

Soviet Labour Law during the Second World War

Martin Kragh

Stockholm School of Economics

Email Martin.Kragh@hhs.se

PERSA Working Paper No. 63

THE UNIVERSITY OF
WARWICK
Department of Economics



*Political
Economy
Research in
Soviet
Archives*

Version: 14 April 2011

Available from www.warwick.ac.uk/go/persa.

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Author: Martin Kragh¹

Forthcoming in *War in History*, 2011.

Abstract

By studying Soviet legal practices, we learn about the enforcement of coercive legislation in the USSR. New archival data show how Soviet organs attempted to control labour in industry during the Second World War. State organs interacted in order to enforce legislation, but enforcement in practice was weak. Soviet leaders simplified administrative procedures for enforcement as long as the war threat persisted. So enforcement of coercive labour law was a priority during the war, but actual penalization was inefficient due to various constraints.

Keywords: Soviet, labour, home front, coercion, World War II, law

¹ Martin Kragh, Assistant Professor, Institute for Research in Business and Economic History, Stockholm School of Economics. Mail: P.O. Box 6501, SE-113 83, Stockholm, Sweden. E-mail: Martin.Kragh@hhs.se. Telephone: +46-(0)8-736 90 00. I thank Donald Filtzer, Mark Harrison, Örjan Sjöberg and the anonymous referees for comments. Research grants from the Jan Wallander and Tom Hedelius Research Foundation and the Swedish Institute are gratefully acknowledged.

A growing body of literature has shown the contribution of economic development and planning to the outcome of the Second World War.² As regards the Soviet experience, research on mobilization plans in the 1930s has illustrated previously underappreciated aspects of command economies.³ The actual performance of the Soviet economy at war has also been the subject of an excellent study by Mark Harrison.⁴ However, the role of labour on the home front has received only scant attention.⁵ This article makes use of new sources from Russian state archives in an attempt to study how Stalin applied coercive legislation in order to mobilize labour in war industry. Evidence suggests that penalization of labour during the war was substantial, though there were factors that also counteracted the enforcement of coercive legislation. Special emphasis is put on the role and interaction of the organs responsible for the enforcement of Stalin's labour laws, primarily factory managers, prosecutors, *militsiya* and the Security Police (the NKVD).

The first part of the article outlines the historical background and the attempts by Soviet authorities during the early stages of the war to control labour in industry. The second part describes the institutional interrelationship of the relevant state organs, and the factors which determined the enforcement of labour legislation. The penultimate part describes how authorities attempted to facilitate enforcement during the war. The last part provides new archival data on penalization and summarizes the discussion.

² The primary work here is M. Harrison (ed), *The Economics of World War II. Six great powers in international comparison* (Cambridge, 1998).

³ O. Ken, *Mobilizatsionnoe planirovanie i politicheskie resheniya. Konets 1920-seredina 1930-kh gg.* (St. Petersburg, 2002); A. Meliya, *Mobilizatsionnaya podgotovka narodnogo khozyastvo SSSR, 1921-1941 gg.*, (Moscow, 2004); R.W. Davies, M. Harrison, "The Soviet Military-Economic Effort Under the Second Five-Year Plan, 1933-1937", *Europe-Asia Studies*, XLIX (1997), pp. 369–406; L. Samuelson, *Plans for Stalin's War Machine: Tukachevskii and Military-Economic Planning, 1925-41* (London, 2000). For an early study of the mobilization of industry during the war, see S.R. Lieberman, "The Evacuation of Industry in the Soviet Union during World War II", *Soviet Studies*, XXXV (1983), pp. 90–102.

⁴ M. Harrison, *Accounting for War: Soviet Production, Employment, and the Defence Burden* (Cambridge, 1996).

⁵ Two articles have studied the role of forced labour in the GULAG system during war, a narrow focus considering its relatively small share of the workforce S. Kotkin, "World War Two and Labor: A Lost Cause?", *International Labor and Working-Class History*, LIIX (2000), pp. 181–91; S. Barnes, "All for the Front, All for the Victory! The Mobilization of Forced Labor in the Soviet Union during World War Two", *International Labour and Working-Class History*, LIIX (2000), pp. 239–60.

Background

Forced industrialization in the 1930s fundamentally altered the social and economic structure of Soviet society. The previously autonomous trade unions were subsumed under party organs, and the collectivization of agriculture broke the back of farmers' resistance against expropriation. These upheavals contributed to quite substantial labour turnover rates in industry, and inexperienced young workers from the countryside were unaccustomed to the factory regime. In a famous speech, Stalin lamented that two of the biggest obstacles to growth were absenteeism from work and high rates of labour turnover.⁶ The Bolshevik leaders therefore experimented with a combination of sticks and carrots, in order to contain what they considered behaviour detrimental to economic performance.⁷

As early as April 1920 the Council of People's Commissars (*Sovnarkom*) agreed the first resolution on absenteeism. The resolution was in effect a mirror image of the ensuing war communism. In these years of turmoil, factories ceased to function and statistical reports speak of 45–50 percent of the workday lost due to absenteeism.⁸ After 1920, workers absent from work more than three days in one month were held accountable for 'sabotage', and could be sentenced to imprisonment in labour camp. These measures did reduce absenteeism, but when the civil war ended a more moderate regime was introduced.

Official Soviet publications in the late 1920s argued that deteriorating labour discipline – usually identified as increases in absenteeism and labour turnover – was due to the inexperience of new workers coming from the countryside, and the loose work culture endorsed by technical and management staff; a view also mirrored in early western analysis.⁹ Elena Osokina's recent study has however rejected this explanation. According to her,

⁶ J. Stalin, "New Conditions – New Tasks in Economic Construction", in *Works*, vol. 13 (Moscow, 1954), chapter 3.

