

A Fundamental Conflict of Vision: Stalin's Constitution and Popular Rejection

The drafting of the 1936 Constitution provided an opportunity for the Soviet leadership to clearly articulate their vision of Soviet society and the roles the citizens and the state would play in that society. This is particularly true of Joseph Stalin, who was instrumental throughout the drafting and editing process. However, the nationwide discussion of the Constitution's draft allowed the citizens to present their own (oftentimes conflicting) vision of what Soviet society should be as well as the rights and duties of citizens and of the state. During the discussion of the draft Constitution, the citizens of the USSR rejected several key aspects of Stalin's draft because it did not fit their vision of the role of the state and the role of the citizen. During the process of drafting the Constitution under Stalin, the citizens of the USSR tended to focus their suggestions on local concerns and fairness in their everyday lives rather than the grander goals of state-building.

Very little substantial work exists on the drafting and discussion of the 1936 Constitution. Ellen Wimborg¹ investigates the formulation of the draft Constitution and the discussion of that draft in the Soviet press as a way to examine tensions between various party leaders at the time, particularly focusing on Nikolai Bukharin. J. Arch Getty², G. I. Tret'iakov³ and Andrei Sokolov⁴ provide good

¹ Ellen Wimborg, "Socialism, Democratism and Criticism: The Soviet Press and the National Discussion of the 1936 Draft Constitution," *Soviet Studies* Vol. 44, No. 2 (1992), 313-332.

² J. Arch Getty, "State and Society Under Stalin: Constitutions and Elections in the 1930s," *Slavic Review* Vol. 50, No. 1 (Spring, 1991), 18-35.

overviews of the development of the drafting commission, the discussion on a national scale (including the most popular additions corrections and suggestions), and how these suggestions influenced the final draft of the Constitution. Both Getty and Sokolov note that many Soviet citizens took advantage of this open forum to agitate for personal and local issues, and my study makes the same point. However, the snapshots from around the USSR that these published studies offer, through their examination of suggestions from the Central Executive Committee archive, are difficult to interpret. Getty himself admits that “without detailed studies of the Soviet countryside in the 1930s, it is difficult to interpret such data.”⁵ This article using a regional case study from the Kirov region⁶ to provide an in-depth look at the local conditions that helped to shape the implementation of the discussion, the suggestions and additions made to the draft, and how both the central authorities and Soviet citizens sought to use the language of the draft Constitution during its discussion to promote their own - sometimes contradictory - interests. As the Kirov region is representative of nation trends in suggestions ⁷, it makes an excellent case

³ G. F. Tretiakov, “Soobshcheniia. VSENARODNOE OBSUZHDENIE PROEKTA KONSTITUTSII SSSR,” *Voprosy istorii* No. 9, (September 1953), 97-102.

⁴ “Konstitutsiia 1936 goda I kul’turnoe nasledie stalinskogo sotsializma”, *Sotsial’naia istoriia: ezhegodnik* (Sankt Petersburg: 2008) 137- 163.

⁵ Getty, “State and Society Under Stalin: Constitutions and Elections in the 1930s,” 27.

⁶ The Kirov region is located about 550 miles north-east of Moscow. Having been an independent administrative region under the tsars, following the 1930 Congress of Soviets, Viatksii, Kotel’nicheskii and Nolinskii districts (okpyra) were abolished and the former Viatka province was amalgamated into Nizhny Novgorodskii *Krai*. In 1934, following the death of Leningrad party leader Sergei Kirov, a series of administrative reforms split Kirov (*Krai*) Region away from Gorky Region and the newly formed region was named for the fallen Bolshevik. The region was predominantly ethnically Russian, with Tartar, Udmurt and Mari ethnic minorities. In 1934, Kirov *Krai* occupied a territory of 144,000 thousand square km. with a population of more than 3.3 million people.

⁷ Representative means here that the same articles that received the most suggestions during the national discussion received the most suggestions in Kirov as well. GARF f. R- 3316, op. 8, d. 222, l. 156

study for examining the reasons for popular rejection of some of Stalin's key components in his version of the 1936 Soviet Constitution.

