesado saludó a una mujer elegante; la misma Silvia posteriormente declaró que en México esta persona saludó nuevamente a su compañero en la cantina "One-Two-Three". Agregaremos, todavía, otros informes que logramos por conducto de la señora María Ricaud, colaboradora nuestra:

> "Morales e Iturbide.—Señores Hernández.—El 7 de diciembre del año de 1939, el procesado compró un automóvil Buick, modelo 1937 que pagó al contado. Dió, además, en parte de pago, un automóvil Ford que dos o tres meses antes había comprado ahí mismo y por el que había pagado $1,400.00; el precio del Buick era de $4,000.00; durante esa época el procesado vivía en el Hotel Guardiola. En una ocasión, antes de comprar el Buick, se le descompuso el Ford, acudió a la Agencia de los señores Hernández, irritado y dijo que era originario del Canadá, que viajaba en compañía de su esposa. En otra ocasión se presentó en este mismo lugar **acompañado de una señora** de más de 50 años de edad a quien presentó como su madre."

Es oportuno hacer notar, también, la conducta del procesado en París, según los informes de la señorita Ageloff, en la parte que nos interesa hallamos una manera de obrar **demasiado sospechosa** como vamos a demostrarlo. Según el examinado él ha vivido algún tiempo en París, nos ha referido multitud de anécdotas, era periodista, sociable, alegre, hombre de muchas amistades, evidentemente. En cambio, tan pronto como aparece la señorita Ageloff en esta historia, nuestro sujeto, con excepción de la dama bien vestida, no conoce en París más que a los amigos de su compañera. Los buenos cómplices saben alejarse oportunamente y visitarse de manera sigilosa.

Siqueiros.—El pintor mexicano hace su aparición, en relación con el procesado, desde el momento en que nuestro sujeto cae en otro acto fallido y anota, en la libreta de su compañera, la dirección (Edificio Ermita, en Tacubaya) del señor Siqueiros. Se sabe que la señora Margarita Rosemare fué al Edificio Ermita y ahí obtuvo el informe en el sentido de que el señor Mornard no estaba en ese momento. Durante nuestra exploración, el mismo pintor ha aparecido en labios del sujeto que estudiamos detrás del simbolismo de "mi único compañero", de "mi amigo" (en el sueño del embudo) y de "el quince metros" (en el sueño de las regatas). Ya

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no en sueños, ni en trivialidades ni en actos fallidos, sino en la vida dramática de Trotzky, durante el atentado que capitaneó Siqueiros se mueve "un francés" que puede ser muy bien nuestro examinado. Por otra parte, es sabido que el pintor mexicano estuvo en España durante la pasada contienda civil y es muy probable que en el mismo lugar se haya encontrado el procesado junto con esa Carmen y ese Pedro bien conocidos por los actuales refugiados políticos españoles.

Detrás del vulgar nombre de "Bartolo Pérez" habrá de verse, también, a un cómplice culpable, que buen cuidado ha tenido de desaparecer oportunamente. Volvamos a los informes que obtuvo la señora María Ricaud en "Shirley Courts": que cuando el procesado se alojó en este sitio, tenía un baúl muy pesado que siempre estuvo guardado en las bodegas y que, de la misma casa de turistas, se separó un mozo a quien se supone relacionado con las actividades del procesado.

En esta parte de nuestro trabajo hemos reunido, ciertamente, conjeturas, hipótesis y supuestos más o menos verosímiles. De manera aislada, estos datos valen poco, en el conjunto de toda nuestra investigación aparecen, cuando menos, como muy útiles indicios.

Nos ocuparemos ahora de otro asunto interesante, que tiene íntimas conexiones con la acción delictuosa. La señora Natalia Sedoff declaró el día 7 de septiembre del año de 1940 que Jacson se presentó como una persona tímida y hasta cierto punto irresoluta y **extraña;** acerca de esta impresión conversó con la señora Rosemare. Supone que el hombre trató de habituar a los guardianes a que lo vieran entrar y salir de la casa; entraba únicamente al patio y pocos minutos después salía. Al despacho de León Trotzky sólo entró dos veces. Después del atentado del mes de mayo, Jacson visitó la casa y por excepción se le introdujo; llamó la atención la forma indiferente y como distraída con que Jacson observó todo y esto motivó comentarios con Trotzky. Después del asalto Jacson fué a los Estados Unidos y dió como explicación que tenía que verse con su Jefe porque los negocios iban mal. Dejó su automóvil en la casa del mismo Trotzky. A su regreso fué a saludarlos y se llevó el automóvil. Cuando por primera vez llevó a su posterior víctima "su artículo", habló como 5 ó 10 minutos y permaneció con el sombrero puesto. Trotzky le comunicó que Jacson le había causado una **impresión extraña,** pues se había sentado sobre la mesa y el "artículo" era algo confuso. Después de la agresión sufrida por Trotzky, éste tuvo tiempo aún para decir a la señora Sedoff que **había comprendido que Jacson lo atacaría.**

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[illegible]

El señor Joseph Le Roy Hansen declaró el 2[illegible] de agosto del año de 1940 que **"León Trotzky fué quien indicó la forma como se le podía matar fácilmente"**. En declaraciones que hizo con relación al asalto, dijo que no había razón para tanto aparato y tanta gente, si **"un solo agente de la GPU que se haga pasar por mi amigo puede asesinarme en mi propia casa"**.

El atentado ocurrió el 24 de mayo del año de 1940 a las cuatro horas y el asesinato de Trotzky ocurrió el 20 de agosto del mismo año, a las 17 horas y 30 minutos; en este intervalo, el mismo León Trotzky escribió artículos llenos de temores y, en cierta manera, de presentimientos. Los informes que hemos expuesto tienen por objeto evidenciar la **conducta propiamente suicida** de Trotzky, quien, por decirlo así, **se dejó matar.** Pues es inadmisible que un hombre entrenado para salir ileso de las condiciones más peligrosas, que un individuo inteligente y sagaz, que durante el atentado resultó con vida, haya cometido la imprudencia de encerrarse solo, en su despacho, cuando ya había previsto que una sola persona que se hiciera pasar por su amigo podría asesinarlo en su propia casa.

Lombroso y Ferri, según Henry Claude ("Psiquiatría Médico-Legal"), dividen los crímenes políticos en las siguientes categorías:

a) Los criminales políticos natos, hereditariamente cargados, portadores de estigmas de degeneración, inafectivos, impulsivos.

b) Los criminales políticos verdaderamente locos, cuya herencia frecuentemente explica las monomanías, las tendencias paranoicas y las manifestaciones epilépticas.

c) Los magnicidas políticos, que se distinguen de los criminales por la integridad casi completa del sentido moral; se diferencian de los locos, de los paranoicos particularmente, con los cuales tienen tanta semejanza, por la ausencia de delirio, por la menor impulsividad y por la conservación casi general de los sentimientos afectivos. Les faltan caracteres degenerativos y aún de herencia morbosa. Esta categoría de criminales se distingue por sus tendencias altruistas, vanidosas, por la prolijidad de sus escritos y por el carácter impulsivo, casi epileptoide de sus gestos.

d) Los criminales políticos por ocasión y por contagio epidémico.

e) Los criminales políticos por pasión, que se distinguen por su sensibilidad exagerada, su excesivo altruismo y que se complacen en sacrificar su vida.

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Nuestro examinado, evidentemente, posee los caracteres de dos de las variedades distinguidas por Lombroso y Ferri en el grupo de los **criminales políticos:** corresponde, por igual, al **magnicida político** y al **criminal político por pasión.** Concordantemente, puede considerársele como un **delincuente por pasión** y en la variedad de los **delincuentes políticos** de acuerdo con las ideas de Maurice Parmelee ("Criminología"); como **delincuente por pasión** según el criterio de Enrico Ferri; y como **delincuente político** de acuerdo con la clasificación de Havelock Ellis.

Según Luis Jiménez de Asúa ("Psicoanálisis Criminal"), el Dr. Emilio Mira distingue el tipo que llama "**Psicópata pseudo-revolucionario**", cuyos caracteres se encuentran en el sujeto que venimos estudiando.

Es oportuno transcribir el pensamiento del ya mencionado don Luis Jiménez de Asúa quien, al caracterizar a los delincuentes políticos, dice: "No pocos sujetos que se creen a sí mismo auténticos delincuentes políticos, construyen una doctrina política revolucionaria o se adscriben a las fórmulas políticas más extremistas, para poder dar cauce a sus tendencias **parricidas** más o menos sublimadas, sin remordimientos culpables".

Volvamos a Lombroso ("Les Anarchistes") y encontraremos una descripción que se cumple en nuestros días, en la persona del asesino de León Trotzky: estos delincuentes políticos usan el argot, un argot especial, distinto del habitual entre criminales y una modalidad ha de verse en sus canciones líricas; los matoides son difíciles de examinar porque presentan caracteres negativos, no tienen anomalías faciales, se encuentran en las grandes ciudades, tienen un sentido moral extraordinariamente bien conservado, un exagerado sentido práctico y gran amor a la sociedad; su inteligencia no ofrece anomalías importantes; a veces son de una finura y habilidad notables y algunos llegan a ser médicos, diputados, profesores, pero se caracterizan por una actividad morbosa, una laboriosidad exagerada para materias extrañas a su profesión y desproporcionada con relación a su inteligencia. Frecuentemente cambian de actividades, producen escritos abundantes, son monómanos. De un concepto hasta sublime, pasan sin transición a un pensamiento menos que mediocre, grotesco y paradójico. A la mediocridad de sus ideas, a la imperfección de estilo, oponen exclamaciones, interrogaciones, gran cantidad de palabras subrayadas, neologismos, expresiones extrañas. Una gran parte de las reacciones de los criminales por pasión se debe a un fanatismo económico-social; son el lado opuesto o la antítesis del criminal nato: su fisonomía es regular, "anticriminal", son jóvenes, honestos, y excesivamente **hipócritas.**

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OJEADA SOBRE LA PSICOLOGIA PROFUNDA DE LA PENA DE MUERTE*

(A propósito de la proyectada reforma del Código Penal de Guatemala)

Por el DR. ENRIQUE C. HENRIQUEZ.
Médico Antropólogo de Prisiones (Cuba)

He tenido la suerte de leer recientemente en diario "Impacto", de la ciudad de Guatemala, un interesante artículo firmado por el señor Mario Efraín Farfán, abogado sobre la pena de muerte. Responde con él a la encuesta iniciada por otro diario: "Prensa Libre". El Sr. Nájera Farfán ha tratado seriamente el tema y deberíamos, todos los que nos ocupamos de estas cosas, leer y meditar lo que ha escrito. Trátase de un abogado de nota y es opinión general que los de su profesión son los más calificados para hablar de procesos y de penas. Sin embargo, y aunque fuera sólo por tratarse de la vida y de la muerte, yo quiero reclamar para los médicos derecho a entrar en la controversia. Por mi parte quisiera contribuir, modestamente, a la discusión haciendo algunas observaciones acerca de la pena de muerte. Si algún título especial tengo para opinar es el de haber sido por muchos años Médico Antropólogo de las prisiones cubanas y haber estudiado, allí y en las universidades europeas, la pena, su origen, sus efectos, su honda raíz psicológica, y haber sido amigo y discípulo de hombres que, como Don Mariano Ruiz-Funes y Luis Jiménez de Asúa, se distinguieron sobresalientemente en el estudio de estas cuestiones.

Evidente es que, no ya la pena de muerte, sino la **pena**, a secas, merecen y necesitan, desde todo ángulo, madura reflexión, pero en un trabajo como el presente, limitado en su espacio, fuerza es comprimir la argumentación y tratar puntos concretos. Entre éstos hay uno, el psicológico, al cual no se alude frecuentemente en las discusiones, que desearía enfocar especialmente. Mencionaré también, de todos modos, los ejes habituales de la argumentación.

Ante todo quiero decir que la información pública comenzada en Guatemala sobre la pena de muerte debe concluir con autoridad y claridad. Cada uno de aquellos que aparezcan calificados para opinar debe hacerlo sin cortapisas. Por otra parte, no conviene que se desnaturalice la opinión de nadie. Conozco de cerca

* De la revista "Criminalia", de México. Octubre de 1954.

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por lo menos a uno de los miembros de la comisión que estudia la reforma del Código Penal guatemalteco—el Licenciado Benjamín Lemus Morán—y sé, pertinentemente, que se ha deformado su opinión al punto de hacerlo aparecer como "partidario de la pena de muerte para los casos políticos solamente", opinión que, según todas las apariencias, no ha sustentado en ningún momento. Por lo demás, si supusiéramos que la Comisión piensa de ese modo, habría que aceptar que no hace más que copiar la "primera manera" rusa, cuando, si no me equivoco, los rusos suprimieron ya, ellos también esta especificación. Esto no quiere decir que el gobierno ruso no mate a sus enemigos peligrosos, **sino que no lo prescribe en su Código Penal.** Y es cierto que los Códigos no se formulan para los casos excepcionales, o "políticos", sino para los que plantean las costumbres y las obligaciones e infracciones corrientes. **Los Códigos Penales son para los ciudadanos de todos los días;** no para resolver problemas de estado.

El licenciado Nájera Farfán consideró en su artículo una serie de razones defensistas, morales, jurídicas, filosóficas, que apoyaban la pena de muerte y, en lo general, su artículo es el de un antiabolicionista resuelto. Sostiene que, por lo menos, debe matarse a los criminales que "ostentan un cuadro congénito" que no puede ser curado en las prisiones; nos habla de las "características somáticas y antropológicas" que pueden justificar tan grave medida, etc. Y yo me permito preguntar: ¿quién va a delimitar los contornos de ese "cuadro congénito", a precisar las dichas "características somáticas y antropológicas?" con autoridad suficiente? Quizás habría que acudir a los médicos, a los psicólogos... Y he aquí que es seguro que si se hiciera una encuesta a fondo entre los de nuestra profesión el número de adversarios de la pena de muerte sería mucho mayor que el de los que quisieran mantenerla. Para ser justos, hay que decir que también entre los juristas de más fama—verbigracia, Jiménez de Asúa y Ruiz-Funes, antes mencionados—pueden citarse abolicionistas decididos. Finalmente, que se me permita recordar al Licenciado Nájera Farfán que los delincuentes peores, los que presentan un "cuadro congénito" irreductible, y "características somáticas y antropológicas" monstruosas, son precisamente los locos, los irresponsables a causa de un grave, permanente y profundo trastorno psíquico. Es verdad que también se podría matar a los locos, y esto hizo Hitler, pero abrigo la esperanza de que los demócratas que lo vencieron han desechado sincera y completamente, entre otras líneas ideológicas, las de la filosofía jurídica y moral de los nazis. Y ya se ve aquí apuntar otro problema más escabroso, si cabe, que el que tratamos: el de la medida de la responsabilidad criminal en función del estado psíquico de los inculpados, cuestión que hemos tratado largamente en otros trabajos y de la cual resultaría, de todos modos, imposible ocuparnos aquí.

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Sobera de la Flor mató, en México, no hace mucho, a una niña preciosa, a una pobre señorita, honestísima, que estaba esperando su ómnibus en el Paseo de la Reforma. Lo hizo en pleno día. A tirones y empellones obligó a la muchacha a subir al auto de alquiler en que él mismo viajaba y la mató de un tiro. Hizo bajar a punta de pistola, al chofer y, tomando el volante, se dirigió a una casa de citas donde una entrada discreta para automóviles permite a los "clientes" no ser vistos. Una vez allí llevó a rastras el cadáver hasta una cama y lo profanó. Luego se fué tranquilamente a su casa. La víspera había matado, de un tiro también, en concurrida calle, al Capitán Leme, por dos palabras que se cruzaron a causa de una interferencia en el tránsito. De no haber sido detenido, hubiera, probablemente, matado a otras personas de la misma manera violenta, inútil e insensata.

La opinión, el deseo de los hombres y las mujeres del pueblo mexicano ha sido unánime, por así decirlo. ¡Piden que Sobera de la Flor sea ejecutado, públicamente si es posible! Algunos quisieran hasta que fuera torturado... Según encuesta personal, este modo de ver (o mejor, de **sentir**) coincide con el de la mayoría del público de Guatemala. Ya diremos que esto no debe ser obstáculo para que los hombres de ciencias expresen su verdad. Los Comisionados para una reforma de la Ley Penal, los jueces en general, deben revestirse de valor estoico ante las apasionadas arremetidas de la opinión pública y los efectos periodísticos más o menos buscados de exprofeso, para hacer lo que tienen que hacer, según su íntima conciencia, sin dejarse influir por el tumulto exterior.

Sobera de la Flor cometió un crimen monstruoso, uno de esos crímenes que nos hieren y nos enfurecen. Pero... **Sobera de la Flor está loco.** Los técnicos, los peritos, los psicobiólogos dicen que es un esquizofrénico en plena fase de demenciación. Estaba loco desde hace tiempo, según diagnóstico psiquiátrico autorizado (que lo señaló, además, como peligroso): lo está hoy, y lo estará cada día más.

Sobera de la Flor es un demente caracterizado. Así lo ha demostrado en *brillante estudio*, el Dr. *Alfonso Quiroz Cuarón*. Quiroz es también mexicano, pero él sabe más que los ciudadanos ordinarios de México. De todos modos en casos como este resulta difícil satisfacer la reivindicación popular. El recuerdo del espantoso crimen de Sobera hace que la gente siga pidiendo a gritos su cabeza. Los jueces se ven agobiados y ensordecidos por ese clamor, los periodistas hacen coro a la petición de un castigo capital. Nosotros pensamos—a riesgo de incurrir también en el desagrado de la hidra de mil cabezas que es el público—que Quiroz Cuarón no hace sino defender la verdad científica; y como tiene la virtud de hacerlo valerosamente y lejos de todo interés turbio su actitud

merece respeto y aplauso. Terminando con este capítulo, digamos que los partidarios de la llamada **responsabilidad social** no deben suponernos tan ingenuos que vayamos a proponer, por ejemplo, que el pobrecito Sobera de la Flor, y sus semejantes, absueltos a causa de su irresponsabilidad, derivada de su inimputabilidad, vayan a ser puestos en libertad y devueltos a sus hogares. ¡Sobera no deberá salir nunca más del Manicomio donde hace tiempo debió ser recluído, si se hubiera escuchado a los médicos que lo trataron! La sociedad puede y debe defenderse contra el peligro que él representa, pero para ello no es necesario quitarle la vida. Sobera de la Flor, un loco, mata a una pobre niña inocente. La sociedad, compuesta de hombres que se pretenden cuerdos, sapientes y hasta buenos, no debe responder a su acto matándolo a él, a un demente, a un irresponsable, so pena de descender, en cierto modo, a su nivel, al nivel de Sobera de la Flor.

Sería saludable buscar, por otra parte, las raíces psicológicas de esta necesidad que tienen los hombres de matar a sus grandes ofensores. No ya a sus agresores directos, personales, sino también a los que perjudican gravemente, a los que hieren de muerte a sus prójimos. ¿Por qué es tan a menudo el hombre feroz y vengativo? ¿Por qué necesita, en estos casos, que la muerte sea pagada con la muerte?

Una norma bastante más antigua que la que pudieran preconizar las comisiones reformadoras, o el Licenciado Nájera Farfán, o Garófalo—citado por éste en su artículo—expresó esta ansia de retribución que duerme en el estrato instintivo de los seres humanos.

"El que hiriere o matare hombre, muera de muerte.

"El que hiriere animal, restituirá otro en su lugar; esto es, alma por alma.

"El que hiciera mancha a alguno de sus ciudadanos, como hizo, así se hará con él.

"Quebradura por quebradura, ojo por ojo, diente por diente restituirá.

"Cual fuere el mal que hubiere hecho, tal se le obligará a sufrir."

Tal es el texto de la ley bíblica del Talión (Levítico, cap. XXIV; versículos 17, 18, 19 y 20), y el espíritu que la inspiró pesa todavía sobre los hombres de hoy. De ella trasciende, sutilmente, la esencia afectiva, la cualidad de impulso pasional que preside el ánimo de los partidarios de la pena de muerte.

Una singular necesidad de equilibrio psicológico hace que los hombres **traten de compensar un dolor con otro dolor, sin que a primera vista esto se explique por razón lógica.** Es que la razón no es lógica, sino **instintiva.** Se trata de un **impulso** dependiente del **instinto de conservación,** o de **ofensa-defensa,** considerado en su forma primaria o en la sublimada, como luego diremos. El ser humano —capaz, cuando es normal, de piedad, simpatía y hasta altruísmo— siente como propios el dolor y la muerte de sus convivientes, **y por eso necesita, exige reparación, pago, retribución.** Este pago ha de ser hecho mediante el sufrimiento de aquél que causó el dolor o la muerte a su prójimo. El hombre de todos los días no entra a analizar. Lo que necesita es que **sufra** el delincuente, que muera, **que pague.** Trátase del impulso de **venganza,** proyectado socialmente. Así nos aparece la necesidad psicológica de la **pena** como tal pena, y no como medida defensista o correccional. Según los sujetos, su idiosincracia, su educación, el digno de su ecuación personal afectivo-caracterológica, el sufrimiento compensador demandado se limitará a la prisión, o llegará a la exigencia de la pena capital o hasta de torturas suplementarias. En la edad media los jueces, representando la vindicta pública, idearon enorme variedad de sufrimientos que, infligidos judicialmente, tenían raíz legitimamente retributiva.

Pudiera aparecer poco consolador este análisis. No es menos cierto que vale la pena intentar, a lo largo de esta discusión tantas veces emprendida, el mecanismo oculto, la razón psicológica profunda del impulso que mueve a muchos hombres a reclamar la pena de muerte. Así contribuímos, en alguna proporción, al lento progreso moral de la humanidad. Evitaremos quizá, por lo menos, extraviarnos en la búsqueda de motivaciones artificiales o adjetivas y en argumentaciones muchas veces sofísticas o tautológicas.