⁷ For some early literature on labour under Stalin, see G.R. Barker, *Some Problems of Incentives and Labour Productivity in Soviet Industry: A contribution to the study of the planning on labour in the U.S.S.R* (Oxford, 1956); L. Greyfie de Bellecombe, *Les conventions collectives de travail en Union Soviétique* (Paris, 1958); R. Conquest, *Industrial Workers in the USSR* (London, 1967).

⁸ G. Pollyak, *Statistika truda v promyshlennykh zavedeniyakh. Dvizhenie rabochey sily, yavki na rabotu, proguly i zarabotnaya plata rabochikh v 1921 g.g.* (Moscow, 1923), pp. 13–15.

⁹ See S. Zagorsky, *Wages and Regulation of Conditions of Labour in the U.S.S.R.* (Geneva, 1930), pp.16–36.

absenteeism and labour turnover were related primarily to shortages of consumer goods and declining real wages. She comments that ‘repressive measures, fundamentally sanctioned by the Politburo, did not affect the “economic mechanism” of the crisis. They did not solve the problems of consumer goods deficits and famine, or attempt to contain even the results – queues, labour turnover and absenteeism.’ Rather, such aspects were only ‘masked, assumed new forms, and did not go away.’¹⁰ That is, under conditions of strain, enterprise managers and workers colluded, as they found common cause in circumventing excessive coercion. Labour turnover and absenteeism therefore became integral to the Soviet economic system as such.¹¹

Tougher penalties for violation of disciplinary codes were introduced throughout the pre-war period. In March 1929 a new law broadened the authority of factory managers, who could now punish workers without consulting trade union representatives. Legislation in November 1932 decreed that absenteeism for more than one day would lead to immediate dismissal from work and eviction from home. In the words of Mark Meerovich, the state utilized the shortage of housing as a ‘regulatory tool’ against its own citizens.¹² The Tsarist internal passport system was then reintroduced two months later on 28 December, in order to contain population flows between regime cities and countryside.¹³ In late 1938, rules were subsequently strengthened with the redefinition of absenteeism as late arrival to work by more than 20 minutes. On 26 June 1940 – one day after France’s formal surrender to Germany – absenteeism from work and job-changing without management’s consent were made

¹⁰ E. Osokina, *Za fasadom "stalinskogo izobiliya" – Raspredelenie i rinok v snabzhenii naseleniya v godi industrializatsii, 1927-1941* (Moscow, 1998), p. 214.

¹¹ For data on labour in the 1930s, see R.W. Davies, *Crisis and Progress in the Soviet Economy, 1931-1933* (London, 1996), p. 538; A. Bergson, *The Economics of Soviet Planning* (New Haven, CT, 1964), p. 95; D. Filtzer, *Soviet Workers and Stalinist Industrialization – the formation of modern Soviet production relations* (New York, 1986).

¹² M. Meerovich, *Nakazanie zhilishchem: Zhilishchnaya politika v SSSR kak sredstvo upravleniya lyud'mi. 1917-1937* (Moscow, 2008), pp. 6–7.

¹³ G. Kessler, “The Passport System and State Control over Population Flows in the Soviet Union, 1932-1940”, *Cahiers du Monde Russe*, XLII (2001), pp. 477–504; N. Moine, “Passeportisation, statistique des migrations et contrôle de l’identité sociale”, *Cahiers du Monde Russe* XXVIII (1997), pp. 587–600, and “Le système des passeports à l’époque stalinienne: De la purge des grande villes au morcellement du territoire, 1932–1953”, *Revue d’Histoire Modern et Contemporaine*, L (2003), pp. 145–69; E. N. Chernolutskaia, “Pasportizatsiya dal’nevostochnogo naseleniya,” *Revue des études slaves*, LXXI (1999), pp. 17–33; D. Shearer, “Elements Near and Alien: Passportization, Policing, and Identity in the Stalinist State, 1932–1952”, *Journal of Modern History*, LXXVI (2004), pp. 835–81.

criminal offences, punishable with corrective labour (usually at one's place of work with reduced pay) or prison.¹⁴ Apart from these decrees in the inter-war period, the Great Terror in 1937-38 had been marked – in the words of a Russian historian – by its clear 'anti-worker orientation'.¹⁵ No other group had been as disproportionately targeted. This was the setting when war erupted between Germany and the USSR.

A characteristic feature of Stalin's rule was his firm disbelief in everyone around him. It has been argued that an important reason for the Great Terror was to eradicate his enemies 'within' before the expected future war.¹⁶ The terror also strengthened and consolidated his influence over decision making, as evidenced by the decreasing number of meetings by the leaders in the already small Politburo group. It did little however to increase loyalty among Soviet citizens and likely caused further disorganization in industry.¹⁷ This may help explain why, in the face of destruction, the dictator was willing to further increase coercion in the military as on the home front. On 26 December 1941, job-changing in war industry was equated with "desertion", punishable with up to eight years of 'deprivation of freedom' in a labour camp (GULAG). To desert from war industry a worker typically had to abandon his or her workplace without management's approbation, or be late to work more than three times. The war period thus witnessed the culmination of coercive measures. Of special interest in this article is the edict of 26 December 1941.