The 1936 Constitution, which bore his name, was a vehicle for Stalin to express his vision of what the Soviet Union should be for both the leadership and the citizens. Stalin played a very active role in the formulation of the draft Constitution, chairing the Constitutional Commission and the General Questions Subcommittee. He also spent long hours revising at least three different drafts of the Constitution by hand⁸. The changes Stalin made to the first draft of the Constitution, which Iakov Arkaidiovich Iakovlev,⁹ Aleksei Ivanovich Stetskii,¹⁰ and Boris Markovich Tal'¹¹ compiled from the work of the individual committees, demonstrate how he shaped the document to fit his vision of Soviet society, specifically the role of the state, its citizens and their mutual responsibilities. He envisioned a hierarchical state where the working class vanguard led the peasantry in constructing and defending a socialist state - a state where citizens would selflessly labor to build socialism. However, Stalin's vision of Soviet society conflicted with the needs and desires of many Soviet citizens, who tended to focus on local and personal issues

⁸ Stalin himself met with the editorial sub commission in his office on the 17th, 18th, 19th, and 22nd of April 1936, and personally revised the draft constitution multiple times.

⁹ A party member since 1913, Iakovlev was the organizer and editor-in-chief for *Krestianskaia Gazeta* from 1923-1929, member of the Central Control Commission from 1924-1930, Commissar of Agriculture USSR from 1929, and head of the Agricultural Section of the Central Committee from 1934. He was arrested in 1937 and executed in 1938.

¹⁰ Stetskii was a member of the Party from 1916, serving in the Civil War as Red Army Staff. In 1923 he began working for various sections of the Central Control Commission and the Worker and Peasants' Inspectorate. From 1926 to 1930, he was head of the Agitprop section of the Northwestern Bureau of the Central Committee and the Leningrad Regional Committee of the VKPb. From 1930-1938, he was head of the Agitprop Section for the Central Committee. He was arrested and executed in 1938.

¹¹ A Party member since 1918, Tal' served on the front in the Civil War. He served on the editorial board of *Pravda* from 1930-1932, and from 1934-1937, he edited various publications, such as *Bolshevikii Pechat'*, *Bolshevik* and *Izvestiia*. He was arrested in 1937 and executed in 1938.

rather than the sweeping goals of state-building. During the public discussion of the draft Constitution from June through December 1936, numerous Soviet citizens outright rejected or fiercely debated many of the fundamental privileges and obligations Stalin personally included in the draft, such as the linguistic separation of workers and peasants (and the subsequent exclusion of peasants from certain social benefits), as well as the enfranchisement of former class enemies. They also used this opportunity to agitate for rights that Stalin had not fully considered or addresses that were central to their lives, such as the rights to certain natural resources like forest and land. Their rejection and contention of certain aspects of Stalin's fundamental vision for the USSR was a move that shocked central officials.

One of the first changes Stalin made to the draft Constitution was redefining the social make up of Soviet society and the definition of citizenship. In the first two Soviet Constitutions, many members of the former exploiting classes were disenfranchised and excluded from governance and, in some cases, from state programs like education. However, by 1935, top Communist party leaders, such as Viachislav Molotov and Stalin, believed that the oppositional classes had been destroyed and all inhabitants of the Soviet Union could be granted some form of citizenship rights.

However, the wording of the articles on citizenship rights was a matter of some contention among the Soviet leadership. Stetskii, Tal' and Iakovlev's draft proposed an egalitarian interpretation of class in the USSR. Article 10 of their April 18th draft stated: "... Soviet society is comprised of free toilers of the city and countryside - the workers, peasants and intelligentsia. All of them are builders of

socialism with equal rights.”¹² This conceptualization of classlessness in the USSR would have made all citizens equal because all were equal contributors to the construction of a socialist state, and therefore were entitled to equal rights.

However, Stalin struck this article from the draft Constitution on April 17th in favor of his concept of a strictly divided working class and peasantry. He rewrote the draft Constitution to reflect his view of Soviet society as made up of two distinct classes: the more advanced working class and their allies, the peasantry, whom they had to shepherd into socialism. This was of profound importance given that other articles specified that workers received more benefits from the state than the peasants. This unequal distribution of rights, despite guarantees of equality, would be strongly contested during the public discussion of the draft.