Para el que estas líneas escribe, la fuerza que nos impele a exigir retribución capital para ciertos delitos, pago en moneda de sufrimiento y muerte, tiene su origen, paradójicamente, en el **instinto social,** o **de solidaridad (instinto de manada,** en los animales) que a su vez, por sublimación, proviene del prepotente **instinto de**

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(1) Pudiera argüírseme que, puesto que procede de un instinto útil y plausible, como el de solidaridad social, la pena de muerte está justificada y que sus partidarios son, por tanto, las personas más sociales, piadosas y amantes de su prójimo. Tal no es la realidad. Los instintos en ciertos casos—por ejemplo este que se refiere a la venganza—tienen proyecciones excesivas, inconvenientes, antimorales, que deben ser reprimidas por una educación bien comprendida, y hasta por los Códigos penales. El odio, la envidia, los ciegos excesos a que arrastran la ira y la pasión sexual, proceden también de fuerzas instintivas que son, sin embargo, en otros aspectos, aceptables y útiles porque salvaguardan la vida del hombre sin degradarlo.

conservación, rama directa, primaria del **instinto vital,** identificando este concepto omnicomprensivo como el impulso universal, de todo lo que vive a defender, prolongar, extender y diversificar la vida; a **in suo esse perseverare** (Spinoza). (1)

No es posible insistir aquí sobre este aspecto del asunto. Cada cual tiene su opinión (y todas son respetables) y, sobre todo, **cada cual tiene su pasión,** su pasión que es el factor dinámico del psiquismo; los afectos, las pasiones, son el **psiquismo-fuerza.** La afectividad es componente innato de la personalidad, y por tanto invariable en sus proporciones individuales —como la inteligencia y la constitución física—; ella resulta la mayoría de las veces el factor determinante de las actitudes y la conducta, dicho sea esto sin desconocer la importancia de la reflexión inteligente, de la educación, la cultura, el ambiente, etc., que conforman, en definitiva, el carácter, modelando, hasta donde es posible, los elementos hereditarios y constitucionales.

He querido apoyar con esta digresión mi criterio de que este asunto de votar en pro o en contra de la pena de muerte es, menos que una cuestión de **pensar,** una cuestión de **sentir;** más que de un **razonamiento,** procede de un **querer.** Por eso resultan muy a menudo poco eficaces los argumentos de orden intelectual en la discusión. Es que ese **sentir,** el que se refiere al tema de este trabajo, se afinca en los más hondos estratos afectivos, en los instintos, en la estructura misma de la persona profunda. (2)

A pesar del clamor popular que generalmente pide crueldad para con aquellos que fueron crueles (es curioso que sean partidarios de la pena de muerte, de la retribución, de la venganza

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(2) Sería interesante practicar pruebas de investigación personalógica (Rorschach, por ejemplo) en dos series de individuos, partidarios unos y adversarios otros de la pena de muerte. Quizá tal investigación mostraría la raíz profunda del impulso que estudiamos y su concomitancia con otros rasgos genotípicos, constitucionales, comunes a los sujetos examinados, según fueran de la primera o de la segunda serie. Dicha exploración—que caería dentro de la sistemática de Rorschach y Kretschmer—debería ser hecha, como se comprende, sobre sujetos de convicción arraigada, de sentimientos bien definidos en un sentido o en otro.

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muchos "cristianos", siendo así que Cristo representó un polo de luz frente a esos hechos y sentimientos situados en el polo de las tinieblas); a pesar de ese clamor, digo, cada uno de nosotros debe expresar, intrépidamente, su **pensar** y su **sentir**. He aquí los míos:

La pena de muerte es inútil, ya que la sociedad tiene a su alcance otros medios para reprimir y neutralizar a los peligrosos, por mucho que lo sean.

La pena de muerte no es ejemplar ni intimidaria. Muchos países que la conservan tienen muy alto índice de la más grave criminalidad, y viceversa. Por otra parte —y esto lo sabemos bien los que hemos trabajado en las prisiones— muchos criminales afrontarían el patíbulo sin temblar, con una especie de jactancia. En fin, si se quiere que la pena capital sea ejemplar o intimidaria, ¿por qué se la ejecuta prácticamente a escondidas en todas partes?

La pena de muerte es repugnante para todos los hombres normales (aun para aquellos que defienden su vigencia); y más repugnantes son el ambiente y los detalles que rodean su ejecución, **destinados en el fondo solamente a hacer sufrir al reo,** pues bien que se podría evitar la angustia final (administrando soporíferos o estupefacientes), crueldad premeditada ésta que viene a darnos también razón en cuanto al **fondo psicológico de venganza** subyacente en la pena capital.

La pena de muerte es irrevocable; los daños que puede ocasionar resultan irremediables. Acaso sea éste el más sólido argumento que contra ella se pudiera esgrimir. "Sólo sé que no sé nada" —decía Sócrates—. Si los hombres de hoy aceptan como bueno este aforismo, si los que más saben confiesan tan a menudo su ignorancia de innumerables cosas, ¿cómo pudieran aconsejar decisiones tajantes en cuestión tan grave como determinar a cuáles de entre sus semejantes debe privarse de la vida?

¡Y siempre el tremendo peligro del error judicial! Por la víctima inocente de nuestra horrible equivocación ¿qué excusas y qué reparación podríamos ofrecer nosotros, la sociedad, no ya al infeliz ejecutado sin razón, sino a sus familiares, a su viuda, a sus huérfanos? En esta coyuntura se muestra la sociedad cobarde e irresponsable. Vuelve la espalda y trata de olvidarse de su vergonzoso error. En ningún Código de los que establecen la pena

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de muerte existe, a mi conocimiento, algún artículo que prescriba: "En caso de que se ejecutara equivocadamente la pena de muerte sobre un procesado, sus familiares recibirán tales y tales compensaciones y reparaciones..." Fué una suerte que Dreyfus no fuera ejecutado y pudiera ser resonantemente reivindicado, aunque después de pasar muchos años en la Isla del Diablo. Pero en Londres ahorcaron hace poco a un estrangulador de mujeres quien antes confesó que había sido él quien había estrangulado, entre otras, a cierta señora y a su hijita, crimen que gracias a su testimonio (estaba bien situado para aportarlo, pues eran vecinos) fué achacado al marido de dicha señora. Cuando el verdadero culpable confesó el otro pobre hombre había sido ahorcado ya. Menos mal que esta vez no quedaron ni viuda ni huérfanos para rumiar justa amargura y hondo resentimiento contra una sociedad que los hacía víctimas de su inepcia y su crueldad... En todo caso, quizás pronto nadie volverá a acordarse del penoso suceso.

El guatemalteco Efraín Nájera Farfán recordó a Víctor Hugo a propósito de la pena de muerte, pero hubiera sido deseable que nos trajera el episodio culminante de la lucha de este poeta contra el patíbulo. Al final de este trabajo, yo me permitiré recordarlo.

Tratábase del llamado "caso del Correo de Lyon". Este Correo —un ómnibus tirado por caballos—servía la correspondencia entre París y Lyon. El 27 de abril de 1796 sufrió el asalto de bandidos que saquearon los paquetes postales y asesinaron bestialmente a cuchilladas y sablazos al cochero y al cartero. Se detuvo a dos sospechosos pronto abrumados por pruebas irrecusables y, de modo harto ligero por cierto, a un joven de 29 años llamado Lesurques a quien dos testigos (mujeres) creyeron encontrar parecido extraordinario con un miembro de la banda de asesinos que había sido vista merodeando por los alrededores del teatro del crimen. A pesar de sus protestas, Lesurques fué condenado a muerte y ejecutado junto con los otros dos el 30 de octubre del mismo año. En una carta testamento decía a su mujer, entre otras cosas: "Cuando leas esta carta, un hierro cruel habrá cortado ya la vida que te había consagrado... Voy a morir con valor... Espero que sabrás imitar mi ejemplo. Te debes a tus hijos y a mi memoria. Distribuye mis cabellos, que te envío, entre

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nuestros hijos cuando sean mayores: es la única herencia que puedo dejarles. Adiós para siempre. Mi último suspiro será para ti y para nuestros desgraciados hijos..." Esta carta iba dirigida: "A la ciudadana viuda de Lesurques..." Ante el patíbulo, proclamó con voz firme y grave su inocencia y agregó que, aunque perdonaba a sus jueces, esperaba confiadamente que el Juez Supremo le haría justicia un día. Pronto aparecieron por todas partes evidencias de la inocencia de Lesurques. Se señaló el verdadero culpable, que se le parecía extraordinariamente. El Juez de Instrucción, M. Daubanton, que había instruído el sumario creyó más tarde en la inocencia de Lesurques y trabajó incansablemente por su rehabilitación. Hasta tres personas procesadas, convictas y ejecutadas afirmaron (una de ellas autorizando **in artículo mortis** a su confesor a utilizar sus palabras) que Lesurques era inocente. Su mujer, sus hijas, sus nietas, su familia entera, lucharon sin descanso, durante más de setenta y cinco años, por su rehabilitación. Todo fué en vano, sobre todo, al parecer, porque el estado francés no quería restituir la suma enorme que representaban, con los intereses acumulados, los bienes confiscados a Lesurques cuando fué condenado. Es fama que en el curso de los apasionados debates a que dió lugar esta cuestión, Charles Hugo, hijo de Víctor Hugo, fué perseguido en justicia por desacato y que el poeta, dirigiéndose a él, dijo:

—Hijo mío: no tienes que avergonzarte por estar sentado en ese banquillo. ¡No le temas a la justicia de estos injustos! Y si en algún momento fuera a decaer tu ánimo, recuerda que ahí mismo, en ese banquillo, se sentó una vez... ¡Lesurques! — Y Víctor Hugo escribió, además, un poema terrible fustigando a los jueces de la época.

He ahí la cuestión: ¿debe matar la sociedad, no ya a locos como Sobera de la Flor o a inocentes como Lesurques, sino a criminales llamados normales y convictos de sus crímenes? Nosotros, los médicos, vemos de cerca todos los días la muerte. No nos espanta en sí misma. Pero pienso con orgullo que la mayor parte de

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mis colegas rechazaría horrorizada la idea de que los hombres puedan matar a los hombres y que así lo prescriban en sus Códigos. Y es que aprendimos, trabajamos y quizás nacimos para muy otra cosa que matar.

La aplicación de la pena de muerte que acaso marcó más honda huella en la humanidad fué la crucifición de Jesucristo. En dos mil años los hombres no han creido arrepentirse bastante de este gesto que los privó de un verdadero maestro, de un incomparable apóstol, de un defensor de la piedad y el amor sin los cuales, como decía Fedor Dostoiewski, no vale la pena vivir.

Sin embargo, parece que queremos seguir matando, con el espíritu rudo, directo y despiadado de la vieja Ley del Talión. Confiemos de todos modos. Yo repetiré aquí algo que he dicho y escrito muchas veces: "Cuando el hombre juzga al hombre no debe ser feroz".

México, 1954.

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SECCION OFICIAL

I. ASOCIACION NACIONAL DE IDENTIFICADORES

La Junta Directiva celebró sus sesiones ordinarias de los meses de Marzo y Abril adoptando algunos acuerdos, entre ellos algunos de importancia para la clase.

En el Salón de Actos de la Escuela Nacional de Técnicos Identificadores se celebró la Segunda Conferencia del Ciclo auspiciada por esta Asociación y la Escuela Nacional de Técnicos Identificadores en la que el Profesor de Identificación de Documentos Sr. Juan Miguel Xiqués Alvarez dictó una interesante conferencia intitulada "La Identificación Científica de Cuadros Falsificados".

2. SOCIEDAD CUBANA DE POLICIOLOGIA Y CRIMINALISTICA

Nuestro Presidente, Dr. Castroverde ha recibido especial invitación para concurrir al próximo Congreso de Prevención del Crimen, que tendrá efecto en Suiza. La S. C. P. C. al adherirse al destacado evento, habrá de contribuir con un trabajo, no así con la asistencia, ya que la fecha temprana de dicho Congreso lo impide.

3. SOCIEDAD DE ESTUDIOS ODONTO-LEGALES Y CRIMINOLOGICOS

Como un verdadero triunfo en los empeños de esta institución, podemos anunciar ya, la presentación en la Cámara de Representantes, del Proyecto de Ley que crea el Servicio Odonto-Forense Nacional, adscripto al Servicio Médico Forense.

Esta Ley fue presentada por el representante por Santa Clara, Dr. José Luis Pujol, firmándose igualmente por los Dres. Eliseo A. Guerra Romero, Martín A. Iglesias Abreu, Emilio Rivero Agüero y Guillermo Benítez Quirch. Fué aprobada en primera lectura, pasando de inmediato a la Comisión de Justicia y Códigos para su informe. Por dicha Ley se crea una plaza de Odontólogo Forense en cada Audiencia de la República, cuya dotación será la de Secretario de Juzgado de Instrucción, incluyéndose una plaza más, la de Jefe de dichos Servicios que dependerá del Director de los Médicos Forenses de la Capital.

x x x

En nota recibida de la Universidad del Brasil, van marchando los preparativos para que, una Delegación de dicha Universidad, (Facultad de Odontología), presidida por el Dr. Clauco Martins Santos venga a la Habana, el próximo Julio en intercambio de Conferencia con nuestros miembros.

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4. BURO CENTRAL NACIONAL DE LA COMISION INTERNACIONAL DE POLICIA CRIMINAL

En preparación por el Buró se encuentra un trabajo sobre la "Necesidad de unir a las Estadísticas de Criminalidad, las Estadísticas Médicas". Este trabajo y Moción consiguiente, será presentado en la Asamblea de la C. I. P. C. que tendrá lugar en Instambul, la primer decena de Septiembre, esperándose el apoyo del Gobierno de la República para la asistencia a dicho destacado evento.

Igualmente podemos informar que progresan los trámites para el logro de la admisión como Estados Miembros, de las repúblicas de PANAMA y PERU. Por cartas recibidas recientemente de dichos países hermanos, sabemos que no pasará de este año el logro de ese ideal que es propósito firme de nuestro Buró: "que toda república de nuestra América sea un positivo eslabón de la C. I. P. C."

x x x

El B. C. N. se encuentra preparando un importante trabajo que habrá de someter a las autoridades pertinentes al objeto de que pueda cumplirse estrictamente el control y vigilancia de la Extranjería, al igual que se realiza en los EE. UU., Italia, Francia, Inglaterra, España, etc. El Director Dr. Castroverde, habrá de presentar este trabajo asimismo a la Asamblea de Instambul, ya que el mismo representa un factor positivo de control que habrá de redundar en grandes beneficios para la C. I. P. C.

x x x

En Instambul se hará uso por primera vez del ESPAÑOL como LENGUA OFICIAL de la C. I. P. C. cumpliéndose así los acuerdos de Roma, votados por Cuba.

5. ESCUELA NACIONAL DE TECNICOS IDENTIFICADORES

Por el Claustro de Profesores de esta Escuela se señaló para el 18 de Mayo la terminación del presente Curso Escolar de 1954-1955 y se señalaron también las fechas de los exámenes ordinarios del mes de junio.

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Finger Print Magazine.
Marzo-Abril, 1955.

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Hay opiniones pero...

...a mi que me den

¡la cerveza popular!

764

Soviets Reported Lauding Trotsky

MEXICO CITY, March 20 (P) The Russian government plans to pay special homage to the memory of Leon Trotsky, who was assassinated in 1940, his former private secretary said today.

Trotsky came here in 1937 after being forced into exile during his struggle with Stalin for power after Lenin died.

Felipe Alvahuante, then his secretary, said Russian diplomats are inviting Trotsky admirers to attend the Nov. 7 Red revolution ceremonies with the word that homage would be paid to Trotsky's memory then. He said he has received an invitation.

File in 65-9/6

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TROTSKY PLEA PRESSED

Ex-Aide to Red Leader Asks Moscow for Amends

A new demand for rehabilitation of the reputation of Leon Trotsky and for information on the fate of his son, Serge, was sent to Moscow yesterday by Joseph Hansen, former secretary to Trotsky.

Mr. Hansen addressed his demand to Nikita S. Khrushchev, Communist party First Secretary, and drew his attention to a similar demand made a month ago by Trotsky's widow, Natalia, who is in Mexico.

Mr. Hansen said no reply had been forthcoming to Mme. Trotsky's demand. He said nothing was known among Trotsky's one-time aides and associates of any invitation to go to Moscow to participate in rehabilitation ceremonies, as was reported yesterday from Mexico City.

MARCH 21 1956

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[redacted] C

March 27, 1956

Director, FBI (65-29162)

JAIME RAMON MERCADER, was
ESPIONAGE - R

Reference Bulet January 12, 1956.

On 3-21-56 "The Washington Post and Times Herald," Washington, D. C., newspaper, carried an Associated Press dispatch dated 3-20-56 from Mexico City. This dispatch stated that Felipe Alvahuante, formerly Leon Trotsky's secretary, said that Russian diplomats in Mexico City are now inviting Trotsky admirers to attend the November 7 Red Revolution Ceremonies with the word that homage will be paid to the memory of Leon Trotsky who was assassinated in 1940.

"The New York Times" of March 22, 1956, carried an article stating that Joseph Hansen, a former secretary of Leon Trotsky, said nothing was known among Trotsky's one-time aides and associates of any invitation to go to Moscow to participate in rehabilitation ceremonies as was reported March 21, 1956, from Mexico City.

Due to the apparent about face in Russian policy indicated in the Associated Press dispatch, mentioned above, the veracity of which is unknown, and the recent statement by Walter Winchell that Trotsky's murderer had been ordered released from jail by the Mexican Federal courts, you should alert your sources and maintain close contact with CIA concerning any change in subject's attitude as to furnishing information as to the true facts concerning his part and that of others in the conspiracy which resulted in his murdering Trotsky and concerning those individuals who conspired thereafter towards his escape from prison.

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cc - 1 - Paris (Info)
cc - 1 - Madrid (Info)
cc - 1 - New York (100-7751) (Info)
cc - 1 - Foreign Liaison Unit (route through forgeview)

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52 APR 4 1956
CLOSURE

See Note Page Two

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Letter to Mexico City

NOTE: Mercader murdered Leon Trotsky in Mexico, August 21, 1940. Investigation has indicated that he did so at the direction of Soviet intelligence and that Soviet intelligence sought after his arrest to effect his release from jail but was unsuccessful in their attempt. His mother, Caridad Mercader, was last known to reside in Paris, France. Walter Winchell in his broadcast of March 11, 1956, stated that Mercader was to be released from jail in Mexico. Although CIA has primary repponsibility concerning any action to be taken concerning Mercader, it is felt the Bureau should be aware and in a position to take whatever action it deems fit depending on the conditions that prevail at the time of Mercader's release from jail.

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SECRET

Tolson
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Liaison

65-29162

VIA LIAISON

Date: May 21, 1956

To: Director (orig. and 1)
Central Intelligence Agency
2430 E Street, N. W.
Washington, D. C.

Attention: Deputy Director, Plans

From: John Edgar Hoover, Director
Federal Bureau of Investigation

Subject: JAIME RAMON MERCADER, with aliases
ESPIONAGE - R

[redacted]

Mercader was sentenced to twenty years' imprisonment for the murder of Trotsky. The latest information available to this Bureau reflects Mercader's application for parole has

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HDP:emb:eb (12)

SEE NOTE PAGE 2.

cc - 100-38424
65-29162

[redacted]

SECRET

COMM - FBI
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been denied. The Mexican Parole Board reportedly has strongly recommended against parole because a recent examination of Mercader reflects no change in his attitude or opinion since he murdered Trotsky. His sentence will terminate in 1960.

In view of the delicate nature of the informants in this matter, it is requested that this information be handled on a need-to-know basis.

In view of past activities of certain individuals in the United States attempting to secure the release of Mercader from prison, it will be appreciated if you will keep this Bureau apprised of any information you receive in this matter.

CC: 1 - Mr. Dennis A. Flinn (VIA LIAISON)
Director
Office of Security
Department of State
515 - 22nd Street, N. W.
Washington, D. C.

1 - Assistant Attorney General
William F. Tompkins 1B ~~by r/s 0-6 this date~~

NOTE: This letter classified ~~Secret~~ in view of info having been furnished by [redacted] and [redacted] highly delicate informants.
See cover memo Belmont to Boardman, 5/16/56, captioned [redacted] (HDP:emb)

C

~~SECRET~~

1 - AAG William F. Tompkins (by r/s 0-6 this date)

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Date: May 28, 1956

To: Director, FBI

From: [redacted] C

Subject: JAIME RAMON MERCADER
ESPIONAGE - R

The Mexico City English language daily newspaper "The News" on May 18, 1956, published an article entitled "U. S. CHEMIST CONFESSES TO [illegible] SOVIET SPY." This article was based on an Associated Press dispatch datelined Washington, May 17, 1956, and reflected that THOMAS L. BLACK, Newark, New Jersey, chemist, who allegedly recruited HARRY GOLD into atomic spying, testified before a public hearing of the Senate Internal Security Subcommittee and publicly confessed to his own career of espionage for Russia. Among other things he is said to have told of having received a Communist assignment to participate in the 19[illegible] assassination of TROTSKY.

It is requested that the Mexico City Legal Attache liaison or the Washington Field Office endeavor to locate the pertinent portions of the testimony of THOMAS L. BLACK before the Senate Internal Security Subcommittee to ascertain what part was planned for him in the assassination of LEON TROTSKY, if any.

An additional copy of this communication is being prepared for the information of the Washington Field Office.

JTC:ij
(4)

RECORDED - 18
INDEXED - 18

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[redacted] (orig & 1)

June 15, 1956

Director, FBI (65-29162)

RECORDED-62

JAIME RAMON MERCADER
ESPIONAGE - R

Reurlet 5-28-56. The report of SA [redacted]., made 7-26-50 at Philadelphia entitled, "Thomas L. Black, was., Espionage - R," reflects Black's complete story of his espionage activities. Referring to your inquiry in referenced letter as to Black's part in the assassination of Trotsky in 1940, the following information from the above report is being set out in brief:

Black, in telling his story, advised that Mr. Robert Schwartz (subsequently identified as Gregori Litinovitch) a Soviet agent, told him in 1938 that the Russians had an important assignment for him. It was planned that he should enter the household of Leon Trotsky in Coyoacan, Mexico, and become acquainted with Trotsky's activities there and the people with whom Trotsky was associated. Black was told he would not be alone, although at first he would have no contact with fellow agents. No information was furnished to Black other than that he should go there to secure information as to Trotsky, his household, and associates. Black advised he did not want to go to Mexico City so he made no effort to become acceptable to the Trotskyites as he would have had to in order to go to Coyoacan. Black advised that after Trotsky had been assassinated at Coyoacan he realized that the grooming of himself for travel and residence in Trotsky's household at Coyoacan meant that he had probably been picked to be a part of this plot.

Black's testimony before the Internal Security Subcommittee on 5-17-56 does not set forth any additional facts concerning this matter.

HHW:sm Black has always stated he did not go to Mexico in * (5)

cc - 1 - Foreign Liaison Unit (Route through for review)

NOTE: Jaime Ramon Mercader is the assassin of Trotsky, who is presently in jail in Mexico. Our Mexico City Office requested a review of Black's testimony, 5-17-56, to determine what part Black played in the murder of Trotsky in 1940. Report of SA [redacted]., mentioned above, appears in 65-59181 - [illegible].

* connection with the plot to assassinate Trotsky and no information has been developed to indicate that he did.