¹⁴ Most previous research on Soviet labour laws has focused on the less draconian edict of 26 June 1940. See D. Filtzer, *Soviet Workers and Late Stalinism – Labour and Restoration of the Stalinist System after World War II* (Cambridge, 2002), S. Kotkin, *Magnetic Mountain – Stalinism as a civilization* (California, 1995), pp. 95–99; S. Davies, *Popular Opinion in Stalin's Russia. Terror, propaganda and dissent, 1934-1941* (Cambridge, 1997, ch. 1; P. Solomon, *Soviet Criminal Law under Stalin* (Cambridge, 1996); A. Sokolov, "Forced Labour in Soviet Industry: The end of the 1930s to the mid-1950s: An overview", in P. Gregory and V. Lazarev (eds), *The Economics Forced Labor. The Soviet Gulag* (California, 2003), ch. 2; J. Barber, "The Development of Soviet Employment and Labour Policy, 1931-1941", in D. Lane (ed.), *Labour and Employment in the USSR* (Brighton, 1986).

¹⁵ A. Kabatskov, "Repressi protiv rabochikh Prikam'ya. 1937-38 gg.", in O.L. Leybovich (ed.), "Vklyuchen v operatsiyu". *Massoviy terror v Prikam'e v 1937-1938 gg.* (Moscow, 2009), p. 137.

¹⁶ O. Khlevniuk, "The Objectives of the Great Terror, 1937-38", in J. M. Cooper *et al* (eds), *Soviet History, 1917-1953: Essays in Honour of R. W. Davies* (New York, 1995), pp. 158–76.

¹⁷ S. Fitzpatrick, "Workers against Bosses: The impact of the Great Purges on labour-management relations", in L. Siegelbaum and R. Suny (eds), *Making Workers Soviet. Power, class, and identity* (Ithaca, 1994), pp. 239–40. For a discussion on the evidence, see R.W. Davies, "The Soviet Economy and the Launching of the Great Terror", in M. Ilic (ed.), *Stalin's Terror Revisited* (London, 2006).

The War Economy

Soviet military doctrine had not fully anticipated that the war would be waged on its own territory. Hitler's surprise attack on 22 June 1941 put serious pressure on the ability of the Soviet system to mobilize necessary resources for war, as vast industrial regions fell into the hands of the enemy. Planned output prior to the war had not been met, and quotas were subsequently revised downwards. Archival data show that for the first quarter of 1941, planning targets for war industry were reduced by four percent between February and March. This reduction notwithstanding, the moderated plan for the first quarter of 1941 was still only fulfilled by 87.4 percent.¹⁸ This was the information Stalin had when Hitler attacked, and can explain why, as was known at the time, he preferred to deter rather than to fight Germany.

Nevertheless, the outbreak of the German-Soviet war was followed by an unprecedented expansion of defence industry. Mark Harrison has estimated that employment in this sector increased from about 9.8 million workers in 1940 to 17.3 million in 1942. It was also in 1942 that the relative share of industry's employment to its war effort peaked at an almost unbelievable 96 percent, while GDP dropped about 24 percent compared with the previous year.¹⁹ In other words, this year was the decisive year for the Soviet war economy, and so merits an investigation into the workings of the home front. Official historiography did not seriously consider the social and political conditions in the country during the war, and foreign scholarship was severely restricted in its access to sources. In his well-known treatise on the Second World War, high ranking member of government and director of Gosplan (the State Planning Commission) Nikolai A. Voznesensky recalled that,

In spite of the influx into production of new personnel with little training, socialist labour discipline was enhanced and the productivity of labour increased everywhere in the USSR during the war-economy period... Productivity of labour during the Patriotic War increased both as a result of greater output per unit of work time,

¹⁸ Russian State Archive of the Economy (RGAE), f. 1562, op. 313, d. 550, ll. 7–8. Top secret report from Central Statistical Administration (TsSU).

¹⁹ M. Harrison, *Accounting for War. Soviet production, employment, and the defence burden, 1940-1945*, (Cambridge, 1996), pp. 118–24.

achieved primarily by rationalizing production processes, and the prolongation of working time by cutting stoppages and absenteeism, and by overtime work.²⁰

It is safe to assume that Voznesensky's rendering of the mobilization effort is slightly stylized. As was noted in an authoritative study by John Barber and Mark Harrison, labour turned out to be the 'ultimate bottleneck', constraining the war potential of Stalin's Russia as well as of Hitler's Germany. Not only was there a risk of sending too many working hands to the front, the actual level of productivity and morale at work had to be kept under strict control. This required careful mobilization, meaning that all resources were directed towards the war effort, and coordination, meaning that the mobilized resources were also efficiently allocated.²¹ The political pressure was a *sine qua non* in this effort. In early 1942 Viktor M. Bochkov (general prosecutor of the USSR) reminded all the branches of the Procuracy that one of their main duties during war

consists in the steadfast struggle against the disorganizers of the home front – counterrevolutionaries, wreckers of socialist legality, speculators, embezzlers, disturbers of labour discipline and various criminals – interfering in the defence work of our country.²²

Initial mobilization to the armed forces had begun on 1 September 1939, with the law of universal military service.²³ A further edict of 6 July 1940 had decreed that any 'willful absence' from one's unit was to be treated as desertion, resulting in a sentence of five to ten years in peace time, and death followed by confiscation of

²⁰ N.A. Voznesensky, *Voennaya ekonomika SSSR v period otechestvennoy voyny* (Moscow, 1948), pp. 113–14. Voznesensky was executed in August 1949 on the orders of Stalin. Y. Gorlizki and O. Khlevniuk, *Cold Peace: Stalin and the Soviet Ruling Circle 1945-1953* (New York, 2004), pp. 83–89.

²¹ J. Barber and M. Harrison, *The Soviet Home Front 1941-1945 – A social and economic history of the USSR in World War II* (London and New York, 1991), pp. 143–44, 152–53.

²² State Archive of the Russian Federation (GARF), f. 8131, op. 37, d. 37, l. 62. Top secret telegram from Bochkov, February 1942.