Stalin’s revisions promoting his view of the class make up of the USSR began with the very first article of the draft Constitution. The first article of Stetskii, Tal’ and Iakovlev’s original draft defined the USSR as a socialist government of free laborers (трудящихся) of the city and country, and stated that all power in the USSR rests with the laborers in the persons of the Soviets of Laborers’ Deputies.¹³ Stalin heavily revised this article, changing it to, “the USSR is a socialist state of workers (рабочих) and peasants (крестьян).”¹⁴ Stalin’s decision to define the USSR as a state of “workers and peasants” rather than “laborers” would have tangible far-reaching consequences for the populace of the Soviet Union. While the Russian word “laborers” (трудящихся) refers to all laboring people without differentiation, the

¹² GARF f. R-3316, op. 40, d. 5, l. 5

¹³ GARF f. R-3316, op. 40, d. 5, l. 1

¹⁴ GARF f. R-3316, op. 40, d. 5, l. 1

use of the words “workers” and “peasants” implies a strong separation of the two, and reflects Stalin’s vision of a hierarchy within the laboring classes, where the vanguard workers were more politically and socially developed. He also changed the name of the Soviets Laborers’ Deputies to the Soviets of Workers’ and Peasants’ Deputies to emphasize once again the existence of two official classes.¹⁵ The separation of workers and peasants linguistically in the draft Constitution created and implied real inequality between the two groups. However, in his speech on the Constitution at the 8th Congress of Soviets in November 1936, Stalin defended his word choice, stating that it is well known that the Soviet Union has two classes, workers and peasants, and that only this phraseology represents the “true” social makeup of the USSR.¹⁶

Stalin’s views on social class in the USSR had the most profound impact on the iteration of the section focused on the rights of citizens. In particular, Stalin revised articles pertaining to vacation rights and state aid so that it tacitly excluded the rural majority of the Soviet population. For example, Tal’, Iakovlev and Stetskii’s Article 7 in the citizens’ rights section emphasized raising the cultural level of all laborers (трудящимся) by providing them with a shorter working day, yearly vacations, free health care and the use of state rest and sport facilities.¹⁷ When he revised this article, Stalin diminished the focus on an encompassing program of cultural and physical development, but the most important change Stalin made was to change the word “laborers” (трудящимся) to workers and service workers,

¹⁵ Article 2 and 3 GARF f. R-3316, op. 40, d. 5, l. 1 This change is rejected by the Constitutional Committee and the name of the soviets is restored as the soviets of Laborers deputies.

¹⁶ Stalin, “Doklad o Proekte Konsititutsii,” *Pravda*. November 28, 1936, 4.

¹⁷ GARF f. R-3316, op. 40, d. 5, ll. 45-46

which thereby effectively excluded collective farmers from yearly vacations. His version of this article from April 19 read: "Citizens of the USSR have the right to rest. This right is guaranteed by the shortening of the working day, the establishment of yearly vacations for *workers and service workers* with retention of pay, and the construction of sanatoria, rest houses and clubs."¹⁸ Stalin made still more changes to this article, by adding the qualification, "the right to rest is secured by the shortening of the working day for the *majority of workers* to 7 hours."¹⁹ These changes further disenfranchised the collective farmers, by only limiting the working day for workers. This discrimination against the collective farmers did not go unnoticed during the discussion of the draft Constitution and raised serious questions about the equality of Soviet citizens.

Like the right to rest, the original version of the article providing material benefits was very egalitarian, stating that "[c]itizens of the USSR have the right to security in old age, and also to material aid from the state in cases of the loss of health or working ability. This right is guaranteed by the USSR through the organization of state benefits and social security at the state's expense and on the basis of the model of the charter of agricultural *artely*."²⁰ Stalin revised this article several times, and though not specifically attributable to him, the final draft of this article, which was approved by the Constitutional Committee, provided social insurance for only workers and service workers while providing medical service

¹⁸ GARF f. R-3316, op. 40, d.6, l. 157

¹⁹ GARF f. R-3316, op. 40, d. 7, l. 38

²⁰ GARF f. R-3316, op. 40, d. 5, l. 46

and access to resorts for all laborers.²¹ Citizens noted that the draft Constitution only provided for parts of the population to realize these rights and the bulk of citizens' comments about this article focused on the expansion of access to governmental services.

However, not all of Stalin's changes to constitutional theory in the USSR had the effect of excluding groups. In the mid-thirties, Andrei Vyshinsky and Stalin both promoted a return to codified legal statutes and legal order in the face of the chaos caused by collectivization and other campaigns. This shift in Soviet legal thought was codified in *habeas corpus* style protections in the draft 1936 Constitution. The original version of *habeas corpus* was included in Iakovlev, Tal' and Stetskii's draft and it established basic protections, such as arrest warrants and equality before the law.²² On April 19, Stalin rewrote this article to include citizens' rights to hold public figures accountable. His article stated: "Citizens of the USSR are equal before the law. Citizens of the USSR have the right to demand any public official be prosecuted for breaking the law . . ." ²³ This illustrated Stalin's distrust of bureaucrats and desire to have popular participation act as a weapon against corruption. However, Stalin further revised the article on April 22, removing the section about public officials. The new article was streamlined, stating: "Citizens of the USSR are guaranteed the inviolability of their person. No one may be placed under arrest without a court order or with the sanction of the procurator."²⁴ While this new *habeas corpus* law sought to protect citizens from the extralegal arrests of