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58 JUN 21 1956

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Date: June 18, 1956

To: Director, FBI (65-29162)

From: [redacted] C

Subject: JAIME RAMON MERCADER, AKA
ESPIONAGE - R

Rebulet 3/27/56 and my cable of 5/11/56 entitled [redacted] IS - R, ISA-50. C

With reference to the item set forth in rebulet concerning an Associated Press dispatch dated 3/20/56 from Mexico City and reported on 3/21/56 in "The Washington Post and Times Herald" regarding FELIPE ALVAHUANTE, described as a former secretary of LEON TROTSKY, the following was received by [redacted], an official of the American Embassy in Mexico City. [redacted] stated that a review of local Mexico City newspapers by him during the month of March, 1956, reflected that Mrs. LEON TROTSKY had strongly denied that Lic. FELIPE ALVAHUANTE was ever a secretary of her late husband, LEON TROTSKY.

It is noted that the Mexico City daily newspaper "Ultimas Noticias" of June 17, 1947, carried an item indicating that a known "Communist" had obtained a job. The article referred to the fiscal officer employed in the Ministry of Communications and Public Works whose name was Professor FELIPE ALVAHUANTE. The article said that ALVAHUANTE was not a lawyer as he called himself but was a well-known Trotskyite. The article questioned why the Ministry of Communications and Public Works had employed such a person, especially since he had a record with the Metropolitan Police of the Federal District of having participated some years ago in a riot which took place in the central square in Mexico City in connection with a protest meeting.

[redacted] C

Enclosures (3) ENCLOSURE SE-32 212

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18 JUN 1956

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Director, FBI
Re: JAIME RAMON MERCADER, AKA
Bufile 65-29162
MC 65-408

6/18/56

[redacted]

It has been further noted that the Mexico City daily "Ultimas Noticias" of November 25, 1957, published an expose concerning revelations made for that newspaper regarding Soviet agents by FELIPE ALVAHUANTE who described himself as the ex-secretary of LEON TROTSKY.

It is further noted that ALVAHUANTE wrote a thesis in connection with his law degree entitled "The Murder of LEON TROTSKY" which was published in Mexico, D. F., in 1951 by the law faculty of the University of Mexico.

[redacted] American language daily newspaper "The News," which is published in Mexico City, advised on 5/4/56 that the attorney for the subject is Lic. EDUARDO SENICEROS RIOS of Calle Isabel la Catolica #13-404, Mexico, [redacted] said that it was SENICEROS' feeling that a favorable decision would be forthcoming on subject's appeal to be released on parole.

[redacted] advised that on 4/19/56 he filed a news report covering an interview he had had with LEON TROTSKY's widow. Mrs. TROTSKY told SHANAHAN that MERCADER failed to apply for parole in August, 1955, which was the earliest date that his application could have been made. Instead he waited until the winter of 1955 to apply for parole. Because of this

6/18/56

delay in applying for parole, Mrs. TROTSKY believed that MERCADER was not interested in leaving jail. She implied it might be perilous for MERCADER to be released from jail at this time. Mrs. TROTSKY told SHANAHAN that she had received by mail various offers to have MERCADER killed. However, she disregarded such offers.

According to SHANAHAN, Mrs. TROTSKY stated that MERCADER is allegedly married to a Mexican girl by the name of ROQUELIA MENDOZA. Mrs. TROTSKY believes that this girl was introduced to MERCADER by Dr. ESTHER CHAPA, subject of an investigation of this office. As the Bureau is aware, Dr. CHAPA for many years was connected with the Mexican parole system.

Mr. SHANAHAN stated that the Mexico City prison records reflect that ROQUELIA MENDOZA has visited MERCADER every Thursday and Sunday for the past seven years. She is said to work in the Oficina de Vias Publicas (Office of Public Roads) for the government of the City of Mexico. Mr. SHANAHAN said ROQUELIA MENDOZA is about forty years old and earns 660 pesos a month.

Mrs. TROTSKY told SHANAHAN that she had sent two telegrams to the XX Congress of the Communist Party of the Soviet Union which was held in Moscow in February, 1956. One telegram asked for data on her son, who disappeared in Russia. The second telegram requested the Communist Party to review LEON TROTSKY's record for the purpose of rehabilitating and clearing his memory.

Mr. SHANAHAN stated that information developed by him reflects that MERCADER is no longer working in the radio and carpentry shop of the federal penitentiary in the City of Mexico, but he has been confined to his cell. He said that subject's parole was denied because he was "unreconstructed" and "unrepentant." He believes that subject's appeal of his denial parole will result unfavorably to the subject. Mr. SHANAHAN stated that there is no indication from information he has that the subject has any thought of "talking."

"The News" on 3/30/56 published an article that JACQUES MORNARD, which is one of the aliases by which the subject is known, was placed under special guard at the Lecumberri penitentiary because of an alleged attempt on his

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life. The article said that prison officials referred to MORNARD's claim as a "farce" to bolster his campaign for parole. MORNARD claimed that two men attacked him in a lonely prison corridor, but that he fought himself free. He did not identify the assailants. Mr. SHAMHAN stated that the story of this assault was not true.

An article dated 5/16/56 which appeared in "The News" reflected that Mexican Immigration authorities had declared that if the subject was released from the penitentiary they would arrest him at the prison gates because he entered Mexico under a false passport. The Mexican Immigration authorities stated subject entered Mexico with a passport in the name of one FRANK JACKSON, a Canadian who was killed in the Spanish Civil War. The article pointed out that under Mexican Immigration laws a person is entitled to "inmigrado" (immigrant) status if he proves he has lived in the country at least ten years, despite the fact he may not have entered the country legally. However, in MORNARD's case the time he spent in jail cannot be computed toward the period required to achieve the "inmigrado" status.

There are being enclosed herewith copies (three) a letter addressed to the American Ambassador in Mexico City written by CHARLES McKAY, C/o Broadway Hotel, Leoti, Kansas. McKAY states that he was acquainted with the subject, whom he knew as ALBERT R. DOMINGUEZ, JR. McKAY states he has written to the subject in care of the Mexican Federal Police in Mexico City. He also states he wrote to C. C. [illegible], U. S. Attorney in Baltimore, Maryland, who referred his letter to the FBI. He indicated he would be pleased to furnish information regarding the subject. In view of this fact an additional copy of this communication has been prepared for the Kansas City Office with the request that the Bureau cause McKAY to be interviewed by agents of that office.

Additional copies of this communication have been prepared for the New York (100-7751) and Kansas City Offices.

799

Envelope transmitting attached letter bore following:

Return address:

VIA AIR MAIL

Charles McKay
Broadway Hotel
Leoti, Kansas

Addressed to:

Ambassador of the United States
United States Embassy
Mexico City D. F.
Mexico

(408939)

REGISTERED
No. 234
Return Receipt Requested

ENCLOSURE

799

C O

COPY

April 23, 1956

Honorable Ambassador
United States Embassy
Mexico City D. F.
Mexico, Rep.

Dear Hon. Ambassador

I am asking if you could furnish the address or place of incarceration of one Albert R. Dominguez, Jr., a man I presume to be an American citizen and whom I presume I was acquainted with for a number of years in the 1930 to 1937 era. I last heard from him from Yucatan in 1937. I have written a number of letters to him in care of the Mexican Federal Police Mexico City D. F. Mexico.

I am possitive Mr. Dominguez is using the alias of Jacques Mornard Van den Dresdsch and is incarcerated for the slaying of one Leon Trosky some years ago. To establish this fact I have written to him but have received no answer. Our acquantance is an odd one as I was employed with his concern in Oakland California.

I have written to C. C. [illegible] Baltimore Md. and he has referred my [illegible] to [illegible].

Mr. Dominguez is an odd and exceptionally individualistic type of person. Endowed with with a rare type of reverse humor and is a past master of deceptive mytacism. He always was one who attempted to keep the other person mystafied and used abrupt and evasive rhetoric. He was one who was always alert in the subject of Psychology, Philosophy and Theosophy and was well versed in many languages the last he was studying was Sanscrit.

In order to protect myself, [illegible] of him, from others who would be interested to know it, I have written him in our humorous way, to divulge all the facts he knows on certain other subjects.

I would be pleased if you would be able to furnish his address.

I would be pleased to enlighten you on any subject regarding this Jacques Mornard Van den Dresdsch as I am possitive he is Albert R. Dominguez, Jr. Formerly of Fresno, Oakland, San Francisco, Hanford & Turloch California.

Sincerely

/s/ Charles [illegible]
c/o [illegible] Hotel
[illegible] Marcos

COPIES DESTROYED
1983 SEP 6 1960

ENCLOSURE

800

CORDED - 78

SAC, Kansas City (orig & 1) June 28, 1956

Director, FBI (65-29162)

65-29162-212

JAIME RAMON MERCADER, was.
ESPIONAGE - R

EX. - 129

[redacted] C

[redacted] C

Bufiles reflect no information identifiable with Albert R. Dominguez, Jr., or Charles McKay in addition to information furnished herewith.

Reference Baltimore letter indicates that Charles McKay has claimed his true name to be William C. Reuter, Jr., and/or William E. Reuter, Jr. Bufiles reflect that one William Conrad Reuter, possibly identical with Charles E. McKay, was the subject of a loyalty of government employees investigation in 1948. This investigation reflected that William C. Reuter was [redacted]

COMM - FBI
JUN 28 1956

Tolson
Nichols
Boardman
Belmont
Mason
Mohr
Parsons
Rosen
Tamm
Nease
Winterrowd
Tele. Room
Holloman
Gandy

Enc. Copies - 2
cc - 2 [redacted] C
cc - 1 - Foreign Liaison Unit ~~(Route through for review)~~
HHW:sm (7) (SEE NOTE ON PAGE THREE.)

JUL 10 1956

801

Letter to Kansas City:

NOTE:

Reference letter from Legat, reports the receipt of a letter by the U. S. Ambassador, Mexico, from one Charles McKay, who indicated he knew the subject under the name Dominguez and would be glad to furnish information regarding the subject. In view of apparent handing over of this letter by the U. S. Ambassador in Mexico to the Legat there it is felt that McKay should be interviewed or the reasons for a noninterview established and the Legat advised of the results so that if desired he can furnish [illegible] Ambassador, Mexico, as a cooperating gesture. [illegible] considering a cash offer for the subject's memoirs and an offer of an asylum in connection with their activities in the political and psychological warfare field.

Date: July 10, 1956

To: Director, FBI (65-29162)

From: [redacted] C

Subject: JAIME RAMON MERCADER, WAS
ESPIONAGE - R

Remylet 6/18/56.

[redacted] C

For the Bureau's information, the Mexico City daily "Excelsior" of 7/9/56 published an Associated Press dispatch from New York dated 7/8/56 filed by TOM WHITNEY, AP correspondent. The story was entitled "Mrs. TROTSKY Radios to Russia, 'The Soviet Leaders Are Enmeshed in Their Own Lies,' Says the Widow."

The article stated that the widow of LEON TROTSKY stated it was improbable that the present Soviet Government would last much longer. It said that this was the first commentary made by Mrs. TROTSKY regarding the Soviet campaign to discredit the bitter enemy of her husband, JOSEPH STALIN. In an interview given in the residence of Mrs. TROTSKY in Mexico City, which was translated into Russian so that it could be transmitted to the Soviet Union by an American private transmitter known as "Radio Liberation" from Munich, Germany, Mrs. TROTSKY stated that the campaign against STALIN constitutes an effort on the part of the present rulers of Soviet Union to detach themselves from the powerful wave of discontent and hate against the robbers of the proletarian revolution. She added that the present group which governs Russia has shown itself to be a loyal successor to that of STALIN. Mrs. TROTSKY said that the only difference between the methods used by the present group and that of STALIN is that today's victims--STALIN and BERIA--are in reality guilty of the crimes of which they have been accused. Mrs. TROTSKY label[illegible]

JTG:plb
(3)

RECORDED-56

INDEXED-56

- 213

58 JUL 26 1956

803

C O

Director, FBI
Re: JAIME RAMON MERCADER, WAS
Buffle 65-29162
MC 65-408

7/10/56

and his companions as "nonentities" who backed STALIN in all the collective assassinations which he committed. She added that the present Russian chiefs do not trust each other, but are only interested in maintaining themselves in power. She accused KRUSHECHEV of annihilating the Stalinist rulers in the Ukraine. She also said it was Marshal KLEMENTI VOROSHILOV who signed the death sentence against Marshal TUKHACHEVSKY and other commanders of the Red Army, "knowing full well that everything was a lie and a conspiracy."

This case is being RUC'd at this time, subject to being reopened as soon as we ascertain through our liaison with CIA and our other sources that information of interest has developed concerning the release and activities of the subject herein.

RUC.

804

C O

Date: July 12, 1956

To: Director, FBI (65-29162)

From: [redacted] C

Subject: JAIME RAMON MERCADER, was.
ESPIONAGE - R

Remylet June 18, 1956 and Bulet of June 28, 1956 to Kansas City.

The United States Embassy in Mexico City made available another letter it received from [illegible] of Leoti, Kansas and which is dated June 21, 1956.

A copy thereof is being forwarded for the information of the Bureau and the Kansas City Office.

JTG:ij
(4)

ENCS. (2)

ENCLOSURE

RECORDED 89
INDEXED-89

-214

Ice of cover letter and 1 Encl. to SAC, KANSAS CITY
7-31-56
By RIS 0-24
[illegible] 1956

805

C O

COPY

Leoti Kansas,
June 21, 1956

A. E. Donovan II
American Embassy
Mexico, D. F.

Dear Sir:

Your letter received re Dominguez - Monard. Last letter sent to him returned in refusal in his handwriting, re "El Destinario y refusado a reciberla." This letter was mailed to Penetentario Mejico Cd. D. F. Comparison of handwriting on envelope matches handwritting on letter I have at my presence dated 1932.

I presume your delay in asking for information verifies the occupation of Mr. Dominguez - Monard prior to my making his acquaintance in 1930.

As to my knowledge that Dominguez Monard is a citizen of the U.S.

I am asking if it is possible for you to see that mail could be delivered to him through your office or if your office could furnish me the name and address of his attorneys in Mejico Cuidad D. F.

It is apparent the refusal of my letter by Monard has significant meaning.

It is necessary for me to have contact with him in order to assimulate some facts that are essential to my well being.

As I have letters of his I can verify any personal correspondence as authentic.

Please advise me further as I believe Mr. D. Monard has witheld much that could be of value to the security of our United States.

Sincerely,

/s/ Charles McKay
Leoti, Kansas

COPY

ENCLOSURE

806

STANDARD FORM NO. 64

Office Me C dum • UNITE O GOVERNMENT

TO : Director, FBI (65-29162) DATE: 8/3/56

FROM: SAC, Kansas City (65-1501)

SUBJECT: JAIME RAMON MERCADER, was.
ESPIONAGE - R

Reference Bureau letter to Kansas City dated 6/28/56, wherein the Kansas City Office was instructed to make inquiry to determine whether or not CHARLES McKAY, residing at the Broadway Hotel in Leoti, Kansas, should be interviewed. The Bureau pointed out that it was possible that McKAY was a mental case and in the event inquiry indicated this, he should not be interviewed, but a report should be prepared suitable for dissemination indicating his instability.

Inquiry has been conducted by the Kansas City Office concerning CHARLES McKAY and this inquiry indicates that McKAY is mentally unstable, and it is believed by the Kansas City Office that it would be unproductive to interview him concerning the subject of this case.

It is presumed by the Kansas City Office that the report which will be prepared concerning McKAY will have the same title as referenced communication. The Bureau is requested, however, to furnish the Kansas City Office with the Office of Origin.

By referenced Bureau letter to Kansas City, the Bureau furnished this office with a copy of a letter written by CHARLES McKAY to the U.S. Embassy, Mexico City. The date of this letter was April 23, 1956. Kansas City was also furnished the contents of a letter which McKAY had written to Mr. GEORGE COCHRAN DOUB, U.S. Attorney, District of Maryland, By routing slip dated July 31, 1956, the Bureau furnished Kansas City with a copy of a letter written by CHARLES McKAY to A. E. Donovan II, American Embassy, Mexico, D.F. This letter was dated June 21, 1956.

The Bureau is requested to advise if the Kansas City Office should include the contents of these three letters in the report which is now being prepared, and also should the Bureau desire these letters to be included in the report, should the sources of these letters be concealed?

REGISTERED MAIL
RGB:lib
(3)
65-1501

RECORDED-68

215

...t to Kansas City
-13-56
HHW

AUG 9 1956

807

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
KANSAS CITY	BUREAU	8/24/56	7/17;8/17/56

TITLE OF CASE	REPORT MADE BY	TYPED BY
JAIME RAMON MERCADER, Was.	SA [redacted]	HW

CHARACTER OF CASE

ESPIONAGE - R

SYNOPSIS:

CHARLES MC KAY, Broadway Hotel, Leoti, Ks., directed a letter to the U. S. Ambassador, Mexico City, on April 23, 1956, requesting the Embassy to furnish him, for the purpose of correspondence, a current address of one ALBERT R. DOMINGUEZ, JR., whom MC KAY identified as the person who assassinated LEON TROTSKY. According to MC KAY, DOMINGUEZ is an American citizen now using the name JACQUES MONARD VAN den DRESDSCH. MC KAY corresponded with U. S. Embassy, Mexico City, on 6/21/56, acknowledging letter received from the U. S. Ambassador and requested mail written by MC KAY be delivered to DOMINGUEZ. [redacted], Broadway Hotel, Leoti, Ks., advised that [redacted] CHARLES MC KAY appears to be mentally unstable. [redacted] Leoti, Ks., stated CHARLES MC KAY advised him he has suffered amnesia in the past and it is [redacted] opinion MC KAY reads extensively and thereafter attempts to connect prominent persons about whom he has read with his life.

- RUC -

APPROVED: [signature] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACE BELOW

COPIES MADE:

5-Bureau (65-29162)(REG)

1-Kansas City (65-1501)

16 AUG [illegible] 1956

AGENCY Rales, State, Cin
REQ. REC'D
DATE FORW. 9-4-56
HOW FORW. R/S 0-6; 0-14B; 0-14F
BY H.H.W. / [illegible]

cc - Mexico City
9-4-56
R/S 0-24
H. H. W. / [illegible]

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5077888

☆ U. S. GOVERNMENT PRINTING OFFICE: 1955—O—302,88

804

KC 65-1501

DETAILS:

The Bureau advised on June 28, 1956, that the United States Ambassador in Mexico City had received the following letter written by CHARLES MC KAY, in care of the Broadway Hotel, Leoti, Kansas, in which MC KAY stated he was acquainted with the subject, whom he knew as ALBERT R. DOMINGUEZ, JR.

"April 23, 1956

"Honorable Ambassador
United States Embassy
Mexico City D. F.
Mexico, Rep.

"Dear Hon. Ambassador

"I am asking if you could furnish the address or place of incarceration of one Albert R. Dominguez, Jr., a man I presume to be an American citizen and whom I presume I was acquainted with for a number of years in the 1930 to 1937 era. I last heard from him from Yucatan in 1937. I have written a number of letters to him in care or the Mexican Federal Police Mexico City D. F. Mexico.

"I am possitive Mr. Dominguez is using the alias of Jacques Mornard Van den Dresdch and is incarcerated for the slaying of one Leon Trosky some years ago. To establish this fact I have written to him but have received no answer. Our acquantance is an odd one as I was employed with his concern in Oakland California.

"I have written to G. C. Doub, U. S. Dist. Attorney Baltimore Md. and he has referred my letter to the F.B.I.

"Mr. Dominguez is an odd and exceptionally individualist type of person. Endowed with with

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a rare type of reverse humor and is a past master of deceptive mytacism. He always was one who attempted to keep the other person mystafied and used abrupt and evasive rhetoric. He was one who was always alert in the subject of Psychology, Philosophy and Theosophy and was well versed in many languages the last he was studying was Sanscrit.

"In order to protect myself, from the knowledge I know of him, from others who would be interested to know it, I have written him in our humorous way, to divulge all the facts he knows on certain other subjects.

"I would be pleased if you would be able to furnish his address.

"I would be pleased to enlighten you on any subject regarding this Jacques Monard Van den Dresdsch as I am positive he is Albert R. Dominguez, Jr. Formerly of Fresno, Oakland, San Francisco, Hanford & Turloch California.

"Sincerely

"/s/Charles McKay
c/o Bdwy Hotel
Leoti Kansas"

Envelope transmitting attached letter bore following:

Return address:

"Charles McKay
Broadway Hotel
Leoti, Kansas

VIA AIR MAIL

Addressed to:

"Ambassador of the United States
United States Embassy
Mexico City D. F.
Mexico
(408939)

"REGISTERED
No. 234
Return Receipt Requested"

810

KC 65-1501

On July 31, 1956, the Bureau advised that the following letter had been directed to the Honorable A. E. DONOVAN II, American Embassy, Mexico, D. F., from CHARLES MC KAY, Leoti, Kansas:

"Leoti Kansas.
June 21, 1956

"A. E. Donovan II
American Embassy
Mexico, D. F.

"Dear Sir:

"Your letter received re Dominguez - Monard. Last letter sent to him returned in refusal in his handwriting, re 'El Destinario y refusado a reciberla.' This letter was mailed to Penetentario Mejico Cd. D. F. Comparison of handwriting on envelope matches handwritting on letter I have at my presence dated 1932.

"I presume your delay in asking for information verifies the occupation of Mr. Dominguez - Monard prior to my making his acquaintance in 1930.

"As to my knowledge that Dominguez Monard is a citizen of the U. S.

"I am asking if it is possible for you to see that mail could be delivered to him through your office or if your office could furnish me the name and address of his attorneys in Mejico Cuidad D. F.

"It is apparent the refusal of my letter by Monard has significant meaning.

"It is necessary for me to have contact with him in order to assimulate some facts that are essential to my well being.

811

"As I have letters of his I can verify any personal correspondence as authentic.

"Please advise me further as I believe Mr. D. Monard has witheld much that could be of value to the security of our United States.

"Sincerely,

"/s/Charles Mc Kay
Leoti, Kansas"

The following investigation was conducted by SA [redacted]:

AT LEOTI, KANSAS:

On July 17, 1956, [redacted] Broadway Hotel, stated that CHARLES MC KAY registered at the hotel approximately three months previously and said that he had been working the previous four years for a farmer, (first name unknown) CALDWELL, who resides on Route A, Marienthal, Kansas. She said that MC KAY told her that CALDWELL had not paid him for the last two years work and he was filing a suit against CALDWELL to recover his back wages.

She said that MC KAY told her that he had formerly resided in California and that his wife had deserted him in Colorado. She said that he corresponds with [redacted] whom she believes to be his aunt. She said that he also corresponds with [redacted] She said that she had observed a photostatic copy of a birth certificate in MC KAY's room which indicated that [redacted]

812

She said that at times MC KAY talks very rational but has stated that he is interested in Buddahism and occasionally talks about Communism and when he gets on these subjects he becomes excited and confused and she is unable to understand what he is saying. She said that MC KAY appears to her to be mentally unbalanced.

