Soviet Labour Law during the Second World War

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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 owing to various constraints.

Keywords
Coercion, home front, labour, law, Second World War, Soviet

A growing body of literature has shown the contribution of economic development and planning to the outcome of the Second World War.1 As regards the Soviet experience, research on mobilization plans in the 1930s has illustrated previously under-appreciated aspects of command economies.2 The actual performance of the Soviet

1 The primary work here is M. Harrison, ed., The Economics of World War II: Six Great Powers in International Comparison (Cambridge, 1998).

2 O. Ken, Mobilizatsionnoe planirovanie i politicheskie resheniya: konets 1920 – seredina 1930-kh gg. (St Petersburg, 2002); A. Meliya, Mobilizatsionnaya podgotovka narodnogo

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economy at war has also been the subject of an excellent study by Mark Harrison. ³ However, the role of labour on the home front has received only scant attention. ⁴ 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, the mil-itsiya, and the Security Police (the NKVD).

The article begins by outlining the historical background and the attempts by the Soviet authorities during the early stages of the war to control labour in industry. It then describes the institutional interrelationship of the relevant state organs, and the factors which determined the enforcement of labour legislation. It goes on to describe how the authorities attempted to facilitate enforcement during the war. Finally, it provides new archival data on penalization and summarizes the discussion.

I. 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. ⁵ The Bolshevik leaders therefore experimented with a combination of

sticks and carrots in order to contain what they considered behaviour detrimental to economic performance.\(^6\)

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 per cent of the workday lost to absenteeism.\(^7\) 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 a 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.\(^8\) Elena Osokina’s recent study has, however, rejected this explanation. According to her, 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.’\(^9\) Rather, such aspects were only ‘masked, assumed new forms, and did not go away’.\(^9\) 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.\(^10\)

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

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own citizens. The tsarist internal passport system was then reintroduced on 28 December, in order to contain population flows between regime cities and countryside. In late 1938, rules were subsequently strengthened, with the redefinition of absenteeism as late arrival at 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 criminal offences, punishable with corrective labour (usually at one’s place of work with reduced pay) or prison. Apart from these decrees in the inter-war period, the Great Terror in 1937–8 had been marked – in the words of a Russian historian – by its clear ‘anti-worker orientation’. 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 distrust of everyone around him. It has been argued that an important reason for the Great Terror was the eradication of his enemies ‘within’ before the expected future war. The terror also strengthened and consolidated his influence over decision-making, as evidenced by the decreasing number of meetings held by the leaders of the already small Politburo group. It did little, however, to increase loyalty among Soviet citizens, and probably caused further

disorganization in industry.\textsuperscript{16} 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 for 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.

II. 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 4 per cent between February and March. This reduction notwithstanding, the moderated plan for the first quarter of 1941 was still only fulfilled by 87.4 per cent.\textsuperscript{17} 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 the 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 in the war effort peaked at an almost unbelievable 96 per cent, while GDP dropped about 24 per cent compared with the previous year.\textsuperscript{18} 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:


\textsuperscript{17} Russian State Archive of the Economy (RGAЕ), f. 1562, op. 313, d. 550, II. 7–8, top-secret report from Central Statistical Administration (TsSU).

\textsuperscript{18} Harrison, \textit{Accounting for War}, pp. 118–24.
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, achieved primarily by rationalizing production processes, and the prolongation of working time by cutting stoppages and absenteeism, and by overtime work.19

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.20 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.21

Initial mobilization of the armed forces had begun on 1 September 1939, with the law of universal military service.22 A further edict of 6 July 1940 had decreed that any ‘wilful 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 property in war time.23 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, some 445,886 young people, primarily male, were recruited from the countryside to labour reserve schools (FZO), to prepare them for work in strategically important enterprises.24 In February the next year it was decreed that men aged 16 to 55, and women aged 16 to 45, were to join factories and enterprises. In late 1942 there was a further decree ‘on the