²¹ GARF f. R-3316, op.8, d.3, l. 12

²² GARF f. R- 3316, op. 40, d. 5, l. 49

²³ GARF f. R-3316, op. 40, d. 6, l. 163

²⁴ GARF f. R-3316, op. 40, d. 7, l. 43

the early '30s, it was almost unanimously rejected by citizens who viewed it as a hindrance to restoring order in the countryside.

The leadership of the USSR sought to guarantee services to citizens of the USSR that were designed to enrich their lives, create better citizens, and to protect citizens from encroachment by the state into certain spheres of their life. However, this was envisioned as a reciprocal relationship. If the state had obligations to its citizens, then citizens had obligations to the state as well, and labor was one of their central duties. Tal', Iakovlev and Stetskii's draft stated that, "In the USSR there exists the governing principle of socialism, from each to his ability to each according to their work."²⁵ Stalin expanded this article on April 22, prefacing it with, "Labor in the USSR is the duty of citizen able to work on the principle, 'He who does not work does not eat.'"²⁶The drafters of the Constitution further elevated labor to the level of heroism. Stalin wrote, "Labor in the USSR is an honest activity, a glorious activity, a valorous and heroic activity of socialist competition on the based on the spontaneous will of laborers and supported by the state. The state surrounds with honor and awards pacesetters of social work, as heroes and famous people."²⁷ The article extolling the heroism of labor did not make it into the final draft Constitution. Nevertheless, the media coverage of the discussion of draft Constitution had a strong focus on Stakhanovism and heroic efforts of labor being put forward in response to the publication of the draft.

²⁵ GARF f. R-3316, op. 40, d. 5, l. 5

²⁶ GARF f. R-3316, op. 40, d. 7, l. 5

²⁷ GARF f. R-3316, op. 40, d. 6, l. 161

While Stalin focused on state-building through rights and reciprocal labor, the reframing of citizenship in the USSR and the expansion of the rights and privileges of citizens raised issues of inclusion and exclusion as state benefits and privileges had a significant impact on the quality of daily life in the USSR. Based on their daily experiences, the participants in the discussion of the draft Constitution focused on including or excluding people from citizenship rights and the corresponding benefits. The inhabitants of the Kirov region focused on building a safe, stable and secure material life for themselves. The participants used the rhetorical and political tools that the state had given them to agitate for their interests in order to change specific state policy they found antagonistic to their goals. Their focus on the local and personal is reflected in their suggestions and additions to the draft Constitution.

The articles that received the most suggestions during the discussion of the draft in the Kirov region focused on individual entitlements and community order. The top six articles with the most suggestions were: Article 8 on the granting of land to collective farms (263), Article 119 about the right to rest (381), Article 120 on material benefits in old age and poor health (476), Article 121 on education (259)²⁸, Article 127 on *habeas corpus* (223), and Article 135 on voting rights (244). Some of these topics were of greater importance to rural inhabitants than to urban dwellers, but because of strong rural-urban ties, seemingly rural initiatives often received

²⁸ the article on education received suggestions mainly about expanding access to education and about the state paying for school supplies. Because these suggestions were not contentious, it will not be discussed in detail in this article.

urban support. What connected these disparate subjects was the population's concern for fairness and order in their lives.

One of the most pressing issues for the collective farmers was the use of land and other natural resources that were vital for their survival. Peasants had long struggled to gain access to natural resources such as meadows, forests and waterways.²⁹ Even following collectivization, land was a key issue for the agrarian population of the Kirov region. Collective farmers were aware of their rights and of the many organizations that they could petition to advocate for their interests, such as the District Land Department, the District Party Committee, the people's courts and newspapers.³⁰ Hence, it is not surprising that when the central state authorities invited collective farmers to express their opinions about the draft Constitution, they took the opportunity to campaign vocally for increased land usage rights and other local concerns.

²⁹ In his work, *Crime, Culture, Conflict and Justice in Rural Russia 1856-1914* (Berkeley: University of California Press, 1999), Stephen Frank addressed the fact that crimes, such as stealing wood from private or state forests, were commonplace and often created much friction between the peasantry and the local officials. In *Russia's Peasants*, Aaron Retish addresses the competition for land in the Viatka province from the revolution into the NEP period.