On July 17, 1956, [redacted], stated that he has talked to CHARLES MC KAY on a number of occasions. He said that when MC KAY first contacted him he was very nervous and distraught and was unable to remember all the facts about his past life and asked him if he would write to Senator KNOWLAND of California to obtain certain facts about his life for him. He said that on this first contact MC KAY told him that he had suffered from amnesia in the past and that Senator KNOWLAND of California had known his father for a number of years and was a very close friend of the family.

He said that MC KAY claimed that in the early 1930's he was residing at Oakland or San Francisco, California, and was abducted by some Communists who used drugs on him. He said MC KAY said that he was immediately released by these individuals and that MC KAY believes that all persons associated with him for the next few years were Communists who were watching him. He said MC KAY told him that during this period of time he worked with a man in an automobile body shop who he thinks is the man who killed LEON TROTSKY.

He said that MC KAY also told him that he had numerous social meetings with these persons in California and became interested in Buddahism and that he, MC KAY, became a leader in a group that wanted the services held in English.

He said that MC KAY told him that he married a Japanese National just prior to the outbreak of World War II and that at the outbreak of the war, he and his wife were arrested and apparently MC KAY was

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shortly released but his wife was held in a prison camp in Colorado and MC KAY followed her to Colorado. He said that MC KAY informed him that he had worked for the United States Post Office Department at Oakland or San Francisco, California, and also worked for them at two locations in Colorado, one being at Longmont, Colorado.

He said that MC KAY told him that his wife deserted him in Colorado and took their child with her. MC KAY started for California by bus in an attempt to locate his wife and enroute he suffered from amnesia and thereafter, came to a farm in Kansas to recuperate from this attack of amnesia.

He said that in talking to MC KAY, he, MC KAY told him that he believes that he is the illegitimate son of WILLIAM RANDOLPH HEARST and that while he was in California he became acquainted with a man, name unrecalled by REWERTS, who later became a sergeant in the United States Army and was tried for treason after World War II.

He said that he believes that MC KAY reads extensively and thereafter attempts to connect prominent people about whom he has read with his life.

He said that MC KAY told him that he believed that he went to school with General DEAN who was captured during the Korean War and that he had recently made a telephone call to General DEAN who advised him that he was sure MC KAY was not acquainted with him but might know the other General DEAN in the Army.

He said that he does not know what contacts MC KAY may have had in California in the past but that he is sure that some of the stories he has told him about people he has known and associated with are false because some of his stories are too fantastic and he feels sure he is not the type of person who would be acquainted with so many important persons.

814

He said that MC KAY is very mild mannered and he does not consider him to be an aggressive or dangerous individual.

R U C

815

KC 65-1501

ADMINISTRATIVE

Due to the determination of the mental unstability of CHARLES MC KAY it is considered advisable that he should not be interviewed.

REFERENCE

Bureau letter to Kansas City, 6/28/56
Letter from [redacted] to Director, 7/12/56
Kansas City letter to Bureau, 8/3/56
Bureau letter to Kansas City, 8/13/56

816

C U

Date: September 7, 1956

To: Director, FBI (65-29162)

From: [redacted] C

Subject: JAIME RAMON MERCADER, was.
ESPIONAGE - R

On September 3, 1956, the Mexico City daily newspaper "Zocalo," which often prints sensational type stories carried an article to the effect that the subject would soon be released from jail.

[redacted] C

The above is for the information of the Bureau.

JTG:ij
(3)

FBI
SEC.D - ESPIONAGE

RECORDED-9

217

10 SEP 14 1956

EX-116

63

61 SEP 10 1956

TO : W. A. Branigan

FROM: H. H. WALLACE

JAIME RAMON MERCADER

Sp-R

Captioned case has been reviewed and careful consideration given to the advisability of any re-interviews, interviews or other action which may now appear warranted. In the event such now appears desirable, necessary action is being initiated.

Bureau file: 65-29162

71 OCT 3 1955

818

Date: 11/19/56

To: Director, FBI (65-29162)

From: [redacted] C

Subject: JAIME RAMON MERCADER, was.
ESPIONAGE - R

Remylet 7/12/56, and report of SA [redacted] 8/24/56, at Kansas City.

[redacted] Second Secretary of the [illegible] Embassy in Mexico, D. F., made available a letter dated [illegible] from CHARLES MC KAY of the Broadway Hotel, Lecti, Kansas, addressed to the American Ambassador in Mexico. Autostat copies of this communication are being forwarded for the information of the Bureau and the Kansas City office.

[redacted] advised that the Embassy does not contemplate responding to the aforementioned letter or to take any other action thereon.

Enclosures 2
JTG:pak
(5)
(4-Bu; 1 -MC)

1 - cc of Enclosure
1 - cc of letter sent to Kansas City by R/S 0-24
H.H.W. [illegible]

INDEXED - 51

RECORDED - 51

INDEXED - 51

-218

60 DEC 5 1956

FX-125

89

[illegible]
[illegible] & Wife, M[illegible]
Phone 102 — P. O. Box 1[illegible]
[illegible]eort, Kansas

Oct 17, 1936.

Mr. Carlos White.
Public Servant. USA;
Dear Sir:

May I introduce myself as the friend, associate and confident from the years 1930 to 1937 incl. of Jacques Monard. whom I knew as Albert Dominguez.

Mr. Monard is now incarcerated in the Penitentiary F. D. F. Mexico.

I have been in correspondence with Mr. Donavan of the Embassy of which you are

820

an employee.

Mr. Donovan states that the embassy is desirous to obtain the information I may possess of Mr. Mornard. (Citizen U.S.A.)

I first wish to ask you could you possibly be the Mr. Carlos White an Attorney who was once in Oakland Calif. and whom handled the interest of the Municipal Water Utility Dist., of which "Pick Handle" Bardee was president of. If so then you resided approximately in the area of Santa Clara and Vernon Streets and

821

BROADWAY HOTEL
W. CONDER & WIFE, Mgrs
Phone 102 - P. O. Box 102
Leoti, Kansas

was acquainted with
Mr William Reuter Sr.
a nefarious political
character employed in
the Oakland Fire Dept.
If you are this attorney
Carlos White, I am sure
that in presenting information
I could possibly convince
you more securely in the
facts, as Mr Carlos [illegible]
said I were acquainted.
The police of the [illegible]
are supposedly [illegible]
the identity of the [illegible]

822

and his motive, which is known to me. As to the backing of Mr Mornard I may state it is not Communistic as we Dock know.

Had the Stupid F.B.I. heeded and recorded the information I offered them in 1933 and as of Dec 8, 1941. Much intrigue would have been avoided and as the future predicts, much intrigue that will occure in your Area.

Sgt. Dave Prosser, ordained Buddhist priest, whom was convicted of heroin and later released on Sup. Court reversal, was and [illegible]

823

BROADWAY HOTEL
T. W. CONDER & WIFE, Mgrs.
Phone 102 - P. O. Box 102
Leoti, Kansas

of one "Sorgi" noted Red agent whom was hanged in Japan prior W.W. II. Mr Provoo was understudy to Sorgi. May I state that the Great Muralist Diego Rivera was commissioning the murals of the S.F. Stock Exchange in 1930 and Mr. Monard, Mr. Sorgi, Mr. Rivera and Mr. [illegible] associated and various Chandelstine meeting conversations were held

824

[illegible] all [illegible]
groups of two at all times.
It was my knowledge of
Mr. Sorgi that he decamped
for Japan in 1933 after
having been in and out of
the U.S. at various occasions
to follow the Japanese
actions in China at that
time. Mr Sorgi did establish
a ring in the U.S. Mr.
Mornard being at all times
anti communistic in all
communistic actions
either said left or
right wing. Mr. [illegible]

825

BROADWAY HOTEL
T. W. CONDER & WIFE, Mgrs.
Phone 102 - P. O. Box 102
Leoti, Kansas

Maintaining a nonchalant attitude with venomous hatred.

Mr. Mornard's history travels back to Brussels Bel. Cairo Egypt, Sudan Egypt. Turkestan, Kuchistan, The Crimea. and the Czarist Royal Court [illegible] by virtue of his father [illegible] Belgium citizenship [illegible] he so proclaims himself. His father [illegible] Brussels and [illegible]

824

in Concord.

Mr. Mornard eventually settled in the Area of Fresno Calif with people whom as he claimed were his folks. and to which he always refered as such. Mr. Mornard was never in Association of the Communist Hdq. that ~~were~~ established in 1919 on the N. Mission of Chetwood & Santa Cruz Ave, Oakland. Mr. [illegible] Hall of Chetwood [illegible] was the associate Mr. Mornard as [illegible]

827

BRO[illegible]
[illegible] CONDE [illegible] W. [illegible] Mgrs
Phone 102 - P. O. Box 102
Leoti, Kansas

myself were avowed
Enemies of this treacher
ous Robt Hart whom w[illegible]
an intermediate [illegible]
and mingler with
Rivera, Angi. & Prov[illegible]
May I state Mr [illegible]
had contact and [illegible]
[illegible]

828

829

Leoti, Ko[illegible]

lack of ability to protect
[illegible]
the U.S. has [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

830

[illegible]
future can be avoided.
I am sure you [illegible]
convince Mr. [illegible]
through the Gov[illegible]
that your office [illegible]
That his friend [illegible]
to converse with him.
As to your office [illegible]
ask again can [illegible]
[illegible]

831

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HELP DEFEND Leon TROTSKY Against Stalin's Assassins

•

Collect from your friends and shopmates.
Send contributions promptly.

•

TROTSKY DEFENSE FUND
FARRELL DOBBS
JAMES P. CANNON
ROSE KARSNER, *Treasurer*
116 UNIVERSITY PLACE
New York, N. Y.

Make checks or money order payable to Treasurer

167

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832

4-528

CHANGED TO

125-64853-1

OCT 18 1957

833

Date: 7/12/57

To: Director, FBI (65-29162)

From: [redacted] C

Subject: JAIME RAMON MERCADER, was.
ESPIONAGE - R

There is enclosed herewith for the Bureau's information a book in the Spanish language [illegible] believed to be the attorney for [illegible]. This was published in Mexico, [illegible] in 19[illegible], [illegible] "JACQUES MORNARD Gestiones para Obtener [illegible] Preparatoria", (JACQUES MORNARD Proceedings to [illegible] Conditional Release).

[redacted] C

2 - Bureau (65-29[illegible]) ([illegible] 1)
1 - [redacted] C

JFG:[illegible]
(3)

RECORDED-18
INDEXED-18
EX-131

220

ENCLOSURE

EX-131

63 AUG 9 1957

834

4-528

[illegible]

CHANGED TO

105-64853-2

OCT 18 1957

835

C

TO: V. A. Branigan

FROM: K. N. Wallace

RAMON MERCADER

Captioned case has been reviewed and careful consideration given to the advisability of any reinterviews, interviews or other action which may now appear warranted. In the event such now appears desirable, necessary action is being initiated.

Bureau file: 65-

NOT RECORDED

65 MAR

836

DIRECTOR, FBI (100-352[illegible]) 7/29/[illegible]

SAC, NEW YORK (100-86896)

JACK SOBLE, was., ET AL
ESPIONAGE-R

On 7/25/58, AUSA HERBERT C. KANTOR, SDNY, made available to the NYO, Photostat copies of the following documents which pertain to the Trotsky Archives at Harvard University:

1. Agreement made May 10, 1940 at Cambridge, Mass., between LEON TROTSKY and the President and Fellows of Harvard College.

2. Agreement made April, 1940 at Cambridge, Mass., between NATALIA SEDOVA TROTSKY (Mrs. TROTSKY) and the President and Fellows of Harvard College.

3. Letter dated 17 November, 1958, bearing letterhead of Harvard College Library, Cambridge, Mass. This letter is addressed to Mrs. NATALIA SEDOVA TROTSKY, c/o Mr. [illegible] 32-30 86th St., Jackson Heights, NY, and signed by [illegible] METCALF, for the President and Fellows of Harvard College.

4. Agreement made January 12, 1[illegible] at Cambridge, Mass., between Mrs. TROTSKY and the President and Fellows of Harvard College.

Enclosed herewith for the information of the Bureau are Photostat copies (one each) of the above listed documents.

Copies are also being maintained in the "TROTSKY ARCHIVES;IS-R" (NY file 10[illegible]).

2-Bureau (100-352388) (Encls.4) (RM)
1-New York (105-3116) (TROTSKY ARCHIVES)
1-New York (65-14702 Sub D) (Moscow)
1-New York (100-86896)

JEM:jac
(6)

63 AUG 12 [illegible]

837

TO: W. A. Branigan

Date 1/19/59

FROM: H. H. WALLACE

RAMON MERCADER

E. M. Gregg
Rm. 1522

Captioned case has been reviewed and careful consideration given to the advisability of any reinterviews, interviews or other action which may now appear warranted. In the event such now appears desirable, necessary action is being initiated.

Bureau file: 65-29162

NOT RECORDED
25 JAN 2

Espionage Section

67 JAN 22 1959

838

0-19 (Rev. 1-11-60)

Tolson
Mohr
Parsons
Belmont
Callahan
DeLoach
Malone
McGuire
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Ingram
Ganey

The Leon Trotsky Case

ECHOES of still another sensational cloak-and-dagger case got only scant headlines over the week end.

This one happened 20 years ago. A Stalinist agent complete with faked passports and many aliases showed up in Mexico. Posing as a friend, he connived his way into the presence of Leon Trotsky and brutally killed the unarmed exile with a short-handled ax. Trotsky of course was an active foe of Stalin and a possible rival for the tyrant's power.

Now the killer has been freed after serving a Mexican prison term and, not surprisingly, he has been escorted by Red agents to safe haven in Cuba. Later he is expected to go to Czechoslovakia, or perhaps Russia, where honors undoubtedly await him.

It serves to show that when Communist leaders have serious business at hand they pay no attention to national borders. And not even Khrushchev, no friend of Stalin's, is likely ever to explain away that murder-espionage crime of 1940. Candor is never a weakness of the Reds.

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date MAY 1 1960

NOT RECORDED
46 MAY 1 60

839

50 MAY 16 1960

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: [illegible]

FROM : MR. LADD

SUBJECT: "MURDER IN MEXICO"
(The Assassination of Leon Trotsky)

Mr. Roach has obtained through State Department channels the attached book entitled "Murder in Mexico" (The Assassination of Leon Trotsky) which is autographed to you by Julian Gorkin, who is now in Paris, France.

This book, written by General Sanchez Salazar, ex-Chief of Secret Service of the Mexican Police, with the collaboration of Julian Gorkin, deals with the assassination of Trotsky and Communist activities in Mexico prior to the assassination.

The note written to you by Mr. Gorkin is in French [illegible] state [illegible] Mr. J. Edgar Hoover as a souvenir of my visit which I [illegible] knowing that he has a great interest in this matter. [illegible] Julian Gorkin. March, 1950."

It is to be noted that this is a first [illegible] of the book [illegible] in London, England in the English language.

Attachment

[illegible]:iml

RECORDED - 15 65-29162-191

INDEXED - 15

56 MAY 5 1950

618

OCT 2[illegible] 1950

CHANGED TO

205

649

New York 7, New York

June 19, 1950

MEMO:

RE: Frank Jocom aka Jacques Monard

The attached clipping is from page 23-129 of the book "Men Without Faces" by LOUIS FRANCIS BUDENZ.

HPL:LJR

EDWARD SCHEIDT
SAC NEW YORK, N.Y.

see attached

ENCLOSURE ATTACHED

INDEXED - 83

52 JUL 20 1950

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the latest Red literature on the subject, her sole purpose to justify the line, never to examine it. With a certitude bred from faith in Stalin's wisdom, she bolstered up the spirits of any wavering Reds among her colleagues. It was interesting that one who claimed to have been won to Communism through intellectual conviction could become so intellectually servile.

The ceaseless preoccupation with party work starts with the young. In the Young Communist League, and later in the American Youth for Democracy, the youthful rank-and-filers devoted every odd moment to the Red cause. There was Molly out in Chicago, who was a dynamo among the young Communists. As a rank-and-filer she changed her role from day to day, being a member of a students' mass organization on Monday, one of the "working-class youth" on Tuesday, a young writer on Wednesday. So skillful was she in moving from group to group and gaining recruits among them that the Communist leader in Chicago, Morris Childs, ordered her to become a professional youth. But she was over thirty years old when she led the American young people's delegation to a recent international congress staged by the Reds in Europe. The echoes of this delegation's report are still to be heard in many of our colleges, and its laudatory view of the Soviet influence on the young people in the satellite countries has been accepted by many persons who are completely unaware that it is the work of veteran Communists.

So greatly did the party overshadow Molly's life that she went to the district headquarters in Chicago for sanction for her marriage, even though her fiancé was a young trade unionist and a faithful Communist.

From out of the ranks of the Chicago YCL there came a young couple whom we shall call Helen and Irving. While they were still teen-agers, they fell under the influence of pro-Communist teachers and dedicated themselves to the revolution and the party. They served their apprenticeship during their school years, doing all the chores that are expected of the Red in the ranks. So favorably did

65-21162-193

651

they impress the leaders of the Chicago YCL that both of them, becoming closer and closer friends and finally husband and wife, were assigned to dangerous secret work. Helen, being quiet and inconspicuous, was assigned to penetrate the Trotskyite groups. Irving, who went to Spain as a member of the Abraham Lincoln Brigade, was used as a special agent, under Steve Nelson and the forbidding George Mink, to detect and eliminate "enemies of the party." It was his responsibility there, as he told me one evening upon his return, to cultivate the friendship of those suspected of lukewarm interest or lagging spirits. Upon his reports depended the fate meted out to them by the Soviet secret police.

His service abroad won commendation from the national leadership of the Young Communist League. A short time after his return from Spain he was dispatched to Canada to work with the national organizer of the Canadian party, Sam Carr, who is now in prison for espionage. Under Carr's direction, Irving moved back and forth across Canada, strictly under cover, obtaining information connected with new weapons and Canada's military preparedness. Even though he was a mere cog in a big machine, this Canadian assignment was a mark of deep confidence in him on the part of the Red espionage apparatus, for Canada was considered a key spot in Soviet military plans against the United States.

Fear that he would be exposed led the Canadian espionage leaders to order Irving's return to the United States in 1938. He learned then that Helen had been instructed to move to New York, in order to penetrate the Trotskyites on a national scale. I was then in Chicago, and it was I who had arranged this transfer, on the orders of the Soviet secret police representative with whom I was working and who was known to me only as "Roberts."

Just before I went out to Chicago, in 1937 to become editor of the *Midwest Daily Record*, I had been instructed by Roberts to find a comrade who was engaged in penetrating the Trotskyite organization there. Through the reluctant help of Jack Kling, district leader of the young Communists in Chicago, I met Helen.

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Our first conference was at Kling's house out on the West Side of Chicago. With curtains drawn so that no one could see who was there, we arranged the ways and means by which I could get in touch with her. She expressed an eagerness to work on a wider scale for the party among the Trotskyites and, before she knew what the mission involved, gladly volunteered her services.

Kling was opposed to this move because he did not want to lose Helen's truly effective services in the regular party infiltration work in Chicago. Her soft voice and conservative dress, which suited her position as a social worker, enhanced her skill as an underground agent. My relations with the Soviet secret police were unknown to Kling and Helen at the time of our interview, but since I spoke in the name of the National Committee my instructions prevailed.

I arranged to meet her privately at different places in South Chicago, where much of her social work was done. During these meetings I gradually broached the possibility of her moving to New York and also tested her skill in her present assignment. When I had satisfied myself about her loyalty and capability, I sent word to Roberts in New York through Jacob Golos of World Tourists, whom I could call on long distance for supposedly business purposes.

In the spring of 1938, Roberts accordingly arrived in Chicago and registered at the Hotel Stevens under the name of Rabinowitz. We chose the Drake Hotel for his meeting with Helen, since she thought it was unlikely that any of her Trotskyite associates or social-worker friends would be dining there. At dinner, Roberts gave her $300 in cash to cover her first-class fare to New York and her initial expenses there. He then told her how she was to proceed. She would have an apartment in mid-Manhattan; and arrangements had been made for her apparent employment by a woman doctor who was a trusted party member. This would explain her regular income and also her irregular hours. She could then volunteer to do stenographic and other clerical work at the Trotskyite national headquarters on University Place and 13th Street.

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Helen listened with rapt attention, taking mental notes of her instructions. She demonstrated her adaptability by falling in naturally with Roberts' suggestion that the conversation be turned to the theater whenever a waiter approached.

Roberts had thought of everything; he had even made plans for Irving. For him, upon his return from Canada, the Soviet secret police would provide an apartment in the Bronx, and at least once a week Helen could visit him there. However, it was to be an unbreakable rule that Irving was never, for any reason, to go to her apartment; nor were they ever to be seen together in public.

The arrangements went through at top speed; Helen departed for New York, and Irving soon was located in the Bronx. And Helen so ingratiated herself with the leading Trotskyites that she became a close friend of James Cannon, American Trotskyite chief, and his wife, Rose Karsner. She had the full run of the Trotskyite offices, became Cannon's secretary, and made available to the Soviet secret police all the correspondence with Trotsky in Mexico City and with other Trotskyites throughout the world.

It was in Irving's apartment in the Bronx that I bade farewell to Roberts in the summer of 1939, when he informed me that he was returning to the Soviet Union. Irving spoke in the highest terms of the Soviet secret-police agent, though Roberts had compelled him for more than a year to live this peculiar, hidden existence.

These two were rank-and-file members of the party, performing tasks of great personal danger, always under orders. They were never to receive any party recognition nor hold any party office. Indeed, the very nature of their work cut them off from attendance at party branch meetings. They also ran the grave risk of being disowned by the party if their dual role were discovered.

This brings me to the case of Ruby Weil. She was another person chosen by the secret police out of the party's rank and file, and was coerced into becoming a leading figure in a great tragedy.

Even before she was given this particular assignment, the man in

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charge of secret work in the New York district, Comrade Chester, had selected her as a young woman with the requisite conservative background to act as a courier and in other secret capacities. She came from a respected family in the Middle West, successful in business and well regarded in community life.

Comrade Chester, an alien from Poland whose real name was Zuster, had noted her air of casual sophistication and had realized that she would know how to handle any social situation. Accordingly, he had drafted her for a secret training school for those who were to be called on to perform underground services.

It was while she was in this school that I approached her on behalf of Roberts. She had been a family friend before either she or I had joined the Communist party. What clinched her for Roberts' assignment was that she had also been a friend of the Ageloff sisters, before she had been a Red.

There were three of the Ageloffs—Ruth, who became Trotsky's secretary down in Mexico City, Hilda, who was Ruby's particular friend, and Sylvia, a Brooklyn social worker who was a special courier of the Trotskyites into Canada, Europe, and Mexico. They were the daughters of a substantial building contractor.