²³ S.N. Mikhalev, *Voennaya strategiya. Podgotovka i vedeniye voyn novogo i noveyshego vremeni* (Moscow, 2003), p. 595.

property in war time.²⁴ As concerns coordination of labour power, the Labour Committee was founded on 30 June 1941, responsible for the mobilization of labour for war industry. In the same year, about 445,886 youths, primarily male, were recruited from the countryside to Labour Reserve Schools (FZO), preparing them for work in strategically important enterprises.²⁵ In February a year later men aged 16 to 55 years of age, and women aged 16-45, were decreed to join factories and enterprises. In late 1942, there was a further decree 'on the lessening of bread norms for absentees', a not insignificant measure in a time of severe strain on food supplies.²⁶ These decrees were followed by an enormous effort to evacuate and relocate not only 16.5 million citizens to the country's interior, but also factory equipment vital for the war effort.²⁷ Even though many factories and much equipment were lost en route, and even though existing contingency plans would turn out to be useless, Stalin's command economy did not collapse. As the war dragged on, economic mobilization turned to the Soviet Union's advantage.²⁸

Institutional Structure

There were different actors in the state apparatus charged with responsibilities for the enforcement of the edict on desertion. On a micro level, factory managers were responsible for supervision, and all deserters had to be reported to the procuracy and police (*militiya*), who in turn would commence a search. It was the responsibility of the Procuracy to prepare the case for military trial under the jurisdiction of the security organs (NKVD). Major amendments to the legislation could only accrue from the small group of Politburo leaders now in the State Defence Committee (GKO). Military courts were formally supervised by the Military Collegium of the Supreme Court of the USSR.

²⁴ GARF, f. 8131, op. 27, d. 969, l. 41. Top secret letter from V. Bochkov to V. Voznesenskiy describing the law of July 6 1940 on desertion from the army, signed 5 March 1942. .

²⁵ GARF, f. 9507, op. 2, d. 418, l. 1. Document contains statistics on enrollment to FZO for the years 1940-47.

²⁶ GARF, f. 8131, op. 37, d. 749, l. 64. Document containing a description of the edict "on lessening of bread norms for absentees".

²⁷ R. Manley, "The Perils of Displacement: The Soviet Evacuee between Refugee and Deportee", *Contemporary European History*, XVI (2007), pp. 495–509.

²⁸ M. Harrison, "Industry and Economy", in D. Stone, *The Soviet Union in World War II* (Barnsley, 2010), pp. 15–44.

The edict on desertion is counterintuitive in the sense that job-changing was already a crime under the edict of 26 June 1940. As Peter Solomon has shown however, this edict was considered an insufficient deterrent.²⁹ The fact that war industry – which included basically all heavy and military industry, chemicals, transport and significant parts of light industry (the definition of war industry also expanded during the war) – was thus subjected to increasing coercion is no coincidence. Soon after the edict on desertion had been implemented, a new government resolution (top secret), dated 3 January 1942, instructed directors of all defence industries and their related enterprises, no sooner than one day after a desertion had been established, to report the case to a military prosecutor (in places with no military prosecutor, to the regional prosecutor).³⁰ The prosecutor was then to bring the accused to a military tribunal with the relevant material and ‘selection of proper measures of suppression’ within ten days. The legislated ‘measure of suppression’ for desertion was five to eight years of ‘deprivation of freedom’ in a labour camp. The material to be brought was to include three elements:

- the factory’s note on the details of the actual desertion
- the offender’s personal documents (passport, military documents)
- any information on the worker’s disciplinary background and any previously recorded transgressions

Edicts were sometimes implemented in tandem with a political ‘campaign’ in order to gain wider acceptance. During the first months or year of the edict’s existence on the statutes this would usually imply a pressure on legal organs to also prosecute, which gave an artificial boost to the enforcement rates. These rates would then decline or perhaps even abate completely over time.³¹ In practice, enforcement of the edict on desertion turned out to be costly and difficult at all levels already from the beginning, primarily because deserters were difficult to locate. In order to simplify procedures, the NKVD therefore issued order no. 002375/00438/113ss, dated 28 October 1942. The order instructed organs of the *militsiya* – in case the accused could not be found – within five

²⁹ P. Solomon, *Soviet Criminal Justice under Stalin*, p. 312.

³⁰ Unpublished government resolution, no. 6, January 6 1942. ”O poryadke napravleniya v voennye tribunaly del o prestupleniyakh predusmotrennykh Ukazom Prezidiuma Verkhovnogo Soveta SSSR ot 26 dekabrya 1941 goda”.

³¹ P. Solomon, *Soviet Criminal Justice under Stalin*, ch. 9.

days to transfer all cases of desertion back to the prosecutor's office for further redirection to a military tribunal. The tribunal would then hear the case, with or without the accused present. This last aspect was decisive. In fact, the majority of all desertion cases during the war were dealt with in the absence of the accused.³²

It is no coincidence that simplified procedures were introduced early in relation to the edict on desertion. The punishment rate was substantial but, due to the circumstances of the war, most offenders were convicted in absentia. Since the majority of all deserters were never located, they remained unpunished. Two further factors reduced the efficiency of the legislation: administrative congestion (meaning that the case load was too large given the factual restraints) and non-compliance (meaning that, at different levels in the administration, supposedly loyal organs refused to enforce the law for various reasons).

Administrative Congestion

Major factors on the home front were administrative congestion and lack of proper information on the whereabouts and standing of mobilized workers. Cases of desertion remained on the desks of factory directors and prosecutors for up to five months, and in the meantime the accused would be able to relocate. There was a managerial rationale for this. During the first days of desertion, there was really no way the manager could determine whether the employee had deserted, or was simply absent and thus expected soon to return to work. When desertion could finally be established, the worker was nowhere to be found.