21 State Archive of the Russian Federation (GARF), f. 8131, op. 37, d. 37, l. 62, top-secret telegram from Bochkov, February 1942.
22 S.N. Mikhalev, Voennaya strategiya: podgotovka i vedenie voyn novogo i noveyshego vremeni (Moscow, 2003), p. 595.
23 GARF, f. 8131, op. 27, d. 969, l. 41, top-secret letter from V. Bochkov to V. Voznesenskiy describing the law of 6 July 1940 on desertion from the army, signed 5 March 1942.
24 GARF, f. 9507, op. 2, d. 418, l. 1, document containing statistics on enrolment to FZO for the years 1940–7.
lessening of bread norms for absentees’, a not insignificant measure in a time of severe
strain on food supplies. 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. Even though many factories and much equipment
were lost en route, and even though existing contingency plans would turn out to be use-
less, Stalin’s command economy did not collapse. As the war dragged on, economic
mobilization turned to the Soviet Union’s advantage.

III. 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 respon-
sible for supervision, and all deserters had to be reported to the procuracy and police
(militsiya), 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.

The edict on desertion is counter-intuitive 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. 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). 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 suppres-
sion’ 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:

25 GARF, f. 8131, op. 37, d. 749, l. 64, document containing a description of the edict ‘on lessening
of bread norms for absentees’.
(Barnsley, 2010), pp. 15–44.
28 Solomon, Soviet Criminal Justice, p. 312.
29 Unpublished government resolution, no. 6, 6 January 1942: ‘O poryadke napravleniya v
voennye tribunal del o prestupleniyakh preduzmotrennykh Ukazom Prezidiuma Verkhovnogo
Soveta SSSR ot 26 dekabrya 1941 goda’.
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 statute-book, this would usually imply pressure on legal organs to prosecute, which gave an artificial boost to the enforcement rates. These rates would then decline or perhaps even abate completely over time.30 In practice, enforcement of the edict on desertion turned out to be costly and difficult at all levels right 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 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.31

It is no coincidence that simplified procedures were introduced early in relation to the edict on desertion. The punishment rate was substantial but, owing 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).

IV. 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, Skrivers (given name and patronymic not known), failed to show up at his enterprise from 3 August 1942. It took four and a half months to complete an investigation into the reasons for his absence, and only on 21 December was

30 Solomon, Soviet Criminal Justice, ch. 9.
31 Russian State Archive of Contemporary History (RGANI), f. 6, op. 6, d. 1487, ll. 3–4, as in a Party Control Commission report, 3 March 1943.
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.\textsuperscript{32}

Deserters could escape legal measures even if they had not 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.\textsuperscript{33} Reports from
later years of the war mention workers convicted \textit{in absentia} twice for desertion from
two different employments, but who still remained unpunished. Other workers could
remain under arrest for two to four 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 fac-
tory (in part a downside of the secretive Soviet system).\textsuperscript{34}

A separate NKVD report tells the story of I.V. Afinogenov at factory no. 54 in the city
of Nitva, who had been sentenced \textit{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.\textsuperscript{35} 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.\textsuperscript{36}

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 the 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 con-
scripted anyway). But in reality the authorities did not always know where people were

\begin{flushright}
32 RGANI, f. 6, op. 6, d. 1487, ll. 11–12.
33 GARF, f. 8131, op. 37, d. 980, l. 2, report from Bochkov to deputy people’s commissar of
NKVD Merkulov, 24 January 1942.
34 GARF, f. 8131, op. 37, d. 1435, l. 4, secret report from Bochkov to Vyshinskiy, 4 January
1943.
35 RGANI, f. 6, op. 6, d. 1487, l. 36f, secret report by Andreev, head of department, NKVD
military tribunal, 20 January 1943.
36 RGANI, f. 6, op. 6, d. 1487, l. 76, secret report by Zaytsev, head of department, NKVD mili-
tary tribunal in Moscow oblast, 22 February 1943.
\end{flushright}
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. 37

V. Administrative and Managerial Non-compliance

In addition to the administrative congestion and lack of information outlined above, 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, the 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, neither option being 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, as illustrated primarily by the fact that many cases sent to the procuracy were discontinued (see Table 1).