When at Roberts' advice, I told her what was required of her —to cultivate the Ageloffs in order to obtain information on the Trotskyites—she made excuses for declining. However, she finally agreed to see Roberts, and at that meeting he represented her obligation to be so urgent that she promised to follow his directions. To her, I might say, he was known as "John Rich," a name he and I invented just before he met her.

This was in the summer of 1937, and a few months later I was on my way to Chicago. Before I left, however, a complaint had been registered with me and with Ruby's section of the party that she had been seen with Hilda Ageloff, a known Trotskyite, and had once invited Hilda to her home. I was called into the conference with Roberts on this, since Ruby was much perturbed. Roberts, on his part, was pleased. He pointed out that to be suspected by the

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Communists would make her more acceptable to the Trotskyites. Through me, word was sent to the section leadership that Ruby was engaged in vital infiltration work, but to her rank-and-file friends in the party no explanation was made and she remained under a cloud.

After I got to Chicago, I was called back to New York time after time to prevent Ruby from throwing up her assignment. As Roberts unfolded to her a plan to send her to Europe with Sylvia Ageloff, who was attending the international Trotskyite conference in Paris, Ruby's fears increased. On one occasion I was called to New York in great haste, and at Roberts' instructions met Ruby late at night as she left her work at the *People's Press*. Riding to the Grand Central Station in a cab, we had a bite to eat at Liggett's drug store there, and then went into the waiting room where for an hour I urged her to take the Paris trip. Both she and I had been told repeatedly by Roberts that our task was to halt the infiltration of Trotskyites into Soviet Russia and thus prevent Stalin's assassination. Ruby's attendance at the international congress would give her an opportunity to get at the roots of such plots. Neither of us suspected for a moment that we were engaged in steps that would lead to the killing of Trotsky in Mexico City.

Ruby was disturbed by the fact that mysterious plans of an elaborate nature had been made for her in the French capital. At the last minute, Roberts had said that he would not be there in person to direct her, and had sent her to a woman named Gertrude down in Greenwich Village. It was Gertrude who would be in Paris and tell her what to do.

Ostensibly, Ruby was going to Europe to visit one of her sisters in England, so it seemed natural enough that she should accompany her friend Sylvia—though as far as that aspect of it was concerned, she had already ingratiated herself with the Trotskyites by attending their affairs with the Ageloff sisters. While Ruby was stopping off in England, Gertrude reached Paris and was ready to receive Ruby on her arrival and introduce her to one "Frank Jacson," known

also as Jacques Monard. Ruby in turn was instructed to introduce him as a Belgian count to Sylvia Ageloff. After this introduction, Jacson swept Sylvia off her feet with his attentions, pretending to fall in love with her at first sight and to be converted by her to Trotskyism. After a whirlwind courtship, Jacson induced Sylvia to get him into Mexico by the means used by Trotskyites. There she introduced him to the Trotsky household, where he became a trusted friend of the guards around the former Soviet leader and finally was able to kill Trotsky with an alpenstock. This took place in the summer of 1940.

After introducing Jacson to Sylvia in Paris, Ruby's work with the secret police ended abruptly. They did not remove the cloud from her name in the party. She felt alone and bewildered, since her party friends were suspicious of her, and she wanted to get as far away from the Trotskyites as possible. When the news broke of Trotsky's assassination, she was particularly upset. Rushing up to the *Daily Worker* office, she asked for instructions. Roberts had left New York the summer before, and I had to see Golos about such affairs. When I presented Ruby's case to him, he ordered that only the most secret communication could be held with her, and that only to keep her from getting too excited. He refused her a party card and said that hereafter she was to remain away from all party offices and demonstrations.

Repeatedly, up to the time of Golos' death in late 1943, I tried to get her party card restored and her party status re-established. Golos was always adamant. Once he did take the matter up with the Soviet consulate in New York, but told me that they would not hear of any association being established that might link her to the party, even in the remotest fashion. This is a classic case of the expendability of rank-and-file Communists when their sacrifice is necessary to attain party objectives.

OCT 26 1950

194

CHANGED TO

205

~~CONFIDENTIAL - SHORT~~ AIR COURIER

cc - Foreign Service Desk

Date: November 17, 1950

To: [redacted] C

From: John Edgar Hoover, Director
Federal Bureau of Investigation

Subject: FRANK JACSON, was.
INTERNAL SECURITY - SWP

Rebulet dated September 22, 1950, requesting that you attempt to further identify Frank Jacson with [illegible].

A prompt reply is requested.

JWP:mac

CX-31

RECORDED - 141

NOV 20 1950

49

BY SPL. MSGR.
NOV 20 1950
COMM - FBI

659

SAC, New York

December 1, 1950

Director, FBI

UNANO & SUBJECT, wa., John
[redacted] - IMPORTANT
ESPIONAGE - R

It will be recalled that Louis [illegible] Dudenz has advised Bureau agents and also has set out on pages 126 to 129 of his book, "Men Without Faces," the episode of when, in 1938, a Soviet agent, Roberts, and Dudenz arranged for Ruby Weil, a trusted [illegible], to go to Paris, France, with Sylvia Ageloff to attend the [illegible] Conference. Sylvia Ageloff was a special [illegible] traveling to Canada, Europe and Mexico.

When Ruby Weil arrived in Paris, [illegible] was met by a Soviet [illegible] as Bertrand [illegible] of introducing Frank Jacson, was, (killer [illegible] Trotsky) to Sylvia Ageloff. After a rapid courtship, Jacson [illegible] into Mexico through the help of the Trotskyites. [illegible] Jacson to the Trotsky household at Coyoacan, [illegible] murdered Trotsky on August 20, 1940.

Dudenz identified a photograph [illegible] as Roberts on November 10, 1950. [redacted] identified the photograph of Rabinovitch as [illegible] superior in 1938 and as a person who tried to [illegible] the Trotsky household in Coyoacan.

[redacted] advised that his next Soviet [illegible] Rabinovitch was an individual known only to [redacted] by [illegible] Subject of this case. [redacted] stated that John [illegible] in 1939 and reappeared briefly in 1940.

A review of the file on Frank [illegible] to the Immigration and Naturalization Service [illegible] York, Frank Jacson entered the United States [illegible] City aboard the Ile de France. (65-29162-171)

[redacted]

65-59452

NOT RECORDED
[illegible] DEC 5 [illegible]

cc - Philadelphia (enclosures)

sc - 65-57981

52 DEC 12 1950

DUPLICATE [illegible]

mpm

[redacted]

C

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In view of the fact that [illegible] Soviet espionage superior of [redacted] instrumental in arranging for Frank Jacson [illegible] household in Coyoacan, Mexico, and further [illegible] United States in 1939 and 1940, plus the fact that [illegible] of Jacson and Unknown Subject John are similar, [illegible] Jacson should be considered as a candidate [illegible]

Philadelphia should therefore [illegible] of Jacson to [redacted].

C

CE OF THE LEGAL ATTACHE
ASSY OF THE UNITED STATES OF AMERICA
MEXICO CITY

Date: December 1, 1950

To: Director, FBI

From: [redacted] C

Subject: DAVID ALFARO (SIQUEIROS)
INTERNAL SECURITY - C

The world-famous Mexican artist, DAVID ALFARO (SIQUEIROS), has for many years been associated with Communism in Mexico and recent reports on the Communist Party of Mexico have continued to reflect his membership in that Party and his continued intensive interest in Communism. ALFARO (SIQUEIROS) has, in recent years, been one of the foremost Mexican figures to attack the Federal Bureau of Investigation in statements to the press. The most recent of which note has been taken appeared in the November 9, 1950 (second edition) edition of the afternoon daily newspaper "Ultimas Noticias."

The occasion for this alleged statement by ALFARO (SIQUEIROS) was the following:

VICENTE LOMBARDO (TOLEDANO) and certain other left-wing prominent Mexicans had been arrested and detained by the Cuban Police while in Havana, Cuba en route to the Second World Peace Congress at Sheffield, England. Following that, word came through the international wire services that the British authorities were taking such action as would effectively prevent the holding of the congress at Sheffield. It would appear that that situation resulted in the local news story hereinafter set forth in translation. The article carried a large headline which entirely covered the top of Page 3 of the paper. This said, "THE REDS PREPARE A NATIONAL MOBILIZATION IN MEXICO." The sub-headline said, "The Communists Are Indignant and Have Redoubled Their Activity." Thereafter, the press story ran as follows:

Translation

While the Communist attack increases against the government of PRIO SOCARRAS, of the U.S. and against the Federal Bureau of Investigation and now also against the English attitude which is to the effect that the entrance of the peace delegation to British soil will be impeded, it was known today that the CTAL,

COPIES DESTROYED
198 SEP 6 1960
55 JAN 4 1951

EX-116 RECORDED - 15
INDEXED - 15

662

the Mexican Peace Committee and other organizations will protest by all available means the events which have taken place in the last 48 hours.

MANUEL TERRAZAS, of the Political Bureau of the Communist Party, confirmed and amplified our exclusive story of yesterday and said that there will be brought about a national mobilization of repudiation.

Meanwhile, ALFARO (SIQUEIROS) made declarations filled with irony. He said that no one should be surprised by that of England--in case the cable notices published today are confirmed--since (that should have been expected) from the moment in which the Federal Bureau of Investigation began intervening throughout the world.

He added that O'DWYER himself had stated on a recent date that in Mexico there were, during the past war, 3,000 members of the Federal Bureau and that today, in the untranquil epoc of the post war, surely there must be many more.

He insists that in the case of the acts committed in Cuba, probably it is not the government of PRIO that is to blame but instead the Chief of Police of the Federal Bureau.

He concluded by saying that all honorable and dignified men would protest concerning these last events.

Declarations of the Communist Party

"The news which the press gives--affirms the Red headquarters--with respect to the British Government's negation of visas for the Mexican delegation and a large number of delegates from other countries who are going to the Second World Congress of Partisans of the Peace, reveals the existence of a synchronized plan from Washington to impede the holding of this world-wide assembly of people which will express the decision for peace which is arising in all countries and which is against the war which the North American imperialists are preparing and organizing in order to impose their world dominion.

66

Letter to Director, 12-1-50
Re: DAVID ALFARO (SIQUEIROS)
IS-C

"The Fascist action of the government of PRIO against the representatives of the Mexican public before the Sheffield Congress and the determination of the British Government to impede their entrance into England as part of preparations for war will be answered by the Mexican public with a ponderous national mobilization and an intensification of its historic fight in defense of peace."

[redacted]

JNS:ml
100-203

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: May 1, 1951

FROM : D. M. Ladd

SUBJECT: Murder In Mexico:
The Assassination of Leon Trotsky
by General Sanchez Salazar
with the collaboration of
Julian Gorkin.
Secker and Warburg Publishers
London, 1950.
SECURITY MATTER - C

PURPOSE:

The purpose of this memorandum is to submit some brief observations on the above-captioned book pursuant to your interest in the matter.

BACKGROUND:

The author, General Leandro A. Sanchez Salazar, is the former Chief of Secret Service of the Mexican Police and his collaborator, Julian Gorkin, is a former Communist who broke with the Stalinists in 1929 but remains a "libertarian socialist." General Salazar was responsible for investigating the assassination of Leon Trotsky and this book, which appears about eleven years after the act, is largely an investigative account interspersed with quotations from public documents and personal memories and experiences. The author at times seems quite interested in dramatizing the part he played in the matter; defending himself from criticisms levied; giving in some detail various commonplace investigative procedures he used and in describing the well-known physical factors in the case. When this type of material is eliminated along with public source references, there is not much of real value left to review, hence, this memorandum will be brief.

As you know, the man who killed Leon Trotsky, called Jacques Mornard, has been investigated by the Bureau and the case is now closed. (65-29162) In addition, collateral information has been developed in the investigations of the Trotsky movement and related security cases. (65-43302; 64-29712; 100-357681-129; 100-18). As a result, there is nothing essential in this book which is not already in the Bureau files. Further, this book has been scrutinized by the Espionage Section and no helpful investigative leads were found.

RECORDED - 106

INDEXED - 106

WCS:ev
c.c. M. A. Jones
C. E. Hennrich

60 JUN 28 1951

DETAILS:

On eliminating superfluous material the core of the book can be reduced to the following pertinent topics:

The Assassination of Leon Trotsky

The author states that Leon Trotsky (Leo David Bronstein) was killed August 20, 1940 in Coyoacan near Mexico City by one Mercader with aliases, Frank Jacson; Jacques Mornard - Vandendreschd; and Salvador Torkof, etc. He killed Trotsky as an agent of Joseph Stalin. Two other men named as accomplices are: (1) David Alfaro Siqueiros and a person known as the "French Jew." All served Stalin's interests.

The assassin, Mercader, was caught, tried, convicted and is still in jail in Mexico where he is treated as a special and favored prisoner because of Russian influence. David Alfaro Siqueiros was caught but allowed to go to Chile, later returning to Mexico, where the charges against him still stand but are not pressed. The "French Jew" was never captured.

The assassin's mother, according to the author, is still alive. She is a Catalonian, long a Stalinist follower, entering the service of the G.P.U. in Spain during the Civil War. She is said to have five children, four sons and a daughter. One son died in Spain, a second lives in Paris, a third lives in Moscow, the fourth is in jail in Mexico and the daughter lives with the mother in Paris. All are Communists.

The author states that Caridad Mercader lived in Moscow from 1940 to August 1944 where she was treated as an important person. From 1944 to 1945 she lived in Mexico under an assumed name (not given) where she maintained a link with her imprisoned son, later returning to Paris but still in contact with "N.K.V.D. agents in Mexico."

Miscellaneous

1. On May 24, 1940, the guarded home of Leon Trotsky was attacked, but Trotsky escaped being harmed on that occasion. The author believes that the American confidant of Trotsky, Robert Sheldon Harte, later killed, was a G.P.U. agent, a traitor to Trotsky and was involved in this attempt. Trotsky believed him to be loyal. On this point, the author says that the father of Robert Sheldon Harte, on arriving in Mexico, held a telephone conversation "with Mr. Hoover, Chief of the Federal Research Bureau of the U. S. A., with whom he seemed to be friendly." (p. 50) The author goes on to say: "According to Mr. Hoover, the instigator of the attack had been a man called Mink..." (pp. 50, 56)

The Bureau files reflect the purported telephone call between you and Jesse Harte did not take place. Special Agent Gus Jones advised on May 29, 1940 that Mr. Harte, then in Mexico, had informed newspapers he had talked with you before he left the United States and you had suggested George Mink as a likely suspect. Mr. Harte also claimed to have been in telephonic communication with you since his arrival in Mexico.

You noted on a memorandum reporting the foregoing, "I never met or talked with Harte here or by long distance. I have not been in communication with State Department or Embassy regarding the case and I have never mentioned Mink as we have no facts concerning his connection with this matter... H." (61-7559-8102x)

Your interview with Jesse Harte occurred on June 7, 1940, the record of which discloses no mention of Mink. (61-7559-9352x)

In a telephone call on May 31, 1940 from Morris Ernst, who requested you to talk with Harte, you asked whether Ernst believed Mink was mixed up in the Trotsky affair. Ernst thought that he was. (61-7559-8918x3)

In a conference between Mr. Harte and Albert Goldman, Trotsky's attorney, on June 10, 1940, Goldman stated that Mink was in the country and might have had some connection with the disappearance of Sheldon Harte. (61-7559-8366)

2. The author refers to the "French Jew" as being known under the name of "Felipe" and that all important Russian agents use simple names and their true identity is not known even to their "own collaborators." (p. 55) The author believes this person prepared the assassination of Trotsky; that he had come from Moscow via Paris to do it and following the assassination went to the United States to serve as "a member of the General Staff of the G.P.U. for the whole American continent." (p. 56) The author asks the question "Was he a French Jew? It seems that among the principal agents of the G.P.U., Jews are fairly numerous - - Russians, Poles, Lithuanians, Bulgarians and Hungarians..." (p. 55) The author suggests two names, that of George Mink and that of ------- "Haikis, formerly U.S.S.R. Ambassador to Mexico..." (p. 56)

3. *The author indicates that Mornard went to New York for instructions following the failure of the May 24, 1940 attempted attack on Trotsky. On leaving for New York, he gave as his address 50 Livingston Avenue, Brooklyn, the address of his girl friend, Sylvia Agelof. (pp. 137, 139, 177)*

4. *Leon Trotsky kept a register in his home recording all visits to him and the purpose of them. This register helped to expose the false story Mornard gave after his arrest.*

5. *The author mentions that Mornard was detained in 1928 and again in 1930 by Immigration officers in Texas and New Mexico but escaped to Mexico on each occasion.*

ACTION:

1. *This is for your information.*

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STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: January 28, 1955

FROM : SAC, New York (100-7751)

SUBJECT: FRANK JACSON
INTERNAL SECURITY - C

[redacted] a alleged former Comintern ~~agent in the~~ United States from 1928 to 1938, was interviewed in Paris, France by SA [redacted] in January 1951.

[redacted] stated that in 1937 he was operating the Medical Bureau of the Friends of Spanish Democracy and at that time a Spanish delegation came to the United States for the purpose of touring the country and building up popular sentiment for the Spanish Republicans. On that delegation there was a member of the United Socialist Party of Catalonia, which was an affiliation of the Communist Party of Spain.

On the delegation that came to the United States, there was a Madame MERCADER. She was a middle-aged woman and had told GIBARTI that her son is living in Mexico. [redacted] stated that he together with others whom he could not recall came to the conclusion that this son was one of the people who were in jail in Mexico for the TROTSKY murder. [redacted] stated that this son probably went under a different name in the American Communist Party.

[redacted] was of the opinion that Madame MERCADER's son was instrumental in killing TROTSKY and said that the true identity of JACSON might be this son. [redacted] stated that this entire incident, which he mentioned above, has been completely exposed by ISAAC DON LEVINE in articles written in the publication "Plain Talk." [redacted] stated that LEVINE is the specialist on the incident of the murder of TROTSKY, and if further details are desired, LEVINE be contacted. [redacted] admitted that he had a conversation with LEVINE concerning TROTSKY's murder which appears in the articles of "Plain Talk."

The information which [redacted] furnished during the course of the interview is being disseminated to appropriate case files, and the above is being furnished for information purposes.

65-29162-199X

cc: NY 105-1261

65 MAR 24

ARS:KDD

RECORDED - 31

INDEXED - 97

EX-93

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Director, FBI (65-43302) 7/23/52

SAC, New York (100-31551)

ALTO CASE
ESPIONAGE - R

Rebulet 2/28/52, captioned "[illegible], Wes, ESPIONAGE - R".

[redacted] in a recent interview with Bureau Agents identified a photograph of EUGENIO ALFONSO (GONZALEZ) as being identical with VALENTINE GONZALEZ. GONZALEZ'S photo was shown to him in [redacted] STERN, and identified as a hero of the loyalist army in the Spanish war. [redacted] commented GONZALEZ had recently published articles in a Montreal paper.

[redacted] S

MIRIAM STUART of International Press Alliance advised VALENTINE GONZALEZ was residing in Paris, France, and could be reached through Mr. GERALD GEUNTHER or [illegible] REYNAULT of Opera Mundi, 7 Rue de la Paix, Paris, France. Opera Mundi is the "home" office of International Press Alliance.

GONZALEZ'S book "Life And Death In Soviet Russia" has just been published by G. P. Putnam Sons, N.Y., the Montreal Articles are excerpts from this book. Miss STUART furnished photographs of VALENTINE GONZALEZ, which indicate he is not identical with EUGENIO ALFONSO (GONZALEZ).

VALENTINE GONZALEZ, in his book, furnishes two periods of activity where he could have been associated with CARIDAD MERCADER and her son RAMON MERCADER who is alleged to be identical with FRANK JACSON; during the Spanish Civil War and in Moscow in 1939 - 1940 when he had numerous contacts with the Spanish Communist Party in exile.

EX - 28

1 - Bureau (65-29162)
1 - Bureau (65-60769)
1 - NY (65-15997)
1 - NY (100-7751)

50

NOT RECORDED
29 JUL 28 1952

JEF:IMK

670

Letter to Director, FBI
NY 100-31551

The Bureau is requested to have the appropriate sources in Paris interview GONZALEZ and exhibit photographs of FRANK JACSON to him. A description of CARIDAD MERCADER and her activity is set forth in the enclosure with referenced Bulet.

Regarding the allegation RAMON MERCADER is identical with FRANK JACSON, TROTSKY'S slayer, it is suggested photographs of FRANK JACSON be furnished CIA and/or the Legal Attache at Madrid, Spain, for exhibit to their informant. It is noted that PEPITA OLIVARES is mentioned as a former girlfriend of RAMON MERCADER and possibly could verify the allegation after seeing JACSON'S photo. PEPITA OLIVARES is identified on page four of the enclosure furnished with referenced Bulet.

Additional copies of this letter are being furnished for the Bureau files on FRANK JACSON, file 65-29162, and CARIDAD MERCADER, file 65-60769.

65-43302

65-29162-1

Date: August 12, 1952

To: [redacted] C

From: Director, FBI

Subject: ALTO CASE
ESPIONAGE - R

Rebulet February 1, 1952.

[redacted] an admitted Soviet Agent, in a recent interview with Bureau Agents identified a photograph of Eugenio Alfonso (Gonzalez) as being identical with one Valentine Gonzalez. Eugenio Alfonso was born October [illegible] 1904, at Matanza, Cuba. He is described as white, 5'[illegible] 155 pounds, black hair, green eyes, and dark complexion. He was utilized as a mail drop in captioned case. He formerly resided at 253 West 75th Street, New York City.

[redacted] S

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Laughlin
Mohr
Tele. Rm.
Holloman
Gandy

cc-Foreign Service Desk
cc-65-29162 (Jacson)
cc-65-60769 (Mercader)

DUPLICATE FILED

OAE:ewf

58 AUG 18 1952

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Legal Attache
Madrid, Spain

Gonzalez's book, "Life And Death in Soviet Russia," has just been published by G. P. Putnam Sons, New York; the Montreal articles are excerpts from this book. Miss Stuart furnished photographs of Valentine Gonzalez, which indicate he is not identical with Eugenio Alfonso (Gonzalez).

Valentine Gonzalez, in his book, furnishes two periods of activity where he could have been associated with Caridad Mercader and her son Ramon Mercader who is alleged to be identical with Frank Jacson; during the Spanish Civil War and in Moscow in 1939 - 1940 when he had numerous contacts with the Spanish Communist Party in exile.

In view of the fact that Gonzalez is apparently available for interview, you are requested to exhibit the photographs of Frank Jacson to him which were furnished to you in referenced Bulet of February 1, 1952. It is likewise requested that the photographs of Jacson be exhibited to any of your sources who may have informants that would be in a position to determine his correct identity.