A lathe operator at trust no. 21, Skriviers (given name and patronymic not known), failed to show up at his enterprise from 3 August 1942. It took 4.5 months to complete an investigation into the reasons for his absence, and only on 21 December was there an application formally to charge him with criminal responsibility. The prosecutor did not receive the material until 28 January 1943, almost half a year too late. From the available sources, it seems such administrative delays in handling transgressions were commonplace.³³

³² Russian State Archive of Contemporary History (RGANI), f. 6, op. 6, d. 1487, ll. 3–4. As in a Party Control Commission report, dated 3 March 1943.

³³ RGANI, f. 6, op. 6, d. 1487, ll. 11–12.

Deserters could escape legal measures not because they had necessarily left the town or region. In many instances the *militsiya* lacked the resources to instigate a search process. They were understaffed, lacked basic means of communication and had plenty of other urgent tasks on their hands. Many reports note that deserters would often continue to live at the same place not far from work, without anyone ever looking for them.³⁴ Reports from later years of the war mention workers convicted in absentia twice for desertion from two different employments, but who still remained unpunished. Other workers could remain arrested for 2–4 months for desertion without the authorities being able to establish their designated place of work or even their exact identities. Young workers recruited from regions of the Caucasus, Uzbekistan, Kirgizia, Tadzhikistan and Turkmenistan, typically did not necessarily know the name or exact location of their factory (in part a downside of the secretive Soviet system).³⁵

A separate NKVD report tells the story of I.V. Afinogenov at factory no. 54 in the city Nitva, who had been sentenced in absentia to six years in a labour camp for desertion on 31 August 1942. Upon examination, it turned out he had died in hospital from heart failure on 17 August. The enterprise's management had not noted his absence until almost two weeks later, and the *militsiya* had never attempted to search for him.³⁶ Another NKVD report noted the case of I.K. Zanegin at factory no. 82 in Moscow oblast, who was sentenced to five years on 29 November 1942 for desertion. It turned out he had in fact never deserted, and was still working at the same factory. Another worker was absent because of illness for five days, but then returned and worked double shifts. Nevertheless, the enterprise director reported him as a deserter, and he was sentenced to five years.³⁷

³⁴ GARF, f. 8131, op. 37, d. 980, l. 2. Report from Bochkov to deputy people's commissar of NKVD, Merkulov. Dated 24 January 1942.

³⁵ GARF, f. 8131, op. 37, d. 1435, l. 4. Secret report from Bochkov to Vyshinskiy. Dated 4 January 1943.

³⁶ RGANI, f. 6, op. 6, d. 1487, l. 36f. Secret report by Andreev, head of department, NKVD military tribunal. Dated 20 January 1943.

³⁷ RGANI, f. 6, op. 6, d. 1487, l. 76. Secret report by Zaytsev, head of department, NKVD military tribunal in Moscow oblast. Dated 22 February 1943.

At the Kirov factory in Chelyabinsk oblast, V. Korovin, L. Marvin and T. Galimzhanov were to be dispatched to the front, a formal decision which they had reported to the administration. Nevertheless, upon noting their absence, the factory director reported them as deserters, and they were subsequently convicted and sent to a labour camp. This is striking in many ways. According to official statutes, workers in defence industry were exempted from conscription to the Red Army, as they were technically already subject to military service (though in practice, workers could often volunteer or be conscripted anyhow). But in practice authorities did not always know where people were employed, and much was subject to negotiation at the enterprise level. Apparently, this could also involve completely innocent people being severely penalized. Only in July 1943 did a specific edict explicitly grant deserters freedom from liability once they had been recruited to the Red Army.³⁸

Administrative and Managerial Non-Compliance

Secondly, there was administrative and managerial non-compliance at different levels in the state apparatus. Agents lower down the hierarchy did not necessarily refuse to take measures considered too coercive. Ordinary bureaucratic procedures had simply collapsed, making managerial practice difficult to uphold (with regards for example to the registration of workers' home addresses and whereabouts). So, authorities would make a choice: either prosecute on the basis of weak evidence, or allow suspects to remain unpunished altogether. Because of the increasing search costs, enforcement would thus risk being too abusive or too lenient, both options being sub-optimal. The option to prosecute workers in absentia meant that the law could be enforced without anyone actually knowing where the suspects were. This was common during the war years. However, enforcement was sometimes refused altogether, illustrated primarily by the fact that many cases sent to the Procuracy were discontinued (see Table 1 below).

Otherwise loyal agents would refuse enforcement primarily when the desertion seemed justified. Young men and women lived in cold barracks in cramped and unsanitary conditions, and suffered from a general shortage of proper clothes, food and water. Upon conditions in which employers could not uphold normal standards, coercion became difficult, especially as working and living conditions declined sharply during the war. In certain instances workers preferred to remain in the factories overnight, where there was perhaps a functioning heating

³⁸ GARF, f. 8131, op. 37, d. 1612, ll. 65, 99. Document dated no earlier than 17 July 1943.

system and perhaps access to clean water. Problems arose however if people were relocated from one work place to another or could not work due to lack of proper clothing. Obviously, poor living conditions were an important reason for desertion.³⁹ Documents mention a women worker, Shirpova, whose lack of winter clothes had forced her to return home to collect some basic articles. As she eventually arrived in her home town she decided not to return, and the prosecutor closed the investigation. So there was an administrative resistance to prosecute cases considered too strict, too costly or simply counterproductive.