Otherwise loyal agents would refuse enforcement mainly 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. In circumstances 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 overnight in the factories, where there was

<table>
<thead>
<tr>
<th>Cases of desertion</th>
<th>1942</th>
<th>1943</th>
<th>1944</th>
<th>1945</th>
<th>1946a</th>
<th>Total for 1942–5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Received by the prosecutor organs</td>
<td>225,703</td>
<td>444,563</td>
<td>807,257</td>
<td>405,505</td>
<td>351,821</td>
<td>1,883,028</td>
</tr>
<tr>
<td>Resulting in instituted proceedings</td>
<td>181,238</td>
<td>366,753</td>
<td>743,340</td>
<td>315,816</td>
<td>281,450</td>
<td>1,607,147</td>
</tr>
<tr>
<td>Sent to a military tribunal</td>
<td>173,061</td>
<td>304,295</td>
<td>333,293</td>
<td>89,100</td>
<td>68,919</td>
<td>899,749</td>
</tr>
<tr>
<td>Leading to conviction</td>
<td>121,024</td>
<td>335,071</td>
<td>242,768</td>
<td>68,152</td>
<td>59,955</td>
<td>767,015</td>
</tr>
</tbody>
</table>

a 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 this table, only actual convictions (as in the last row). I am grateful to Donald Filtzer for pointing this out.

37 GARF, f. 8131, op. 37, d. 1612, ll. 65, 99, document dated no earlier than 17 July 1943.
perhaps a functioning heating system and perhaps access to clean water. Problems arose, however, if people were relocated from one work place to another or could not work because of a lack of proper clothing. Obviously, poor living conditions were an important reason for desertion.\footnote{38 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, \textit{Magnitka bliz Sadovogo kol'tsa: stimuli k rabote na moskovskom zavode 'Serp i molot', 1883–2001} (Moscow, 2005), pp. 168–9.} Documents mention a female worker, Shirpova, whose lack of winter clothes had forced her to return home to collect some basic articles. When 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 prosecutor’s office, 137 of these were discontinued as unfounded. The accused in 10 cases were actually in hospital; in 8 cases, in school or training; in 18 cases, in the army; and in 38 cases, under 16 years of age; but 53 cases were closed because the living conditions associated with the factory were so poor.\footnote{39 RGANI, f. 6, op. 6, d. 1487, l. 5. Reasons for the rejection of 10 cases are not given in the original source.} There were other instances like this.

The dormitories at the Kirov factory were reportedly dirty and cold, and lacked proper beds and hot water (or even fresh drinking water). One report mentions five sections holding 5000 workers which shared \textit{in toto} 3272 mattresses, 3643 blankets, 1892 pillows and 1652 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 because of a lack of medicine and poor sanitary conditions.\footnote{40 GARF, f. 8131, op. 27, d. 969, ll. 150–7.} Responsibility for family members was another factor. Azarnova, employed at Moscow factory no. 82 during the war, explained to the court her reasons for desertion (in fact only a longer period of absenteeism):

\begin{quote}
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].\footnote{41 Quoted in procuracy report: see GARF, f. 8131, op. 37, d. 2271, l. 2 (document not dated, probably early 1945).} \end{quote}

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, Dobrovol’skaya 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.42

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 buckets.43 In 1942 around 2000 civilians – mostly women, the elderly, and the sick – died prematurely on an ‘average’ day from the adverse social conditions.44

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.