Your attention is called to Bulet of September 1, 1950, entitled, "Fourth International, Internal Security (SWP)," which sets forth background data on Caridad Mercader and also indicates on page 3 that Ramon Mercader who was alleged to be identical with Frank Jacson visited at the home of Pepita Olivares, a girl friend. You should make inquiries in an effort to locate her and if located, you should exhibit the photograph of Frank Jacson to her as she may be able to verify the allegation that Ramon Mercader is identical with Frank Jacson.

As requested in relet, you should furnish the Bureau with any information in possession of your sources bearing upon the true identity of Jacson.

[redacted] C

Date: July 28, 1952.

To: Director, FBI (65-43302)

From: [redacted] (65-261)

Subject: ALTO CASE
Espionage - R
Internal Security Act of 1950.

ReBuLet February 20, 1952, also re Mexico City letter April 21, 1952.

[redacted]

C

[redacted]

C

ENCL

INS:ni

Enclosure

RECORDED 119

INDEXED 119

AUG 8 1952

FILE

Director,
FBI

Mexico City
7-27-?

[redacted]

Reference Mexico letter of April 21, 1952, had to do with a series of articles which appeared in the Mexico City daily, "Excelsior". This series, which was made up of four articles appearing in the issues of the newspaper of April 16, April 17, April 18, and April 19, 1952, were translated by SA Rolf L. Larson, and copies of his translation are enclosed herewith for the Bureau's information.

In the absence of further investigative leads in Mexico at this time, this matter is being RUC'd.

DWS:nl

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TRANSLATION FROM SPANISH OF ARTICLES APPEARING IN MEXICO CITY DAILY "EXCELSIOR" UNDER BY-LINE OF BERTILLON, JR. CONCERNING ALLEGED SOVIET ESPIONAGE IN MEXICO.

ARTICLE IN NEWSPAPER OF APRIL 16, 1952, AND ENTITLED "HOW THE PLOT TO FREE MORNARD FAILED" (Eight Years after the Escape Plan the Details Revealed).

Eleven years after the failure of an attempt to free JACKSON MORNARD, assassin of LEON TROTSKY, the "Excelsior" is able to reveal the details of this plot, which clearly demonstrates that the assassination of the long-time Bolshevik leader was the work of Stalinist agents.

The plot was discovered thanks to the vigilance of war time censorship agents who inspected the baggage of travellers to our capital.

One of these tourists, ANNA VOGEL COLLUMS, carried in her luggage a package of blank paper. The customs agents - who were members of the North American Military Censorship Service - retained the package thinking it strange that a lady traveller should be carrying so much paper. While ANNA was still in Mexico the specialized services of the military censorship examined this paper and discovered that it contained a lengthy message written in secret ink, which they deciphered.

The message, which is contained on only one sheet of paper mixed among the hundreds of others in order to allay suspicion, revealed the addresses of several persons in New York to whom letters could be directed reporting the progress of the work being done to effect the escape of TROTSKY'S assassin.

RLL:ai

ENCLOSURE

VIGILANCE OF NORTH AMERICAN POLICE

The North American police immediately placed under surveillance all individuals who were to serve as secret intermediaries. It was discovered that all of them were members of the Communist Party of the United States and of Communist Front groups. Of interest is the fact that among these individuals the majority were teachers in the City of the Hudson (New York) which shows that in 1943 the Communists had already infiltrated North American educational centers. Several of the persons on the list were of Russian origin.

The discovery was made on August 10, 1943. When ANNA again crossed the border to return to New York, the police returned to her the package of paper, but meanwhile the plot to free MORNARD had failed.

ANNA was supposed to deliver the paper with its invisible ink message to one JACOB EPSTEIN, North American Communist of Russian origin, born in Brooklyn. He had belonged to the Lincoln Brigade during the Spanish Civil War and was residing at that time in our city (Mexico City) on Dublin Street #12.

In New York EPSTEIN had been in contact with one PAVEL KLARIN, who was the Soviet Vice-Consul in that city. Shortly following EPSTEIN'S coming to Mexico, KLARIN was transferred to the Soviet Embassy in our country. KLARIN, in addition, was liaison agent of ZASHIL [illegible], who at that time directed the NKVD - Stalinist Political Police - in the United States and probably also in Mexico.

ANNA VOGEL COLLINS had received the package of paper with the secret message from EPSTEIN'S wife, RUTH WILSON EPSTEIN. At that time ANNA was 41 years of age, was from New York, and was a teacher. For the precise reason that she did not belong to any Communist organization she was selected by EPSTEIN to serve as courier for this delicate message, EPSTEIN being without a doubt the person who directed the plan to formulate the escape.

EVIDENCE OF STALINIST AGENTS

The fact that all of these individuals who were involved in this affair were members of the Communist Party clearly demonstrates that the assassination of TROTSKY was carried out by MORNARD under instructions from Stalinist agents; otherwise, the latter would have had no interest in planning his escape.

Although following the assassination attempt of which he was the victim in May of 19[illegible], [illegible] indicated to General SANCHEZ SALAZAR, the Chief of the Secret Service, who it was that had planned the attempt, and although SANCHEZ SALAZAR discovered that the painter, [illegible] ALFARO SIQUEIROS, was involved in the plot - his adherence to the Communist Party being well known - there was no definite proof that MORNARD was working under orders from Moscow. Politically this was the only logical conclusion. That which the Communists throughout the world claim - that MORNARD was a disillusioned Trotskyite who unburdened his disillusionment against TROTSKY - is a fabrication which is not supported by any fact or even by the slightest indication.

Now, with this revelation of the Stalinist plot to free the assassin of TROTSKY, it can be considered proved that the assassination was planned and directed by Stalinist agents who attempted to effect the escape of MORNARD from the Lecumberri Penitentiary where he was then beginning to serve his sentence of nineteen and [illegible] years imprisonment.

ARTICLE IN "EXCELSIOR" OF APRIL 17, 1952, ENTITLED, "WITH COMMUNIST DOLLARS [illegible] ESCAPE OF HORNARD WAS [illegible] - [illegible] WAS [illegible] THE DOLLARS [illegible] LOS [illegible]".

A Mexican named ENRIQUE DE LOS RIOS, of whom all traces have been lost, acted as intermediary to receive the extensive funds which were to be used in organizing the frustrated escape of JACKSON HORNARD, assassin of LEON TROTSKY.

These funds were transmitted by an editor of the "Daily Worker", North American Communist Party newspaper, by the name of HELEN LEVI SIMON TRAVIS. The North American police were in possession of proof that on February 24, 1944, HELEN TRAVIS instructed the Chase National Bank of New York to transfer the amount of $3,700.00 to the account of ENRIQUE DE LOS RIOS in Mexico.

When HELEN TRAVIS was interrogated as to the proof of the transfer of that money or in payment of what debt it had been used, she refused to reply on the basis of the fact that the reply might incriminate her. Inasmuch as in the United States Constitution there is an article which authorizes its citizens to refuse to answer if their reply might incriminate them, the police could do nothing but accept the refusal of HELEN TRAVIS. (This Constitutional article is for the purpose of requiring that the police discover crimes without recourse to violence or stool-pigeons.)

The others who were involved in the affair - who were never apprehended - all answered with the same refusal when they were interrogated, and gave the same reason. This demonstrates initially that they were all instructed by the same person - supposedly a lawyer - and that all of them were obeying orders from the same source.

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that [illegible] actually were [illegible] of the Communist [illegible] participated in the unsuccessful attempt [illegible] probably without knowing anything about the matter, but with certain knowledge that it was something [illegible] of the Communist [illegible]. In addition, [illegible] establishing [illegible] affair were militant [illegible].

Worthy of note [illegible] from August 1943 - date on which [illegible] secret ink were seized from ANSA [illegible], concerning [illegible] "Excelsior" reported yesterday - until the month of February in which [illegible] transmitted [illegible] DE LOS RIOS. Just one-half a year has [illegible] affecting the escape of [illegible] continues.

This [illegible] that, [illegible] verbal instructions to [illegible] of the criminal and was unable to [illegible] ments in which these instructions were [illegible] her at the border, the North American [illegible] their efforts to free the assassin of [illegible] who had been accepted to the hospital [illegible].

Without a doubt another [illegible] when a large quantity [illegible] the case at that time - [illegible] a state of preparedness for the flight. [illegible] attempt, which undoubtedly was more [illegible], to fail?

The North American police [illegible] the Communists in New York who served [illegible] with this affair. Consequently, [illegible] surveilling [illegible] that she [illegible]. The thing was [illegible] evident that, in view of the back [illegible] sufficient to advise the police [illegible] take precautionary measures, in view [illegible] Communists, almost certainly under [illegible] ployes of the Soviet [illegible] who [illegible] whole plot, abandoned the plans [illegible] not in detail, at least in general [illegible].

[illegible] is no longer [illegible]

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[illegible] dospite having attempted to do so [illegible]. It is unnecessary to state that if [illegible] the offices of "[illegible]" and [illegible] will be [illegible] [illegible]

[illegible]

It is impossible to answer. [illegible] alities this [illegible] [illegible] [illegible] [illegible] perhaps, [illegible] munist party, who [illegible] the true nature of the matter in [illegible] of money in question?

[illegible]

[illegible] is the [illegible] known to the north [illegible] police. [illegible] in the two attempts to organize the [illegible] commonsense makes one suppose that [illegible] the police [illegible] [illegible].

ARTICLE [illegible] APRIL 13, 19[illegible]2, from [illegible], ENTITLED, "THE PERSON [illegible] WHICH [illegible] SET UP THE ESCAPE OF [illegible] IS IN [illegible]. ([illegible]

Yesterday this reporter revealed the identity of the mysterious ENRIQUE DE LOS RIOS, who, in 194[illegible], received approximately $4000.00 (U. S.), transmitted to him by a notorious North American Communist woman, which money was to be used in plotting the escape from the penitentiary of [illegible], the assassin of [illegible].

Professor [illegible] the "Excelsior": "It can be no other but [illegible], a Chilean citizen who has lived in Mexico many years and who has a Radio and Electrical Shop on Argentina Street." He added, "The relations between this gentleman and the South-American Stalinists are well known. He houses them and gives [illegible] their honor at his residence in [illegible] time, serves as the general headquarters [illegible] of North American Communists on [illegible] CARGIA [illegible], who directs the [illegible], and is a member of the Socialist [illegible] of Mexico, as a long time militant in labor circles and is well informed concerning the background of the entire Communist movement in our [illegible], including the extensive secret relations between Stalinists and persons who apparently are not Communists.

[illegible]

"The letterhead of his [illegible] same are used to send and receive [illegible] Communists of our continent," continued [illegible]. [illegible] not at all strange that the same [illegible] as a means of contact for the agent of the [illegible]. [illegible] do so with great efficiency, since [illegible] businessman few people would suspect [illegible]. His frequent travel to the United States is most certainly utilized in connection with verbal messages. It is curious [illegible]

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poor devils who long ago were Communists for only [illegible] are unable to obtain North American visas and, on the other hand, people who are notoriously useful to the Soviet [illegible] Service secure them with great facility."

[illegible] added, [illegible] it [illegible] is an intimate [illegible] of [illegible] is more commonly [illegible] to Moscow, and of [illegible], and that he receives money from a Communist in New York? These points of interest only occur in novels".

Our informant, [illegible] the [illegible] information, added the [illegible] refugees in Mexico who, in reality, [illegible] activities, some of them, thanks to [illegible] Bureaucracy. He cited as an example [illegible] woman, [illegible], a teacher in the [illegible], who, [illegible] as a contact with a Peruvian woman who [illegible], VIRGINIA [illegible], formerly the wife of the [illegible] leader, [illegible], from [illegible], "because she considered [illegible] than to her husband." [illegible] in Bolivia, the [illegible] dictatorships which [illegible] to establish. There is no reason, therefore, [illegible] Peruvian Communists should claim to be [illegible] Mexico or any other country.

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ARTICLE IN "EXCELSIOR" [illegible] 19, [illegible] 2,
[illegible], "[illegible]
WAS [illegible]
([illegible])

JACKSON [illegible], the assassin of [illegible], was completely familiar with the plans for his escape which the North American Communists devised in [illegible] and [illegible] and concerning which "Excelsior" has [illegible].

[illegible] in Cell Block No. 1 - [illegible] which [illegible] talk to this reporter [illegible] he received [illegible], some of which he could not have [illegible] because of their exclusive Spanish [illegible]. [illegible] is not without importance.

[illegible] portant [illegible] just [illegible] munist women came [illegible] carrying [illegible] lating to the escape - a message [illegible] - and at the time another [illegible] York Communist [illegible] approximately 4000 pesos (probably [illegible] [illegible], a Communist [illegible] in being named chief [illegible] which position [illegible] penitentiary [illegible] moment.

[illegible]

[illegible] was [illegible] during the initial period of his [illegible] it was necessary for him [illegible] was ordered that he be accompanied [illegible] is

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period three individuals had permission to visit him: [illegible] BOLANOS, JOSEFINA BETANCOURT, and JUAN [illegible]. In August of 1943 ANNA COLLUMS came to Mexico with the escape plan - as this newspaper has already explained. It may be a coincidence but it appears unlikely, that in September MORNARD had succeeded in having the Eighth Superior Tribunal call him to testify - something which required his leaving the penitentiary. As we have seen, the plan for his escape failed and the trick became valueless.

Immediately thereafter MORNARD was able to secure the position of foreman, and later chief, of the penitentiary Toy Factory, in which position he continued for only a short time; but he was reinstated in the job in February 1944 in the same month in which the North American Stalinist newspaper [illegible] sent the sum of money described above to [illegible] in Mexico City. In April, when the second plan failed also, MORNARD was discontinued again as the chief of the factory but later Dr. ESTER CHAPA obtained this position for him for the third time by taking advantage of her position as delegate of the Department of Social Service at Lecumberri (name of penitentiary).

This series of apparent coincidences is suspicious and makes one suppose that MORNARD was fully informed of the plans for his escape and it is being suggested that he was in favor of them. In June of 1945 he obtained a pass for one Miss RAQUEL MENDOZA to enter the penitentiary every day to take English classes from MORNARD. Two years later one [illegible] MENDOZA received permission to visit him and is referred to by the assassin as his wife. Her pass was cancelled when a package of books which ROQUELIA took to [illegible] was found to contain a drill, the use of which MORNARD was [illegible] to explain satisfactorily.

MORNARD DISMISSED FROM ALL OF HIS

POSITIONS

In June of 1947 MORNARD was dismissed from all of his positions - he was the Professor of Reading, officially, and at the same time the boss of the internal services of the penitentiary - when a protest from the prisoners, apparently

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organized by him, alerted the press which denounced the power which MORNARD enjoyed with the support of Mr. ESTER CHAVA, the latter a notorious Communist. This lady was removed a short time later from her position in the Social Service Department at Lecumberri. Since the time that Colonel [illegible] took charge of the penitentiary, [illegible] has occupied a cell in Cell Block No. 1, from which he rarely leaves except in cases of absolute necessity. He reads a great deal, and it seems that he takes "yogi" exercises, which apparently have not inspired him to much improvement in his language, as was verified by this reporter upon attempting to interview him yesterday. Many readers ask themselves why the efforts to have him escape from the penitentiary have not been renewed, since any escape attempt would have been easier following the termination of the war and with the coming of Soviet ships to various ports in which MORNARD could find an easy hiding place.

The reply is to be found in the curses directed at this reporter in Spanish from Spain - insults which are utilized only on that peninsula, and specifically in Catalonia - and which were uttered by MORNARD in a moment of bravado.

Here is the explanation: The real name of [illegible], as is known to some Communist and anti-Communist refugees from Spain is RAMON DEL RIO MERCADER, who was born in Catalonia and is the son of a Catalan Communist leader named CARIDAD MERCADER. MORNARD was educated in the City of Moscow to which his mother was admitted shortly following the termination of the Spanish Civil War.

It should be remembered that when he was arrested, immediately after he attacked TROTSKY with an ice pick spike, MORNARD exclaimed: "I had to do it! They have my mother." CARIDAD MERCADER was in Moscow as a hostage to [illegible] with another son named LUIS, who is still there. When the second escape plan failed, MORNARD took action. He threatened the NKVD - of which he, as well as his mother, is an agent - that he would talk and reveal all that he knows, if they failed to permit CARIDAD to leave Moscow. The NKVD had no choice but to accede and CARIDAD arrived in Mexico in October of 1943. She left our country for France in November of 1945. She now lives in Paris with her daughter, MONTSERRAT.

The situation is very clear: [illegible] - who is really RAMON DEL RIO MERCADER, threatened to talk if anything happened to his mother, and the latter, free from the direct vigilance of the NKVD, although they probably watch her in Paris, also threatened, also, to talk if anything [illegible] son in Mexico. While the two live [illegible] guard, one for the other, and [illegible] of the elderly [illegible] leader [illegible].

One thing seems certain: the escape of [illegible] was not planned in his benefit but in order to liquidate him. Since it would be dangerous, though not difficult, to have him killed within the penitentiary, in order [illegible] he would never talk and reveal [illegible] him escape. Then it would have [illegible]. While [illegible] was in [illegible], [illegible] structed him to do, even collaborate [illegible] even though this appeared to be suicide. [illegible] in having them permit his mother to leave the [illegible], [illegible] refused to escape, and there is no longer any further [illegible] for his flight.

This is the explanation of [illegible] escape of [illegible] accomplices of [illegible] failed, thanks to the vigilance of [illegible] States and Mexico. The political [illegible] wanted to remove [illegible] from Lecumberri [illegible] the attempt against TROTSKY was conspired and executed on the orders of the NKVD, the secret Soviet [illegible], which receives direct orders from [illegible].

SAC, New York (100-31551)

August 18, 1952

Director, FBI (65-43302)

ALTO CASE
ESPIONAGE - R
INTERNAL SECURITY ACT OF 1950

There is attached hereto one copy of the report of SA [redacted] dated July 18, 1952, at Paris, France, which contains the true identity, background, and family history of Ramon Mercader who is presently incarcerated for the assassination of Trotsky.

You will note that on pages 2, 3, and 4 there appears background information on Caridad Mercader, the mother of Trotsky's assassin, on whom you have a present pending case.

[redacted]

Attachments

AUG 1 8 1952

OAE:ewf

688

SEP 12 1952

Director, FBI

SAC, New York (65-15481)

[redacted] TS

ESPIONAGE-R

[redacted] TS

[redacted] TS

[redacted] TS

[redacted] TS

1 - Bureau (65-29162)
1 - New York (100-31551)

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53 SEP 17 1952

INITIALS ON ORIGINAL

JEF:EMV

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ORIGIN COPY FILED IN

C O

Letter to Director
NY 65-15481

[redacted] TS

If the Bureau deems it advisable, CIA should be requested to obtain handwriting specimens of RODOLFO GHIOLDI and FRANCISCO PINTOS, and further, ascertain whether they are familiar with the Russian language.

690

Date: November 30, 1953

To: Director, FBI (65-43302)

From: [redacted] C

Subject: ALTO CASE
ESPIONAGE - R
INTERNAL SECURITY ACT OF 1950

The purpose of instant communication is to provide the Bureau with an account of recent developments in this case, particularly with respect to the continued incarceration of the slayer of LEON TROTSKY who is known as FRANK JACSON but whose true name appears to be RAMON DEL RIO MERCADER.

JOSE MEDINA CHAVEZ

The Mexico City daily afternoon newspaper "Ultimas Noticias," this being a sensational newspaper and one which frequently prints unconfirmed news material, contained in its issue of July 10, 1953, a news story with the heading, "JACQUES MORNARD Receives No Less Than 25,950 Pesos A Month." The article claimed to report information received from one JOSE MEDINA CHAVEZ, a prisoner at the Federal District Penitentiary who was said to have been a close friend within the prison of the slayer of TROTSKY over a period of many years. The article reported information from MEDINA CHAVEZ to the effect that JACQUES MORNARD is not a Roumanian but at present his mother is the Soviet Ambassadoress to Roumania. MORNARD, himself, was said to have interests in various Mexican construction enterprises and his partner in one construction enterprise was said to be ALAMO BLANCO, JR. This enterprise involved construction work on the railroad station at Monterrey, Mexico. Another of the partners of MORNARD was said to be one HERBERT GOMEZ. The point of the story which was picked up in the headline was that MORNARD reportedly received 25,950 pesos a month from the Soviet Embassy in Mexico City.

[redacted] C

Encl.
JNS:FO

original 65-43302

691

Letter to Director, FBI
Re: ALTO CASE
ESPIONAGE - R
INTERNAL SECURITY ACT OF 1950

[redacted]

The Mexico City daily newspapers of October 16, 1953, carried accounts with respect to the capture of JOSE MEDINA CHAVEZ. It was said that he had fled from the Juarez Hospital in Mexico City on August 12 last by suborning a hospital guard for 5,000 pesos. In October he had been picked up by the police in Culiacan, Sinaloa, Mexico, when he had a stolen car. He gave the name of JULIO ANTONIO MOURRAT, this apparently being the name of a former cellmate of MEDINA CHAVEZ. He was brought back to Mexico City by the Police on October 15, 1953. According to the newspapers, MEDINA CHAVEZ was now swearing that he would kill Captain MANUEL PINERA MORALES of the Penitentiary and also JACQUES MORNARD. He would kill them out of vengeance for having divested him of his lucrative radio repair business in the Penitentiary.

When JOSE MEDINA CHAVEZ was returned to the Federal District from Culiacan, Sinaloa, by the Mexican Police, there was considerable newspaper publicity. Most of the stories were sensational in nature, playing up the dangerous character of the criminal and his story to the effect that one of the principal reasons he had escaped from custody in the Federal District was that an American in the United States with whom he was connected in a business of contraband was denying a payment to him. One newspaper article quoted MEDINA CHAVEZ, stating that after fleeing from the Federal District in a stolen car he proceeded to Los Angeles, California, where, on September 16, 1953, he found and killed the American who had been his partner. Another newspaper story stated that he had been unable to find the American in Los Angeles but he had obtained information that the American was now in Hugo, Oregon. He had proceeded to Hugo, Oregon, and had found the American and had shot him, killing him with nine bullets. Thereafter he fled and according to him, he was a fugitive from the police in Oregon. The newspaper stories made a point of the fact

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that he was continuing to swear that he was going to kill JACQUES MORNARD and the prison officer for having cheated him out of his inventory of radio parts and his tools and for having eliminated him from a lucrative radio repair business in the Penitentiary.

[redacted]

Following the newspaper stories about MEDINA CHAVEZ' intent to kill MORNARD, there were further stories about MORNARD's reaction to the effect that he told reporters he had no fear of MEDINA CHAVEZ who was not "capable of killing a fly." JACQUES MORNARD also told reporters that it was a lie that he had stolen any money or property from MEDINA CHAVEZ. He added that MEDINA CHAVEZ, in fact, owed him a favor because he, MORNARD, had taught CHAVEZ everything he knew about radio repair work.