There were other reasons prosecutors would discontinue cases of desertion. The directors at the Aviation Motor Factory no. 466 (Gorky oblast) were accused of having shown ‘instrumental’ and ‘formal bureaucratic’ tendencies in arranging their list of 734 deserters. Upon closer investigation by the prosecutors’ office, 137 of these were discontinued as unfounded. In 10 cases, the accused were actually in hospital, in 8 cases in school or training, in 18 cases in the army, in 38 cases they were under 16 years of age, but in 53, the cases were closed since the living conditions associated with the factory were so poor.⁴⁰ There were other instances like this.

The dormitories at the Kirov factory were reportedly dirty, cold and lacked proper beds and heated water (or even fresh drinking water). One report mentions five sections holding 5,000 workers, which shared *in toto* 3,272 mattresses, 3,643 blankets, 1,892 pillows and 1,652 bed-sheets, all of which were cleaned only ‘very rarely’. For these reasons, many workers stayed at the factories for prolonged periods of time, ‘living in the workshops and sleeping on the floor near the machines’. Because of these conditions, they were not able to rest properly and regain their strength during breaks from work. In early 1942, typhus was spreading in the most overcrowded living spaces due to lack of medicine and to poor sanitary conditions.⁴¹ Responsibility of family members was another factor. Azarnova, employed at Moscow factory no. 82 during the war, explained to the court about her reasons for desertion (in fact only a longer period of absenteeism):

³⁹ Andrei Markevich and Andrei Sokolov have argued that living and family conditions were the major reason for young workers to abandon their place of work during the war in their case study of the Moscow steel factory “Serp i Molot”. See A. Markevich and A. Sokolov, *Magnitka bliz i Zavodogo Kol'tsa: Stimuli k rabote na moskovskom zavode 'Serp i Molot', 1883-2001* (Moscow, 2005), pp. 168–9.

⁴⁰ RGANI, f. 6, op. 6, d. 1487, l. 5.

⁴¹ GARF, f. 8131, op. 27, d. 969, ll. 150–7.

My absenteeism has to be seen in relation to my mother's illness. After six days of tardiness, I was afraid to go back to work. All in all, I was absent for twenty days. I would much rather work, and rather than receive five years in prison, I would join the army [RKKA].⁴²

The court decided not to prosecute Azarnova for desertion and she continued her work at the factory. An image of the experience of the home front can be gained from letters intercepted by the NKVD / NKGB organs which censored post during the war. The security agencies scanned thousands of letters, registering 'complaints' and forwarding a not insignificant share of them for prosecution. People were dying at their workplaces from undernourishment and stress. One worker, Dobrovolskaya in Chelyabinsk, wrote to her family that:

Workers at the section are dying right by the furnaces, where those who are still alive are taken and sent to the hospital. Here they obviously die, from having no nourishment. In Chelyabinsk people are no longer buried alone in their pits, but by parties of 20–30 people in one single pit.⁴³

Deaths from hunger increased significantly during the war. But one needs to bear in mind that deaths due to hunger during the war were also work-related, since what killed people was not the shortage of calories in absolute terms, but the shortage of calories relative to the increased expenditure of calories demanded by long hours of heavy labour, coupled with calories expended walking long distances to and from work because transport was not working, not to mention calories expended on household chores, such as hauling water in

⁴² Quoted in procuracy report, see GARF, f. 8131, op. 37, d. 2271, l. 2 (document not dated, probably early 1945).

⁴³ GARF, f. 8131, op. 37, d. 980, l. 100. NKVD report on 'complaints' intercepted by the NKGB control organs. No date, probably early 1943.

buckets.⁴⁴ In 1942, around 2,000 civilians – mostly women, the elderly and the sick – died prematurely on an ‘average’ day from the adverse social conditions.⁴⁵

In conclusion, administrative congestion and non-compliance reduced the enforcement of the edict on desertion. The primary response by Soviet leaders was to simplify the procedures in order to uphold what they considered an appropriate level of coercion.

Reactions

The enforcement of the edict on desertion was already becoming increasingly costly in early 1942, as evidenced by administrative congestion and non-compliance. There were two sorts of reactions. Certain state organs argued that the legislative measures were inefficient and should be reduced. Others argued the measures were appropriate, but had to adapt to the practical restraints in order to be properly enforced. Vasili Ulrikh, head of the powerful Military Collegium of the Supreme Court of the USSR, belonged to the first group. In a memorandum to the head of the Soviet Supreme Court on 24 December 1942, Ulrikh sharply rebuked the tribunals for not showing enough lenience towards young workers aged 16 to 18 years of age. Commenting on the number of sentences in the period July-September, he noted:

Such an enormous number of convicted workers from war enterprises in only three months evokes in me personally an enormous uneasiness and compels me to warn you of the problems as regards the issue of bringing to trial according to the edict of 26 December 1941. The number of young workers (under 18 years of age) convicted deserves especially steadfast attention.⁴⁶

⁴⁴ I am grateful to Donald Filtzer for this comment. See also D. Filtzer, *The Hazards of Urban Life in Late Stalinist Russia: Health, Hygiene, and Living Standards, 1943-1953* (Cambridge, 2010), pp. 173–83.

⁴⁵ M. Harrison, "Industry and the Economy".

⁴⁶ RGANI, f. 6, op. 6, d. 1487, l. 22. Secret document from V.V. Ulrikh to the head of the Supreme Court, I.T. Golyakov. Document dated 24 December 1942.

