NIKOLAI VASIL’EVICH KRYLENKO: A RE-EVALUATION

DONALD D. BARRY
University Professor of Government, Lehigh University

Among the leaders of the Soviet legal profession, Nikolai Vasil’evich Krylenko occupies a special place because of the multi-faceted character of his career. His early adult years were devoted not to law but largely to the life of a professional revolutionary and then a political and military operative. He turned to law, the field in which he spent the last twenty years of his life, only in 1918, when he was in his 33rd year. His work in law involved a breadth of experience not found among present-day Soviet jurists, and rare even in Krylenko’s day: prosecutor in important political trials; Comissar of Justice at both the RSFSR and USSR level; ardent legal reformer who wrote and published prolifically on legal issues of the day; editor and lecturer who, if numerous Soviet sources are to be credited, took seriously the need to disseminate "legal propaganda" among the populace. In addition, Krylenko was well known for his interests outside of law, including chess, mountain-climbing, hunting, and tourism, all areas which he helped encourage and develop in the new Soviet state.

One does not get the picture, then, of a closeted legal scholar, but of an active political operative who happened to work during a large portion of his life in the field of law. The superficialities of Krylenko’s career are not difficult to trace and have been touched upon by numerous authors. And a number of Krylenko’s legal writings have been analyzed by specialists, both in the Soviet

1. Among the sources cited in this paper, one of the more important is the writing about Krylenko by his daughter, Marina Nikolaevna Simonian. See, for instance, Zhizn’ dla revoliutsii, Moscow 1962; and idem, Ego professiia — revoliutsiia, 2nd ed., Moscow 1985. One of her writings that particularly stresses Krylenko’s work as a legal propagandist is “N.V. Krylenko — propagandist pravovykh znani”, Sots.Zak. 1987 No.1, 21-24.

Simonian’s depiction of Krylenko’s life is based in considerable part on a five-page autobiographical sketch by Krylenko that appeared in vol.41 of Entsiklopedicheskii slovar’ Russkogo bibliograficheskogo instituta “Granat”, 7th ed., Moscow 1933-1940, 237-246. Hereinafter referred to as “Autobiography”, this source describes Krylenko’s life up to 1922.

2. Many writings refer to these interests. A book devoted almost solely to these aspects of his life is E.D. Simonov, Chelovek mnogikh vershin: Nikolai Vasil’evich Krylenko (1885-1938), Moscow 1969.
Union and in the West. Despite this attention, however, the picture that emerges of Krylenko lacks in depth and is contradictory. Given the closed nature of the Soviet system and the practice of only guardedly releasing information about political personalities, this is not overly surprising. And particularly where a person has been purged and then rehabilitated, as was Krylenko, one is likely to find inconsistencies, contradictions, and a tendency to go to extremes: the “wrecker” and “enemy of the people” of 1938 may come close to being the person who could do no wrong after his rehabilitation, particularly when the chief hagiographer is a close relative, as has been the case with Krylenko.

But numerous signs now point to an effort to deal more objectively with Soviet history. While this is directed in particular at the mass repressions of the late 1930s (the time when Krylenko was arrested and “liquidated” after a closed trial hardly worthy of the name), it has tentatively extended to other periods as well, including the phase of Krylenko’s ascendancy in law. If this re-examination of history is carried to its logical conclusion, a re-assessment of Krylenko as a legal functionary will be hard to avoid. There is evidence of an inclination among some Soviet writers to look more frankly at Krylenko’s role in the development of the more negative aspects of Soviet law during his period in power. But there are also powerful reasons for reining in any such inquiry: if questions are asked about Krylenko’s earlier years in legal administration, what about his superiors during that period, particularly Lenin? The treatment of Krylenko, then, represents yet another test case for the glasnost’ period: will it be of the “damage control” variety, in which the veil is lifted slightly but is limited to the period when all can ultimately be blamed on Stalin; or will the full implications of the inquiry be allowed to emerge without limitation?

In this paper the author seeks to provide perspective for the evaluation of Krylenko as a jurist by examining the way he has been treated over time, in Soviet and Western writings. This is not, then, primarily a biographical sketch, although it will be necessary to discuss some aspects of Krylenko’s background and career. Nor is it intended to examine in any detail Krylenko’s writings and


4. See supra, note 1.