Letter to Director, FBI
Re: ALTO CASE
ESPIONAGE - R
INTERNAL SECURITY ACT OF 1950

[redacted]

ARTICLE BY BILL GILLESPIE IN "MALE"
MAGAZINE OF OCTOBER, 1953

The Mexico City daily afternoon newspaper, "Ultimas Noticias," on September 17, 1953, carried a headline article to the effect that LOMBARDO TOLEDANO and DAVID ALFARO SIQUEIROS had planned the killing of TROTSKY, this being a reference to the first attempt on the life of TROTSKY in Mexico City. Although the "Ultimas Noticias" article did not relate the material to "Male" Magazine, it was subsequently ascertained that, in fact that was the source for the newspaper article. In the magazine article, BILL GILLESPIE had told of his alleged personal participation in the plot to kill TROTSKY in Mexico City in 1940. This attempt had not resulted in TROTSKY's death but had merely featured a machinegunning of the premises where TROTSKY lived and the subsequent abduction of SHELDON HARTE.

The sensational treatment given to this alleged personal confession on the part of GILLESPIE resulted in several additional newspaper articles. The Mexico City daily afternoon "Excelsior" for September 19, 1953, carried an article in which it summarized the reactions of various personalities to the GILLESPIE account of the attempt on TROTSKY's life. The first reported reaction pertained to that of the widow of TROTSKY in Mexico City. She allegedly advised the reporters that in general the article appeared to be correct and it demonstrated that JACQUES MORNARD was more active in the entire plot than had first been believed. Professor RODRIGO GARCIA TREVINO, reportedly the author of some works on TROTSKY stated that this material proved or confirmed many of the things already known or supposed. Particularly, GARCIA TREVINO indicated it was of interest that LOMBARDO TOLEDANO had been mixed up in the attempt on TROTSKY.

According to the newspaper, LOMBARDO TOLEDANO considered the GILLESPIE material as of slight importance. He said TROTSKY was a spy of the German Nazis and that LOMBARDO TOLEDANO and the CTM Labor Union had protested against the asylum given TROTSKY in Mexico. He had also said that the TROTSKYITES, at present, are working under the control of the North American FBI.

DIEGO RIVERA allegedly stated that the matter emanated from a long ways off or the Federal Office of Investigations of a certain American country."

JACQUES MORNARD in the Penitentiary said that the account as given by GILLESPIE was "novelesque" and that he does not know SIQUEIROS or LOMBARDO TOLEDANO nor did he ever know SHELDON HARTE.

DIONISIO ENCINA said that the account of GILLESPIE was a novel since he considered that the death of TROTSKY was not for political motives but for reasons involving a personal quarrel.

LOMBARDO TOLEDANO's newspaper, "El Popular," in its issue of September 19, 1953, carried a headline, the translation of which was "The FBI Makes Another Error." The article pointed out that the GILLESPIE article was certainly the work of the FBI and that it was poorly done and that there were many inaccuracies which definitely showed it to be a made-up story.

The Mexico City daily newspaper "Excelsior," in its issue of September 25, 1953, carried prominently an article with respect to DAVID ALFARO SIQUEIROS. "Ultimas Noticias" for the same date also carried material from SIQUEIROS. SIQUEIROS' declarations to the press were to the effect that the GILLESPIE article was the work of "The Trotskyite section of candidates to become members of the Secret Police of the Yankee Department of State." He spoke contemptuously of the childish technique used by the North American police in this propaganda effort and as the principal defendant in the GILLESPIE accusations, he challenged his accusers to make those same declarations before a notary public. He challenged the FBI to

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make a formal legal complaint against him for the alleged criminal acts he had committed with respect to TROTSKY and then he would take up the matter with the FBI in a legal way.

PENDING INVESTIGATIVE ACTION

With instant communication, this case is being placed in an RUC status since there are no more logical leads to be developed. This office will, however, through its informant coverage, continue to receive information from time to time and will, if appropriate, reopen this matter to investigate any further developments of importance.

RUC.

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65-43302

SECRET

Date: January 6, 1954

To: [redacted]

From: Director, FBI

Subject: ALTO
ESPIONAGE - R
INTERNAL SECURITY ACT OF 1950

[redacted]

For your information, articles have appeared in Washington papers dated December 20, 1953, by the Associated Press indicating that Monard is now eligible for [illegible] one article states that Monard if released hopes to start a radio repair shop in Mexico City. The source of this data is given as a prison employee formerly working with Monard in the radio shop who had quarreled with him. It appears that [redacted] is likewise the source of this report. Any data coming to your attention concerning the release of Monard should be brought to the Bureau's attention promptly.

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Tracy
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Mohr
Winterrowd
Tele. Room
Holloman
Miss Gandy

cc - 1 - Foreign Service Desk
cc - 65-29162

OAE:brg

YELLOW DUPLICATE
JAN 11 1954
MAILED

20 JAN 18 1954

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A. H. BELMONT

February 18, 1954

W. A. BRANIGAN

ALTO
ESPIONAGE - R

[redacted]

C

[redacted]

[redacted]

C

Attachments
RE 2-65-29162 (Jacson)
CHEIJE

698

RECOMMENDATION:

Attached for your approval is a letter to CIA captioned "Jamie Ramon Mercader" advising CIA of the data furnished by Max Shachtman indicating Jacson's willingness to talk.

[redacted]

65-29162

VIA LIAISON

Date: February 19, 1954

To: Director
Central Intelligence Agency
2430 E Street, Northwest
Washington, D. C.

Attention: Deputy Director, Plans

From: John Edgar Hoover, Director
Federal Bureau of Investigation

Subject: JAMIE RAMON MERCADER, with aliases
Jacques Marnard Van Dendreschd,
Jacques Mornard van Dendreschd,
Frank Jackson,
Frank Jacson,
King,
Jack Monard,
Jacques Monard,
Jack Morton,
Jaques Mornard van Dendreschd
ESPIONAGE - R

Declassified by 7306 TJS/JAN 4-1-77

For your information, a Trotskyite official, of unknown reliability, reported on February 5, 1954, that he had obtained information from a source, who chose to remain anonymous, but who was described as a very responsibile person, and who, in turn, had obtained information to the effect that Trotsky's assassin (Jamie Ramon Mercader, more commonly known as Frank Jacson) was now ready to tell the full story of his part in the assassination of Leon Trotsky; that Jacson would talk only if approached in a proper manner by the right person, and if he were paid well and his personal safety guaranteed by responsible officials. He cited as a suitable guarantee the treatment which has been given to Igor Gouzenko by the Canadian Government. The

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP(S) OF TJS/lb DATE 4-27-77

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FEB 20 1954
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CC - 65-43302
53 MAR 5 1954
OAE:fk

~~CONFIDENTIAL~~

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Trotskyite official further stated that, in the opinion of his source, there exists grounds for believing that it is Jacson himself who wishes this information conveyed to the proper party. He felt that the individual who released the information to him was in contact in some manner with Jacson. The Trotskyite official said that there appeared to him to be a fifty-fifty chance that the information concerning Jacson's readiness to talk was accurate. He warned, however, that if Jacson is approached, the approach should not be made in the usual "police manner."

The source from whom the Trotskyite official received his information is not known to this Bureau; accordingly, he is not available for interview. As a matter of fact, the Trotskyite official stated his source could not be persuaded to be interviewed, as he desired to remain completely anonymous.

This Bureau would appreciate receiving any information that you might obtain concerning Jacson's release from the penitentiary, particularly when he is to be released, and where he intends to reside.

C O

[redacted] C

CONFIDENTIAL
REGISTERED
AIR MAIL

Director, FBI

RE: ARTICLE IN "TRUE" MAGAZINE OF OCTOBER 1952
ENTITLED " STALIN'S NO. I KILLER"
[redacted] S

Dear Sir:

It has been noted that the October, 1952, issue of "True" magazine carries, on page 25, an article entitled "Stalin's No. I Killer" by Murray Teigh Bloom. This article purports to be written after an interview with Dr. Alfonso Quiroz, Director of the Department of Special Investigation of the Bank of Mexico, who claimed to have determined that the previously unknown assassin of Leon Trotsky is actually Ramon Mercader del Rio whose fingerprints he was successful in locating in Madrid, Spain.

A copy of the article entitled "Stalin's No. I Killer" is not being forwarded to the Bureau since it is believed that it undoubtedly has previously come to the Bureau's attention.

[redacted] S

It would be appreciated if the Bureau would advise if it has any information that would indicate whether the identification of the assassin by Bloom is correct.

Very truly yours,

[redacted] S

65-[illegible]

7102

[redacted] illace

65-29162 BY COURIER SERVICE

Date: January 7, 1955

To: Director (original and one copy)
Central Intelligence Agency
2430 E Street, N. W.
Washington, D. C.

Attention: Deputy Director, Plans

From: John Edgar Hoover, Director
Federal Bureau of Investigation

Subject: JAIME RAMON MERCADER, with aliases
ESPIONAGE - R

Declassified by 730 TJS/JAN 4-15-77

On December 21, 1954, an informant of unknown reliability advised that the December 17, 1954, issue of "Aufbau," a German language daily newspaper published in New York, carried a photograph of Frank Monard Jacson, Trotsky's assassin (who has been identified as Jaime Ramon Mercader). The newspaper stated Jacson would be released from prison in Mexico shortly. The informant stated that he was impressed by the very strong family resemblance between Jacson as pictured in the newspaper mentioned above and a Mornard family whom the informant had known in Brussels, Belgium.

The informant advised he left Germany in 1937 to escape persecution by the Nazis. He subsequently reached Brussels, Belgium, where he remained until 1946. In searching for a place to hide out from the Gestapo, he met a woman named Marie Mornard who claimed to be a nurse and who, when the informant first met her, was running a clinic in Brussels. She told him that she was born in Moscow and had three sons: Pierre, born in Moscow and who in 1946 was employed as a drug salesman in Brussels; Jacques, employed in a managerial capacity in Brussels; and, Stanislaus, who was believed to be a student by the informant. The informant recalled that Mrs. Mornard told him of another son whom she described as being missing, but that she never spoke further concerning this son. The informant stated that in 1946 as he was leaving Brussels he noticed that Pierre Mornard was wearing in his buttonhole the emblem of the Communist Party of Belgium. The informant stated that the name Mornard is a very uncommon name in Belgium.

RECORDED-89

cc - 100-373364 (Sylvia Ageloff)
cc - 65-43302 (Alto)
HHW:mg (See note on page two)
(6)

EX. 179

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Tamm
Sizoo
Winterrowd
Tele. Room
Holloman
Gandy

The informant advised further that if any investigation was predicated on his belief that Trotsky's assassin was related to the Mornard family named above, one Rene Roovers, 76 Rue Les Memosos, Schaerbeek, Brussels III, would be a good source of information. The informant said Roovers was connected with some of the operations of the British Intelligence during World War II and the informant believes he is entirely trustworthy.

The above is being furnished for your information in view of the fact that Jacques Mornard was one of the aliases used by Jaime Mercader, Trotsky's assassin who is presently in prison in Mexico.

You may recall in this regard that Jaime Mercader, when he first met Sylvia Ageloff in Paris, claimed Belgian nationality and further on his arrest in Mexico also claimed Belgian nationality. Investigation has proven this false and his nationality has been proven to be Spanish.

NOTE:

Jaime Mercader, Trotsky's assassin, is, according to recent CIA information, to be released from prison by the Mexican authorities in the near future. The above information furnished by [redacted] is being furnished to CIA as presumably they will follow his activities after his release from prison in Mexico. The Bureau conducted an investigation concerning Trotsky's assassin, which investigation resulted in his identification as Jaime Mercader, born in Spain. His immediate family was identified, his mother being Caridad Mercader who was last known to reside in Paris, France. The Bureau's investigation concerning Mercader is in a closed status.

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Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Harbo
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Sizoo
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

MEXICO CITY--PLANS ARE UNDERWAY HERE TO PAROLE JACQUES MORNARD, THE MYSTERIOUS SLAYER OF BOLSHEVIK CHIEF LEON TROTSKY, FROM A MEXICAN PRISON, HIS LAWYER REPORTED.

THE ATTORNEY, EDUARDO CENICEROS, SAID PENAL AUTHORITIES WERE READY TO RULE ON A BID FOR LIBERTY FOR THE KILLER WHO COMMITTED ONE OF THE MOST BAFFLING POLITICAL MURDERS OF MODERN TIMES IN 1940.

CENICEROS SAID THE RULING WAS EXPECTED IN ABOUT THREE WEEKS. HE ADDED THAT HE EXPECTED A FAVORABLE DECISION.

1/6--CE1045A

65-29162

WASHINGTON CITY NEWS SERVICE

65-29162

Date: January 12, 1955 SECRET - AIR COURIER

To: [redacted] (orig. and 1)

From: Director, FBI

Subject: JAIME RAMON MERCADER, with aliases
ESPIONAGE -- R

On January 6, 1955, the Washington City News Service carried the following news item:

> Mexico City--Plans are underway here to parole Jacques Mornard, the mysterious slayer of Bolshevik Chief Leon Trotsky, from a Mexican prison, his lawyer reported.
>
> The attorney, Eduardo Ceniceros, said penal authorities were ready to rule on a bid for liberty for the killer who committed one of the most baffling political murders of modern times in 1940.
>
> Ceniceros said the ruling was expected in about three weeks. He added that he expected a favorable decision.

ENCL. 77

By a Foreign Service despatch dated December 17, 1954, from the American Embassy, Mexico, D.F., information was received that Jaime Ramon Mercader, who is imprisoned in Mexico under the name Jacques Mornard, is himself confident of his imminent liberation. This despatch advised that Mr. David Richardson of the "Time-Life" Mexico City bureau recently had a three-hour interview with Jacques Mornard. Mr. Richardson has stated that "Time-Life" offered $37,000 and is prepared to go higher for Mornard's exclusive story of the Trotsky killing. Richardson said that Mornard so far has refused the offer saying, "Who would be interested in my story?". Richardson got the impression that when Mornard is paroled, he will make every effort to leave Mexico for France as soon as possible.

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Winterrowd
Tele. Room
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Gandy

2 -- New York (100-7751)
2 -- Legal Attache
Paris, France
2 -- Legal Attache
Madrid, Spain
HHW:mg 1 - 65-43302
(12) 1 - Foreign Service Desk

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SECRET - AIR COURIER

SECRET - AIR COURIER

EX-107

(See note page 2)

700

[redacted]

NOTE:

Mercader murdered Leon Trotsky in Mexico on August 21, 1940. Investigation has indicated that he did so at the direction of Soviet intelligence. Thereafter Soviet intelligence sought to effect his relapse but was unsuccessful. His mother, Caridad Mercader, was last known to reside in Paris, France.

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (64-200-221) DATE: 2/1/55

FROM : SAC, SAN ANTONIO (100-8061)

SUBJECT: COMMUNIST PARTY OF MEXICO
STATE OF TAMAULIPAS
INTERNAL SECURITY - C and MEX

CONFIDENTIAL

ATTENTION: FOREIGN LIAISON DESK

Re enclosed report of SA [redacted], dated February 1, 1955, at San Antonio, Texas.

In the past a report has been submitted in this case every 45 days. It is requested that Bureau authority be granted to submit reports in the above-captioned case every three months rather than every forty-five days.

Encl. 6
REGISTERED MAIL
CZ:mkd

ENCL.

RECORDED - 86

CONFIDENTIAL

EX-PROC.

2 FEB 4 1955

FD-9
(1-10-49)

FEDERAL BUREAU OF INVESTIGATION

FORM No. 1
THIS CASE ORIGINATED AT SAN ANTONIO

FILE NO.
mkd

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
SAN ANTONIO, TEXAS	2/1/55	11/26,29.30/54; 12/2,9,10,19, 20,21/54; 1/3,4,11,12,17,	[redacted]
TITLE COMMUNIST PARTY OF MEXICO STATE OF TAMAULIPAS			CHARACTER OF CASE 27/55 INTERNAL SECURITY - C and MEX

SYNOPSIS OF FACTS:

CONFIDENTIAL

PRIMITIVO FERNANDEZ identified by confidential informants as the Secretary General of the Communist Party of Mexico, (PCM), Nuevo Laredo, Tamps., Mexico. XII Congress of PCM, Mexico, D. F. attended by LORENZO LUNA-CURIEL, JUVENAL BOONE-FLORES, BENITO LOPEZ-RAMOS and JOSE P. GONZALEZ of Nuevo Laredo during September 1954. PCM undergoing re-organization as result of this congress with expected result of increased membership and tighter security measures to be taken. Plans made for organization of third, businessmen's group, in PCM in Nuevo Laredo. During December 1954, PRIMITIVO FERNANDEZ conducted drive to raise funds toward effort to change LA VOZ from weekly to daily newspaper. Communist Party activity at Matamoros, Tamaulipas, Mexico, and Reynosa, Tamaulipas, Mexico, has remained disorganized and without leadership. On 12/28/54 a meeting was held in Matamoros with a representative of the Party from Mexico City in an effort to reorganize the Party at Matamoros. The local membership did not approve of the plans submitted for Matamoros and nothing was accomplished. On 1/21/55 an organizational meeting of the Party was held in Matamoros and new leaders named.

- P -

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1 San Diego (Inf.)(Reg. mail)
3 San Antonio (100-8061)

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66 MAR 1 1955

U. S. GOVERNMENT PRINTING OFFICE 16—60837-1

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SA 100-8061

DETAILS

The following investigation was conducted by SA [redacted]:

[redacted]

BENITO LOPEZ-RAMOS, according to T-1, remarked that Lic. RAMIRO ZARATE CANTU, now active in political affairs in Nuevo Laredo, is a former member of the Communist Party of Mexico, and was one of the prominent figures in the PCM in Nuevo Laredo during the time of HORACIO LOPEZ (brother of BENITO LOPEZ-RAMOS), former Secretary General of the PCM in Nuevo Laredo.

[redacted]

[redacted]

[redacted]

T-1 advised that the following pamphlets are being given out to members of the Communist Party of Mexico for reading:

"COMO SER UN BUEN COMUNISTA" (How to be a good Communist) written by LIU SHAO-CHI, Vice-President of the Popular Republic of China, and member of the Communist Party Secretariate of China. Published 1954 by the Fondo de Cultura Popular, A.C. Editorial Popular, Mexico. "PRINCIPIOS ELEMENTALES DE DILOSFIA" by GEORGES POLITZER, published 1949 by the above publishing Company.

On December 29, 1954, T-2, another Governmental Agency which conducts Security type investigations, advised receipt of information that PRIMITIVO FERNANDEZ, resident of the corner of Peru and Riva Palacios, Nuevo Laredo, Tamaulipas, Mexico, and employed at the Muebleria Quiroga, corner of Calle Gutierrez and Matamoros, Nuevo Laredo, is the Secretary General of the Communist Party at Nuevo Laredo.

A review of the records of the U.S. Immigration & Naturalization Service records at Laredo, Texas, reflects that PRIMITIVO FERNANDEZ-FRESNILLO, resident of 1903 Peru Avenue, Nuevo Laredo, Tamaulipas, Mexico, and employed at the Muebleria Mexico, 802 Guerrero Avenue in 1947, was born November 28, 1915 at Thurber, Texas. He renounced his U.S. citizenship under Section 401 (j) of the Nationality Act of 1940 on March 20, 1947, and on the following day was issued a non-Resident Alien's Border Crossing Identification Card by the American Consulate, Nuevo Laredo. The manifest card in the Immigration files contains this individual's right index fingerprint and signature. This individual was further described as follows:

Sex	Male
Race	White
Marital Status	Married
Occupation	Dry Goods Merchant
Height	5'7"
Weight	176 pounds
Hair	Black
Eyes	Brown
Scars	Small scar right eyebrow

712

The following investigation was conducted by SA [redacted]:

Inspector [redacted] U.S. Immigration & Naturalization Service, Brownsville, Texas, contacted the writer on November 29, 1954, and asked whether or not this Bureau had any information relative to Ing. MIGUEL SARMINTO RUVIRA who had been reported to him as a possible Communist.

[redacted] C

[redacted] C

T-3 says that FRANCISCO MIRANDA, Peasant leader within the Communist Party near Matamoros, went to Mexico City on December 2, 1954, to consult Party leaders in an effort to reorganize the Communist Party around Matamoros and have leaders named.

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T-3 advised that HEZEQUIO MORA NAVARRETE, former Communist leader at Matamoros and now of Mexico City, was in Matamoros on November 9, 1954. His trip to Matamoros and Northern Mexico was for the purpose of getting telegrams sent to the President of Mexico protesting against the Police raid in Mexico City on the plant of the Communist newspaper VOZ de MEXICO. T-3 said that MORA had remarked that the Secretary General of the Party DIONICIO ENCINA of Mexico City had told him to get the telegrams even if he had to fake them.

T-3 said that telegrams were sent with the signatures of the following people, however, he does not know whether they were faked by MORA or actually sent by the people whose names appeared at the bottom.

From San Fernando, Tamaulipas, Mexico:

BEATRIZ GONZALEZ
GUILLERMO C. PENA
Prof. ROLANDO GUILLIN

From Matamoros, Tamaulipas, Mexico:

LORENZO SANCHEZ
BERNARDINO MONTELONGO
Prof. FERNANDO CORTINES
Profa. CELIA ZUNIGA vda. BARAGAN

From Rio Bravo:

Prof. JUAN MESA RAMOS

T-3 stated that MORA left Matamoros and proceeded to Reynosa, Tamaulipas, Mexico on November 10, 1954, and from Reynosa proceeded to Monterrey, Nuevo Leon. Before leaving, MORA said that he had to get back to Mexico City to take part in a meeting to be held by the Communist Party at the Teatro Lirico in Mexico City on November 14, 1954, which would protest the actions of the Mexican Government against the Party and against imperialism in general. Before leaving Matamoros, MORA mentioned that certain Republican leaders in the United States had described Guatemala as the center of Communist activity in Latin America, and that this reflected that they had bad information because Mexico City was the center of Latin American Communist activities.

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T-3 stated that JESUS M. CABRERA represents the Communist Party in Matamoros in the Sindicato de Pintores [redacted]

T-3 says that while MORA was in Matamoros, he had remarked to Party leaders that DIONICIO ENCINA, Secretary General of the Communist Party in Mexico, liked the peasant leader FRANCISCO MIRANDA of the Magueyes Colony near Matamoros and had given some thought to making MIRANDA head of the Communist Party around Matamoros. MORA said that he had advised ENCINA against making this move, stating that Miranda was very loyal to the Party and had a great deal of native intelligence, however, that he was only a rude, uneducated peasant and was not capable of reorganizing and controlling the Party. While in Matamoros, MORA said that he was shocked at the disorganization that he had found in the Party around Matamoros, and that it was his general observation that the biggest group within the Party in the Matamoros area were a bunch of cowards.