This is an interesting comment for someone who five years earlier had had a major role in organizing the Great Terror, and who throughout his career passed death sentences on thousands of citizens.⁴⁷ Ulrikh's principal argument was that these young workers (the deserters) had often been recruited from the Labour Reserve Schools (FZO) and kolkhozes and had little experience of industry. Their girlfriends or family members might be at different geographical locations, or possibly at the front. He even noted instances where workers under 16 years of age had been sentenced for desertion. In contrast to this statement, an important Party Control Commission (PCC) report on desertion concluded that the government resolution of 3 January 1942 had been 'issued in good time', and that it had 'indisputably given proper results in the strengthening of labour discipline at the enterprises. However', the report continued,

If enterprise directors, party organizations, organs of the prosecutor's office and *militsiya* had put into practice all the legislative measures corresponding to this resolution – it would have achieved significantly better results.⁴⁸

Though the comments by Ulrikh are revealing, the PCC memorandum won the day. Shortly thereafter a secret government resolution 'on the strengthening of the struggle against willful leaving (desertion) of workers and

⁴⁷ As head of the Military Court, V.V. Ulrikh had been responsible for leading some major show trials during the Great Terror (1937-38), among others against Mikhail Tuchachevsky and Nikolai Bukharin. See M. Jansen, N. Petrov, "Mass Terror and the Court: The Military Collegium of the USSR", *Europe-Asia Studies*, LIIX (2006), pp. 589–602.

⁴⁸ RGANI, f. 6, op. 6, d. 1487, l. 7. On 4 March 1943, Stalin's personal assistant Alexander Poskrebyshev received a secret memorandum from the Party Control Commission (hereafter PCC) on the implementation of the edict of 26 December 1941, 'on desertion from war industries'. This was standard procedure in the Soviet system of secrecy. In principle, most communications to Stalin were received in the first instance by his secretary, and it was expected he would either forward the information directly to his boss, or summarize it in written or oral form. For an excellent study of the concealed structures of communication under Stalin rule, see N.E. Rosenfeldt, *The "Special" World. Stalin's power apparatus and the Soviet system's secret structures of communication* (Copenhagen, 2009), especially pp. 558–60.

clerks from enterprises in war industry’, dated no later than 18 March 1943, was signed by people’s commissar Molotov.⁴⁹

Molotov’s resolution nullified the previous NKVD order of 28 October 1942. It obliged the security police to search for deserters during the preliminary investigation and to entrust employees of the *militsiya* only with the responsibility for its carrying out. This made sense, considering the number of reports testifying to the non-compliance of the police departments. The archival material for example shows instances where the *militsiya* had given information ‘that the citizen was no longer living at his original address’, when they in fact ‘had never searched for him’.⁵⁰ The original edict had now been strengthened on at least three separate occasions. In the first step, the edict of 26 December 1941 had shifted responsibility from civilian courts to the more loyal and compliant security organs of the NKVD. In the second step, procedures had been simplified, allowing the military tribunals to convict workers in absentia. Now, in the third step, further measures were taken also to shift responsibility for the search away from organs considered too lenient – i.e. the ordinary police (*militsiya*) – to the NKVD.

Further, if the suspect was not located within a month, he or she could still be sentenced by a military tribunal in absentia, but factory directors were held legally responsible if the authorities were provided with untruthful information on workers and other employees. This tightening of enterprise supervision could work two ways. On the one hand, police and procuracy wanted managers to provide accurate information. On the other hand, it was not uncommon for managers to cover up for employees who had deserted for various reasons. This form of collusion had its roots from the pre-war period.⁵¹ Managers were also held responsible for holding a ‘criminal-bureaucratic attitude’ – whatever that might entail – towards the living conditions and needs of the employees,

⁴⁹ Unpublished government resolution (project), no earlier than 18 March 1943. “O merakh po usileniyo borby s samovol’nym ukhodom (dezertirstvom) rabochikh i sluzhaschikh s predpriyatiy voennoy promyshlennosti”. A project version of the resolution can be found in GARF, f. 8131, op. 37, d. 1435, ll. 103–4. Brackets rendered as in original text. The resolution was implemented, though I have found only its draft (project) version.

⁵⁰ RGANI, f. 6, op. 6, d. 1487, l. 41–44. Report from the Party Control Commission of the Communist Party in Chelyabinsk oblast. Dated 5 February 1943.

⁵¹ J. Berliner, *Factory and Manager in the USSR* (Cambridge, MA, 1957); D. Granick, *Management of the Industrial Firm in the USSR* (New York, 1954); D. Filtzer, *Soviet Workers and Stalinist Industrialization*.

and recruitment was to be regulated so that it was possible only if the worker could be provided for. This was a way of reducing the commitment problem, so that managers would in turn apply coercion more strongly.

Overall, party organs were instructed to strengthen further the overall system of control throughout the mobilized parts of industry. So, during the first year of the edict's existence, coercion was still enforced and leniency suppressed. As long as the immediate threat of extinction persisted, increasing coercion was used to enforce compliance in war industries.

The declining number of convictions for desertion in 1944-45 can to a large extent be explained by the progress on the war front. Increases in coercion were costly but had a potential upside in the short run when industry was disorganized and the threat of extinction was imminent.⁵² As the German defeat became increasingly obvious and mobilization gained momentum, coercion in war industry was reduced. There were two important reforms of the edict on desertion towards the end of the war: first, an option for courts to change indictments on desertion to absenteeism if the suspect returned to his place of work and, second, a general amnesty to all those already sentenced in absentia, upon condition that they returned to their place of work.