³⁰ . A letter written to *Kirovskaia Pravda* in 1936 described the struggle between two collective farms for land and other agricultural resources. The author explained that in 1931 the collective farm "Wheel"³⁰ was formed by uniting the village of Bol'shoi Bekhtera with three families from the village of Sanynchin. The rest of the villagers in Sanynchin remained individual small holders. The land around the village was divided up and the collective farm "Wheel" was given seven fields of arable land. The individual small holders of the village had a change of heart and in the fall of 1935, organized into the "Comrade" collective farm. Three of the members of "Wheel" collective farm left and joined "Comrade" collective farm. And the red tape began. A request was sent to the District Land Committee (RZK) that all the land located around the village of Sanynchin be taken from the "Wheel" collective farm and given to the "Comrade" collective farm. The RZK prohibited this move. The "Comrade" collective farm also requested forage for horses, horses, horse collars, pigs and other agricultural supplies. The case ended up before the people's court, but a protest was lodged against the court's judgment. In the end, the District Land Department had to mediate the land claims of the two collective farms in connection with the state acts on the eternal usage of land by collective farmers. GASPI KO f. 6777, op. 3, d. 61, ll. 180-181

Article 8 on land usage received 263 total suggestions. Of that total, 218 suggestions requested giving the forests to the collective farmers for eternal usage as well. Others proposed that meadows and hayfields be turned over to the collective farms (18 requests) and that collective farms have water rights to local streams and ponds (7 requests). Three additional suggestions to give the forests to the collective farms were submitted for Article 6 (about the allocation of natural resources). These resources were highly prized and jealously guarded, as indicated by collective farmers' suggestions to not give land to individual small holders, but rather to give underutilized land to "more deserving collective farms"³¹ and to "guarantee proper land usage."³² The comments about "appropriate usage" reflected a concern for fair distribution of land to the farms and farmers who appreciated and improved the land. The collective farmers argued that land should be given to those who best fulfilled the state's mandate of building socialism through collectivized agriculture. Whether that was the motivation behind their claims is unclear, but it is evident that they used the state's discourse to press their case.

Article 9 provided for the continued existence of individual farming in the USSR and was hotly contested in the Kirov region. While Article 9 received far fewer suggestions than Article 8, it raised important issues of land usage and highlighted social tensions in the countryside. Of the 24 suggestions made to this article, nine were directed against individual small holders, either by banning the practice of individual smallholding directly or denying them access to land. The language used

³¹ GASPI KO f. 1255, op.2, d. 400, ll. 8, 12, 13, 18, 19 / GASPI KO f. 1255, op. 2, d. 224, ll. 38-43

³² GASPI KO f. 1255, op.2, d. 400, ll. 16-17, 19

to challenge individual small holders varied. A group of collective farmers from the “Kalinin” collective farm³³ challenged the existence of individual small holders on the basis of socialist principles, stating, “the socialist system of production in the USSR is governmental in form, and therefore the development of independent peasant production cannot be allowed.”³⁴ Others challenged the existence of independent smallholders based on the debt the individual small holders owed to the state. L.M Zhuikov, a collective farmer,³⁵ asked, “to remove the right to use the garden plot of independent small holders who owed two years of back taxes and absolutely to give it to the collective farms, as the independent small holders every year accumulate arrears.”³⁶ Zhuikov was very clear that the land of the individual small holders who defaulted on their tax burden should be turned over to the collective farms. Individual small holders competed with the collective farmers for resources and the state. While protecting their right to exist in the Constitution, the central leadership had enacted a series of discriminatory economic measures against individual smallholders. They were also in some cases unpopular because they failed to participate in the voluntary civic work on roads, bridges and so on, which collective farmers were mandated to expend their time and energy on.³⁷ Additionally, individual smallholdings would also fragment collective farm land. Therefore some collective farmers tried to use the language of socialist construction to expand their land holdings and challenge individual small holders who existed

³³ Belokholunitskii *raion*

³⁴ GASPI KO f. 1255, op.2, d. 400, l. 26

³⁵ From the “Red Farmer” collective farm in Chernovskii *raion*

³⁶ GASPI KO f. 1255, op.2, d. 400, l. 26

³⁷ This issue is addressed by I. E. Zelenin in “Byl li ‘Kolkhoznyi neonep’?” *Otechestvennaia istoriia*, no. 2 (April 1994)

outside of the collective community. In many ways, the collective farmers challenged the fairness of the existence of individual small holders. As this discussion makes clear, some rural residents used the discussion to press for local and personal interests. This is hardly surprising. What is interesting is what their efforts reveal about their use of the state's rhetoric.