T-3 stated that on December 6, 1954, FRANCISCO MIRANDA returned from Mexico City. He was accompanied by Prof. FERNANDO CORTINES who teaches in the Emiliano Zapata School. T-3 says that Prof. FERNANDO CORTINES is trying to reorganize the Party in Matamoros, mostly among intellectuals and school teachers. T-3 further advised that the Party's original plans to organize cells within the Masonic Lodge have been more or less suspended because they have been advised that the Mexican government is aware of this plan. T-3 says that Lic. FLAVIO NAVAR URTUSAUSTIGUI remarked in December that the United States was playing with fire in its Chinese policy, and that while he was in Mexico City recently, that DIONICIO ENCINA had told him that a contact of his at the Polish Legation said that Red China has 10,000 men ready to commit suicide in the attack on Formosa and to destroy the United States Seventh Fleet, and that they have small Atomic weapons and will attack the Fleet in submarines and airplanes, and that China further has over 750,000 men waiting to attach Formosa and defend China against the United States' Seventh Fleet.

NAVAR further advised that from the above-mentioned source, he had learned that East Germany will be rearmed and equipped with Russian arms. NAVAR said that the next clash between the United States and Communism would be over Formosa.

T-3 said that Prof. HEZEQUIO MORA NAVARRETE arrived in Matamoros on December 27, 1954, accompanied by ALBERTO LUMBRERAS of Mexico City and CASIMIRO CARDOZO SALAZAR from Monterrey, Nuevo Leon, Mexico. On December 28, 1954, there was a meeting at the Pedro Garza Sanchez School in Matamoros at 9 p.m. Among those present were Profa. CELIA ZUNIGA vda. BARAGAN, Prof. ROMULO FUENTES, Prof. FERNANDO CORTINES, MAURICIO LOERA of the Sindicato Plomeros, TOMAS VILLASENOR of the Sindicato Carpentiera, JOSE LUIS HERNANDEZ, PAULINO MEJIA NAVA from Rio Bravo, MIGUEL GONZALES of Valle Hermosa who represented Masonic Lodge # 32. There were several other Party leaders there. At this meeting MORA told them that Party authorities in Mexico City had ordered that the Party at Matamoros be reorganized on the following geographical basis. The jurisdiction would consist of Matamoros, Valle Hermosa and Rio Bravo. CELIA ZUNIGA opposed this plan, and said that each city on the border should be organized independently, and that it would be easier to control. She complained about the security within the organization and showed a general mistrust of almost everyone there. She pointed out that she would be on the city Council after January 1, and that she could not afford to be exposed as a Communist, and that if forced to, she would have to resign from the Party in the interest of discretion. She generally was supported by the other members of the Party who were there. MORA seemed displeased with the group because they would not go along with Party orders from Mexico City, and said that he could not agree to any of their proposals but that he would take their proposals back to Mexico City and see if he could get them approved.

T-3 said that it was significant that none of the former leaders of the Party from Rio Bravo were there, however, in his opinion they were invited. He says that it may be that they were on vacation.

Prof. FERNANDO CORTINES also stressed that the Party must be more discreet and tighten its security measures. MORA told them that it was absolutely necessary that the Party have a strong organization along the United States border.

After the discussion at the meeting, a film was shown entitled, "Hombres de Ayer Y de Siempre." T-3 said that it was a remarkably good film, and that its propaganda was more subtle and not as crude as some of the earlier films. The picture was about Red China and at first it showed how the people of China were exploited under Chiang Kai-shek. It showed Coolies carrying huge stones and living in miserable conditions. Then as a contrast under the Communist Government, it showed the better living conditions of the people.

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There was considerable time spent in showing new housing projects. In general it was a comparison of the old life and the alleged present life in China, and gave the impression that the living conditions of the common people in China were getting better and better. It showed the State hospitals and clinics and pictures of sick people obtaining free medical attention. The picture also showed something of China's modern military strength. A subtle comparison was made to the miserable living conditions of the common people in Mexico with the idea that all of this improvement could happen in Mexico if Mexico had a Communist government. T-3 said that a very particular line of propaganda in the film was to show the great kindness of the present Red Chinese Army toward the common people. He said that no direct attack was made against the United States, and that the word war was never used, and where the word war was meant, they always used emergency. T-3 said that the dialogue of the film was in Chinese and had Spanish sub-titles at the bottom.

T-3 said that on January 21, 1955, there was a meeting of Communist leaders in Matamoros at the Pedro Garza Sanchez School, and that the Communist Party was reorganized. The details of this reorganization are not yet available.

[redacted]

[redacted]

Confidential Informant T-6, who in the past has furnished reliable information, gave essentially the same information as furnished by T-4 and T-5. T-6 said he could not recall when there had been so little Communist Party activity around Reynosa, and that while he was sure that Party members existed, there did not seem to be any organized activity.

- P -

ADMINISTRATIVE

One copy of this report is furnished for information purposes to all other border offices, El Paso, Albuquerque, Phoenix, and San Diego, pursuant to Bureau instructions.

IDENTITY OF CONFIDENTIAL INFORMANTS

Confidential Informant T-1 is [redacted] who furnished the information to SA [redacted].

Confidential Informant T-2 is [redacted] Security Investigator of U.S. Immigration & Naturalization Service, Laredo, Texas, who obtained the information relating to PRIMITIVO FERNANDEZ as the Secretary General of the Communist Party at Nuevo Laredo while interviewing [redacted], a self-admitted former member of the Communist Party of Mexico at Nuevo Laredo.

Confidential Informant T-3 is [redacted] who furnished the information to SA [redacted].

[redacted] C

[redacted] C

Confidential Informant T-6 is [redacted] whose identity is protected because he is [redacted]

[redacted] C

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It should also be noted that the pamphlet "PRINCIPIOS ELEMENTALES DE FILOSFIA" exhibited by the informant contained the signature of PRIMITIVO FERNANDEZ.

These items are being submitted to the FBI Laboratory for comparative purposes.

REFERENCE:

Report of SA [redacted], dated 11/29/54 at San Antonio, Texas.

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SAC, San Antonio (100-8061) February 23, 1955
(original and one)

Director, FBI (64-200-221-27) — 15

COMMUNIST PARTY OF MEXICO
STATE OF TAMAULIPAS
INTERNAL SECURITY - C & MEX

Reurlet of 2-1-55, enclosing copies of the report of Special Agent [redacted], dated 2-1-55, at San Antonio, Texas, in instant matter.

Referenced letter requested Bureau authorization to submit reports in instant matter at three-month intervals instead of every 45 days.

In view of the importance of the coverage of Communist activities along the Mexican border in the area covered by the San Antonio office and the extent of that activity, you should continue to submit reports at 45-day intervals.

HWL:sjr
(4)

COMM - FBI
MAILED 25

Tolson
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Nichols
Belmont
Harbo
Mohr
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Tamm
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Tele. Room
Holloman
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MAR 3 1955

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OFFICE MEMORANDUM UNITED STATES GOVERNMENT

TO: DIRECTOR, FBI

5/17/55

FROM: SAC, NEW YORK (100-7751)

SUBJECT: FRANK JACSON
IS-C

Rebulet to NY 3/24/55, captioned, "[redacted]" which signified the Bureau desired that immediate steps be taken to correct the previous characterization of [redacted] in all reports and letters prepared in the past. Rebulet directed that in all instances information furnished by [redacted] should be attributed to [redacted] by name. He should be characterized as "an alleged former Comintern representative whose credibility is not known since he has in the past furnished both reliable and unreliable information." Rebulet additionally instructed that the characterization be inserted on all copies of the communication in ink, noting the date of change and the initials of the person making the change.

In accordance with the above, the following communication has been changed in the NYO to properly attribute the information to [redacted] by name and characterization:

(Rpt., Letter, Airtel, Etc.)	(Date)	(Agent's Name)	(Place Where Made)	(Page Numbers)	(T-Symbol)
NY letter To Bureau	1/28/52			Page 1	

Where this communication was a report, the information corresponding to the T-symbol number for [redacted] on the informant page has been marked "Deleted."

It is requested that the Bureau and all interested offices who received copies of the communication make changes on all copies in their possession.

It is to be noted that copies of this communication were disseminated locally to the following NY agencies. None

These agencies have been advised by separate letter of [redacted] new characterization and they have been advised that they may desire to change their copy of the communication accordingly.

It is noted that a copy of the above communication was disseminated locally to None . It is requested that the Office notify this agency in writing, making reference to the communication which has been changed, that [redacted] credibility cannot be evaluated since he is known to have furnished both reliable and unreliable information and the agency may desire to change the copy of the communication in its possession accordingly.

65-29162-204X

1 cc -NY 105-1261
(RM)

RECORDED - 20

1 - Bufile 61-6629
1 - NY 105-1261-Subfile A-2

11 MAY 18 1955

FEK:AC

JUN 2 1955

TRANSLATION FROM SPANISH

The following is a translation of an article appearing on page 5 of the March-April, 1955, issue of "Criminalistica," a magazine published in Havana, Cuba.

- * -

IS LEON TROTZKY'S ASSASSIN DANGEROUS?

By ALFONSO QUIROZ

Professor of Legal Medicine of the Medical and Criminological Division of the Law School of the "Universidad Nacional Autonoma de Mexico" (Autonomous National University of Mexico)

In 1941 Dr. RAUL CARRANCA Y TRUJILLO, Examining Magistrate in the case against LEON TROTZKY's assassin, from the very first stages of the proceedings ordered the appointment of experts for the purpose of determining the personality of the killer, under provisions of Article 52 of the Penal Code for the Federal District and Territories of Mexico. My friend and instructor, Dr. JOSE GOMEZ ROBLEDA, and the author of these lines had the high honor of having such appointment bestowed upon us. As a result of our work in 1941 we furnished the judge with a detailed study of the assassin's personality, 1,332 pages in length.

Recently LEON TROTZKY's murderer submitted an application to the Mexican authorities for release on parole in view of the fact that he had already served two thirds of the prison term to which he was sentenced.

In this important and magnificent magazine, "Criminalistica," which is to America what "Revue Internationale de Criminologie et de Police Technique" is to Europe, in issue No. 5, corresponding to September-October, [illegible] Professor RAFAEL LUBIAN ARIAS, M.M., published an article under the [illegible] title of "Un Triunfo en Dactiloscopia: La identificacion del [illegible] TROTZKY" (A Triumph in Fingerprinting: The Identification of [illegible] Assassin). With the indubitable data regarding the identity of [illegible] assassin, already published, and with the application for release [illegible] which has already been sent to the Mexican [illegible] we established in 1941 now become timely; [illegible] the criminal dangerousness of the subject, [illegible] authorities will have to [illegible] now.

TRANSLATED BY:
PATRICK J. [illegible]:pef
June 14, 1955

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9. His conduct prior to the crime was always suspicious and abnormal; fictitious name, fraudulent passport, isolation, did not work and spent money (paid expensive rent, expensive restaurants, expensive amusements, expensive means of transportation, he bought two automobiles).

10. The impulse to commit the criminal act was apparently determined by a feeling of hatred toward LEON TROTZKY, its most remote origin being of a subconscious nature (very active Oedipus complex) and it corresponds to the most serious manifestation of an evolutionary neurotic state, which must have begun with early childhood as a consequence of an affective trauma. Subsequently motivation derived from the psycho-social crisis of the adult (social failure intervened, which determined, by the circumstantial action of the environment his catagory as a destructive "revolutionary," with a generic vocation for murder and specifically for "magnicidio" (political assassination?).*

11. He is an unproductive, destructive individual who spends money which he cannot justify as the product of any honest human endeavor.

12. At the time of the commission of the crime he was probably in an emotional state, but even then, he was fully conscious of his acts, because his emotive type is of controlled reactions with cerebral erethism.

13. He should be adjudged as being an ignorant communist (elementary knowledge), a social failure, healthy from the medico-social viewpoint (even though he presents a neurotic state which corresponds to those who are neuropathically ill), with an aptitude for the professional work of a surgeon; he fulfills all the characteristics of a person given orders to kill and he probably has accomplices.

14. He has no family relationship with the victim whatsoever.

15. He purported to be a friend of the victim and his partisans.

16. He purported to share the political convictions of the victim.

17. With regards to the victim it should be indicated that he was an elderly man, politically famous, in good health, the head of a political group and a person gifted with plenty of intellectual vigor.

18. The defendant acted during a period subsequent to an attempt on the life of LEON TROTZKY, in the victim's home, under circumstances prepared by him, double-crossing deceiving, in a premeditated manner, with unquestionable advantage and treachery.

* Translator's Note: Hereinafter the term "political assassination" has been used in every instance where "magnicidio" appeared in the original.

19. The defendant fulfills the most serious characteristics of the greatest social dangerousness.

And in conclusion we shall say that we have not been appointed to flatter or offend anyone, our study is not to serve either in favor of or against the defendant: whoever misconstrues this work in order to attempt to satisfy political passions is mistaken and whoever sees in our work base passions or preconceived notions is absurd. We work loyally to serve justice, which the judge represents and we tell the judge the truth which, by itself, always opens up its own path, even on the most intricate roads of history.

The foregoing having been established it is desirable to broach the subject of dangerousness.

The concept of dangerousness has its origin in the Positivist School and, particularly, in the ideas of GAROFALO and FERRI. If one considers that ~~the~~ penal reform is recent in our area, since it was initiated in the year 1929, this will explain why so many persons still adhere to the ideas of the Classical School and that, in fact, they always try to find the expiation, retribution and compensation. Others, ideologically backward, who form the so-called "transition," have replaced the classical concept of imputability with the positivist concept of dangerousness, a circumstance which has motivated a mystical deformity of the idea of dangerousness, which alienates it from the real meaning. Scientifically considered, the same modern concept is clear for understanding and can be established with certainty.

From his first writing, GAROFALO, in 1880, distinguished two elements of dangerousness: One objective, relating to the seriousness of the criminal act, and the other subjective, dependent upon the intensity, perseverance or tenacity to resolve the criminal impulse; the dangerousness is that which results, so to speak, from the two above forces and when both attain their greatest intensity, the greatest dangerousness also occurs. The greater the influence of the personal factors during the commission of the crime, the greater the probability of the realization of another infraction. Criminally dangerous is he who has committed a crime or attempted to commit it and the degree of dangerousness is determined by the seriousness of the act and the possibility of reoccurrence. The dangerousness is a simple personal condition and the crime merely comes about as a symptom or manifestation of the same dangerousness. In synthesis, the criminal dangerousness is the

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probability that a criminal will again commit a crime. Consequently, it is of interest to be able to appraise the said probability for the commission of a new infraction. In other words, it is necessary to establish a prognostication regarding the future conduct of a person who has committed a crime, and such work is deduced through careful study of the personality: each delinquent is a man and, furthermore, a crime which becomes the most valuable clue for the criminologist, the crime which forms part of the individuality which is, as is known, unique in its appearance, but multiple and varied and also, appears determined from the most alienated principle of human experience. In order to resolve the scientific problem which the criminological prognostication implies there exists a technique and a concrete specialization.

It is useful to retrace what might well be called "semiology of dangerousness" and, for such purpose, we shall transcribe the thoughts of very distinguished authors.

According to the Spanish penalist, Mr. LUIS JIMENEZ DE ASUA, the discrimination of dangerousness should be effected in the following manner:

1. Personality of the delinquent studied from the triple point of view:
   a) Anthropological.
   b) Psychological.
   c) Moral.

2. Type of existance prior to the crime.

3. Conduct subsequent to the crime.

4. Nature of the motives.

5. By the act which makes manifest the dangerousness.

In the opinion of BAMBAREN, of Lima (Peru), one should study:

1. The personality.

2. The background or existance prior to the crime.

3. The crime.

4. The post-criminal conduct.

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In Mexico Attorney JOSE ALMARAZ, author of the first Penal Code of the Reform ("Exposicion de Motivos"), specifies the circumstances which imply fearfulness as we note hereinafter:

1. Personality of the perpetrator.

2. Motivations.

3. The act.

4. The procedure.

5. Conduct subsequent to the act.

6. Special attenuating circumstances.

Subsequently the same author has given the opinion that one should take into account the facts which we shall deal with hereinafter.

Disposition. - Or capacity for committing a crime, or aptitude for violating penal laws. The individual who takes advantage of an opportunity to commit a crime believing that he will go unpunished reveals a dangerousness, but this is not the case with regards to the one who lets an opportunity slip by in contradiction to the satisfaction of a necessity.

Inclination. - When the criminal stimulus produces an agreeable sensation because it harmonizes with the subject's sentiments.

Tendency. - Or pernament tension aimed at a certain act or at an inner excitement for the crime. The tendencies are produced by the organic tendencies and the crime is a faithful reflection of the personality.

Quality of the motivations. - The more reprovable the motivations are the greater the dangerousness is. That is, bearing in mind the social or antisocial nature of the motivations (intrinsic of extrinsic).

Study of the act itself. - Its preparation and means of execution. The dangerousness is not measured by the cause, it corresponds to a characteristic of the principal.

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Emotion. - Is very much influenced by the time factor which, normally calms the emotions because, obviously, rage and meditation are antagonistic. In this regard, the author to whom we have been referring distinguishes the following emotive types:

a) The delay.
b) With subsequent elaboration.
c) Repressed.
d) Repressed and renewed.

In the interesting proposal for the Argentinean Penal Code the "semeiology" to which we have referred has been established in Article 41:

The following are the circumstances of the greatest dangerousness:

a) Having led a dishonest, dissolute and parasitic existence.
b) Having a police and criminal record.
c) Precocity in the commission of a serious crime.
d) Having acted because of ignoble motivations.
e) The nature, place, time and means employed in perpetrating the act.
f) Acting with the participation of others.
g) Careful preparation.
h) Committing the crime while involved in court preceedings or while under conditional release.
i) The aggravation of the consequences of the crime.
j) Reproachable post-criminal conduct.

The following are circumstances of minor dangerousness:

a) The honesty and industriousness displayed in the subject's life preceeding the crime.
b) Whether the crime revealedis purely circumstantial and lacks any symptomatic value as a manifestation of criminal tendencies.

It can be substantiated, by what has been presented above, that the criteria of the various authors are in substantial accord with regard to the appraisal of the criminal dangerousness. In short, the said dangerousness may be evaluated as a clinical criminology problem whose purpose is to establish a true diagnosis and a well-founded prognostication; the somato-functional and social study of the person, such as the one which we made on LEON TROTSKY's murderer, serves for such a purpose.

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We should add still other useful elements for estimating the dangerousness. Mr. GREGORIO SUAREZ PENALVER, in an article published in the magazine "Policia Secreta," of Cuba (February, 1941) entitled "Regarding the Aggravating Personal Circumstances of Greatest Dangerousness; Committing the Crime for a Price, Gift, Recompense, Offer or Promise," ~~he~~ says: "In our Code of Social Defense several forms of homicide are called murder, among which are comprised:

1. Committing the crime for a price, gift, recompense, offer or promise.
2. Having committed the crime because of an arbitrary order from the authority or its agents.
3. Having used treachery.
4. Having used knowledge.
5. Having worked with known premeditation.
6. Having perpetrated the act by means of explosives, injurious gases, fire, poison, narcotics or any other suitable means for causing havoc of a general nature.
7. Having perpetrated the crime to prepare, facilitate, consummate or hide another crime, or in order to prevent its discovery.
8. Having worked under a sadistic or brutal impulse of perversity.
9. Having preceeding the homicide with rape, kidnapping or abduction.

In order for this aggravating circumstance to exist it is necessary that there be two or more perpetrators of the crime; the one who gives, offers or promises/ and the one who accepts, both being equally perpetrators of the crime; the first, because he induced the second one directly to commit it and the latter because of executing it.

It now becomes easy to make a balance of the circumstances of dangerousness which our examined subject manifests.

Since we have broached the subject of "hired murderers," it will be timely to transcribe some background material which we took from PENAL TRADE ("Filosofia Penal," which in English means "Penal Philosophy"). "Would not murder by means of hired rogues, so current in Germany and Italy during the Middle Ages, have been the phase of transition which homicide would have to go through descending from the heights of society to the lower classes? The fact is that the ability to kill, from which has been deduced the right to kill, has been in every primitive society the distinctive symbol of the upper classes; until the 17th century those were still the tendencies of the nobility of the backward countries. In the 16th century, during the religious

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wars, kings, queens, princes, great vassals, gentlemen, all of them fierce on the other hand, believed that they had the right not only to kill their enemies in duels, but to murder them for vengeance, ambition and sometimes greed. One then became illustrious by the number of iridaceous murders committed; for example, Baron Vittand, to whom the sweet Margarita Valois went in person to see in the Augustinean Convent, to confide in him the mission of killing De Guast, the King's favorite, who had outraged her. Phillip decorated and knighted his paid assassins... The evolution of political assassination is enlightening. There was a time when kings and chiefs of state themselves committed murder, for example, Clovis. Later princess committed murder through accomplices. There is proof of this, particularly in the archives of Venice. Mr. LAMAUSHY, who consulted these, discovered that out of 1,475 to 1,778 more than 100 delibrations of the Council of Ten related to such commissions. Here is a sample: '1448, September 5. The Council of Ten appoints Lorenzo Minio to inform the unknown person that it accepts his consistent offer to cause the death of the Count Francisco Sforza, and that following his execution it can promise him from 10 to 20 thousand ducats.' Finally the time came when, by luck faster than ordinarily, in Venice the men of state were ashamed of making such purchases and from the inflamed populace regicides surged forth. It should be pointed out that the great recrudences of primitive homicide, as far as can be determined in a past deprived of statistics, were immediately followed by the explosions of civil wars, that is, the great intemperances of official homicide baptized with the name of reason of state."

Let us return to the dangerousness and let us consider the concepts expressed by Dr. MARIANO RUIZ FUNES, last year, during the Social Prevention Congress:

"One should consider as dangerous those who dedicate themselves to honest labor without justifiable cause (sic). A case of dangerousness without a criminal act is that of habitual vagrants, ruffians and procurers or subjects in possession of money or other articles under conditions not justified according to the requirements of the authorities. Those who do not use their real name, dissimulate their personality or give a false address and those who utilize or possess fraudulent identification papers or hide their own... " As will be readily understood, this characterization made by Mr. MARIANO RUIZ FUNES fits LEON TROTZKY's murderer. The illustrious professor from Murcia goes on: "The concept of the dangerous state implies the vehement presumption that a given person will break the penal law. The crime has a symptomatic value. It reveals sometimes, as an episode, an entirely antisocial conduct; but this episode is an isolated event and it can fundamentally be presumed that if certain measures are not adopted against the subject he will systematically repeat his antisocial conduct."