On 28 December 1944 Molotov submitted to Stalin a proposal for a general amnesty for workers convicted for desertion. By then, the procuracy had already been arguing for two years for the legislation to be moderated – a result of their administrative burden, which meant in mid 1944 they had even had to employ an additional 800 staff members.⁵³ However, the amnesty covered only those sentenced in absentia and not yet found. It says nothing of those who were already suffering in prison or in a labour camp. The purpose was to release the authorities from an administrative burden, not to conclude the campaign against unauthorized job-changing. In

⁵² The idea that coercion may be efficient in the short run was emphasized by Paul Gregory in his study of Stalinism. P. Gregory, *The Political Economy of Stalinism – Evidence from the Soviet Secret Archives* (New York, 2004), p. 84.

⁵³ The Procuracy had lobbied for such measures since early 1943, given the unsustainable workload. It was also argued that these cases made it more difficult to prosecute more serious felonies. See GARF, f. 8131, op. 37, d. 1612, l. 3. Secret telegram from Bochkov to Vyshinskiy, dated 3 April 1943, arguing that the *militiya* should be allowed to scrap a specified amount of unsolved cases on desertion. GARF, f. 8131, op. 32, d. 9, l. 120. Document verifying the employment of an additional 800 people to administer cases on desertion, dated 9 June 1944.

the margin of the proposal, Stalin however wrote a ‘yes’ and the amnesty was implemented two days later.⁵⁴ All workers who instantly returned to their enterprises would now have their indictments changed from desertion to absenteeism, or perhaps see the charges dropped altogether. However, not until 31 May 1948 was the edict on desertion abrogated completely.⁵⁵

Conclusions

The Soviet system under Stalin was at its most tyrannical during the war, when the country’s leaders increased coercion as part of the general mobilization of industry. In civilian and war industry combined, between one and two million people were convicted for “labour disciplinary infractions” during each year of the war.⁵⁶ Such levels of punishment had no precedent and were never surpassed in Russia or the USSR. The absolute majority of these cases arose from absenteeism from work, with a primary penalty of reduced pay. The more draconian edict on desertion from war industry was also enforced on a significant scale, with total convictions running at around 767,000 for the war years (1942-45). As can be seen from Table 1, though, there was a large difference between the number of cases referred to the prosecutors, and the number actually convicted in a NKVD military tribunal. So, most cases were dropped in the initial stages of investigation. Further, a significant number were convicted in absentia. In fact, a majority of all those convicted were never located, and they would later be pardoned by the Molotov-Stalin amnesty.

(Table 1 about here)

⁵⁴ V. Zemskov, “Ukaz ot 26 iyunya 1940 goda... (eshe odna kruglaya data)”, *Raduga*, no. 6 (1990), p. 46; A.K. Sokolov, “Prinuzhdenie k trudu v sovetskoy promyshlennosti i ego krizis (konets 1930-kh – seredina 1950-kh gg.)”, in L.I. Borodkin, Yo.A. Petrov (eds), *Ekonomicheskaya istoriya: Ezhegodnik. 2003*. (Moscow, 2004), pp. 74–99, especially pp. 83–5.

⁵⁵ For an analysis of the post-war period, see D. Filtzer, *Soviet Workers and Late Stalinism*, pp. 158–200; Y. Gorlizki, “Rules, Incentives, and Soviet Campaign Justice after World War II”, *Europe-Asia Studies*, LI (1999), pp. 1245–65.

⁵⁶ V. Zemskov, “Ukaz”, p. 47.

In conclusion, two major findings should be noted. First, because enforcement was costly, in absentia convictions amount to 60–75 percent of all convictions on a yearly basis during the war.⁵⁷ Data on convictions for desertion from war industry therefore needs to be treated critically, since the actual punishment rate was markedly lower. Second, evidence suggests that the organs responsible for enforcement were not in agreement. Factory managers, prosecutors and *militsiya* were all non-compliant to some extent, attempting to evade legislative measures considered too strict or too costly. The Military Collegium of the Supreme Court also aired its doubts. During the first stages of the war, responsibility was therefore shifted away from non-compliant organs, to more loyal agencies such as the NKVD. Nevertheless, the efficiency of enforcement remained low, primarily due to administrative congestion. Even loyal agents could not enforce the edict since searches were difficult and the total case load too large. Towards the end of the war the head of NKVD, Lavrentiy Beriya, even bemoaned a report which showed that a majority of the workers at the Kirov factory had been previously convicted for desertion.⁵⁸ It is reasonable to wonder what could have happened to the mobilization effort had enforcement in fact been total. The implication of Beriya's judgment is not clear. In conclusion, inefficient enforcement was primarily the outcome of two factors: administrative congestion and non-compliance. Authorities were serious in their attempts to enforce the edict, but it was too costly. Had all deserters been penalized, the Soviet home front might have looked different, but not necessarily to the advantage of the military campaign.

⁵⁷ GARF, f. 8131, op. 32, d. 9, l. 117.

⁵⁸ GARF, f. 8131, op. 37, d. 1612, ll. 1–4. Top secret report by Beriya to Bochkov, dated 26 December 1944.

Table 1. The Development of Cases on Desertion (Law of 26 December 1941).

	1942	1943	1944	1945	1946*	Total for 1942-1945
Amount of Cases on Desertion:						
- Received by the Prosecutor Organs	225,703	444,563	807,257	405,505	351,821	1,883,028
- Resulting in Instituted Proceedings	181,238	366,753	743,340	315,816	281,450	1,607,147
- Sent to a Military Tribunal	173,061	304,295	333,293	89,100	68,919	899,749
- Leading to Conviction	121,024	335,071	242,768	68,152	59,955	767,015

Source: GARF, f. 8131, op. 32, d. 9, l. 116.

*Only for the period January to November 1946. There are alternative statistics which give a slightly higher number for total convictions. However, they do not provide any breakdown as in the table above, only actual convictions (as in last row). I am grateful to Donald Filtzer for pointing this out.