VI. 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. Vasiliy Ul’rikh, 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, Ul’rikh sharply rebuked the tribunals for not showing enough lenience towards young workers aged 16 to 18 years. Commenting on the number of sentences in the period July–September, he noted:

42 GARF, f. 8131, op. 37, d. 980, l. 100, NKVD report on ‘complaints’ intercepted by the NKGB control organs (no date, probably early 1943).
44 Harrison, ‘Industry and the Economy’. 
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 [persons] 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.\textsuperscript{45}

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.\textsuperscript{46} Ul’rikh’s principal argument was that these young workers (the deserters) had often been recruited from the labour reserve schools 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 the militsiya had put into practice all the legislative measures corresponding to this resolution – it would have achieved significantly better results.’\textsuperscript{47} Though the comments by Ul’rikh are revealing, the PCC memorandum won the day. Shortly thereafter a secret government resolution ‘on the strengthening of the struggle against wilful leaving (desertion) of workers and clerks from enterprises in war industry’, dated no earlier than 18 March 1943, was signed by people’s commissar Molotov.\textsuperscript{48}

\textsuperscript{45} RGANI, f. 6, op. 6, d. 1487, l. 22, secret document from V.V. Ul’rikh to the head of the Supreme Court, I.T. Golyakov, 24 December 1942.

\textsuperscript{46} As head of the Military Court, V.V. Ul’rikh had been responsible for leading some major show trials during the Great Terror (1937–8), among others against Mikhail Tukhachevsky and Nikolai Bukharin. See M. Jansen and N. Petrov, ‘Mass Terror and the Court: The Military Collegium of the USSR’, Europe-Asia Studies LVIII (2006), pp. 589–602.

\textsuperscript{47} 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 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.

\textsuperscript{48} Unpublished government resolution (project), no earlier than 18 March 1943: ‘O merakh po usileniyu bor’by s samovol’nym ukhodom (dezertirstvom) rabochikh i sluzhashchikh 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.
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’. 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 in the pre-war period.

Managers were also held responsible for holding a ‘criminal-bureaucratic attitude’ – whatever that might entail – towards the living conditions and needs of the employees, 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 military threat of extinction persisted, increasing coercion was used to enforce compliance in war industry.

The declining number of convictions for desertion in 1944–5 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. 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

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49 RGANI, f. 6, op. 6, d. 1487, l. 41–4, report from the Party Control Commission of the Communist Party in Chelyabinsk oblast, 5 February 1943.

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

51 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.
change indictments on desertion to absenteeism if the suspect returned to his place of work and, second, a general amnesty for all those already sentenced in absentia, on 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 of desertion. By then, the procuracy had already been arguing for two years for the legislation to be moderated – a result of its administrative burden, which meant in mid-1944 it had even had to employ an additional 800 staff members. However, the amnesty covered only those sentenced in absentia and not yet found. It says nothing of those who were already languishing 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 the margin of the proposal, Stalin, however, wrote a ‘yes’ and the amnesty was implemented two days later. 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.

VII. 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 industries combined, between 1 and 2 million people were convicted of ‘labour disciplinary infractions’ during each year of the war. 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 (1942–5). 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 an 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.

In conclusion, two major findings should be noted. First, because enforcement was costly, in absentia convictions amounted to 60–75 per cent of all convictions on a yearly basis during the war. Data on convictions for desertion from war industry therefore need to be treated critically, since the actual punishment rate was markedly lower. Second, the evidence suggests that the organs responsible for enforcement were not in agreement. Factory managers, prosecutors, and the militsiya were all non-compliant to some extent in their attempts 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 because of 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 the NKVD, Lavrentiy Beriya, even bemoaned a report which showed that a majority of the workers at the Kirov factory had been previously convicted of desertion. It is reasonable to wonder what could have happened to the mobilization effort had enforcement in fact been total. The implication of Beriya’s judgement is not clear. In conclusion, inefficient enforcement was primarily the outcome of two factors: administrative congestion and non-compliance. The 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.

56 GARF, f. 8131, op. 32, d. 9, l. 117.
57 GARF, f. 8131, op. 37, d. 1612, ll. 1–4, top-secret report by Beriya to Bochkov, 26 December 1944.