Land usage was not just a concern of rural inhabitants. Many people who lived in urban areas were recent arrivals from the countryside and maintained strong connections to their rural roots. Some of these urban dwellers wanted to know why was land not put aside for workers under the same conditions as for collective farmers.³⁸ Kudrin, a party member and worker at the Votkinskii power plant, asked to "include a point about the right of use by workers of hinterland and haymaking grounds."³⁹ Likewise, I. K. Markov from the "1st of May" collective farm⁴⁰ suggested "securing for eternal usage part of the land for workers and service workers."⁴¹ While such suggestions were not numerous, they demonstrate the continued importance of agricultural ties for workers and service workers, and the overall importance of access to land for food production, even in urban areas of the USSR.

As with questions of land, the suggestions and comments made to the draft Constitution by the citizens of the Kirov region about social welfare issues reflected an overarching concern for fairness and responsiveness from the government to the needs and welfare of its citizens. One of the key issues raised during the discussion

³⁸ GAKO f. R-2168, op. 1, d. 474, l. 277

³⁹ GASPI KO f. 1255, op. 2, d. 400, l. 226 / GAKO f. 2168, op. 1, d. 474, l. 340

⁴⁰ Kirovskii district

⁴¹ GASPI KO f. 1255, op. 2, d.224, ll. 38-43

in the Kirov region was the different rights afforded to workers and peasants. Peasants were strongly opposed to the wording of Article 1 of the Constitution because the use of the words “workers and peasants” rather than the more encompassing term “laborers” (трудящихся) implied a separation between workers and peasants that limited citizens’ rights for the peasantry. Of the 64 total suggestions made to Article 1, 46 (71.9 %) asked to change the term “workers and peasants” to the term “laborers,” which had been used in the two earlier Constitutions, so that the peasantry could be afforded the same benefits as workers. Such suggestions make clear that the citizenry of the Kirov region were politically astute enough to understand the implications of such a change, and were willing to agitate to protect their interests as citizens and to promote a sense of fairness.

This discrepancy in citizenship rights was most obvious in Articles 119 and 120, which provided citizens with the right to rest (119) and the right to material security in old age and disability (120). Inclusion in and exclusion from full citizenship rights had a very real impact on quality of life. Such concerns were reflected in both questions raised during the discussion and in the suggestions made to the draft.⁴² Of the 382 suggestions made to Article 119, 293 (76.7%) were about giving collective farmers vacations. Article 120 contained 15 additional such suggestions. One hundred and ninety-nine (41.8%) of the 476 suggestions made to Article 120 were requests for collective farmers to be included in social security. There were 23 suggestions to Article 119 and one to Article 120 to allow collective farmers greater access to rest houses.

⁴² J. Arch Getty also notices similar trends in his article “The Stalinist Constitution,” 26-27

Questions about rights specifically granted to workers and service workers but not to collective farmers in Article 119 and 120, appeared frequently during the discussion of the draft Constitution. In Slobodskoi district, questions about the draft Constitution were, in a majority of cases, given over to Article 120.⁴³ Many participants wanted to know why collective farmers were not insured and why the right to rest was only for workers and service workers.⁴⁴ They also wished to know why elderly collective farmers were not paid a pension.⁴⁵ For example, on the production collective farm “Khimik,”⁴⁶ the collective farmers were interested in why the collective farmers were not given paid vacation like the workers, in spite of both having equal electoral rights.⁴⁷ They also wished to know where it was possible to get funds for vacations and medical leave certificates for collective farmers.⁴⁸ In Nolinskii district, participants in the discussion of the draft constitution wanted to know why collective farmers did not have weekends and vacations like workers and service workers.⁴⁹ Other participants wanted to know how aging collective farmers will be helped.⁵⁰

Participants in Falenskii district also addressed the issue, asking why Article 120 did not extend to collective farmers.⁵¹ Unlike the participants from other

⁴³ GASPI KO f.1255, op.2, d.224, l. 1

⁴⁴ GASPI KO f.1255, op.2, d.224, l. 59 a similar suggestion was documented specifically from Merzliakovskii collective farm, Il'inskii rural soviet, Slobodskoi *raion*. GASPI KO F988 op1 d 202 pg 30

⁴⁵ GASPI KO f.1255, op.2, d.224, l. 59

⁴⁶ Omutninskii district

⁴⁷ GAKO f. R-2168, op. 1, d. 474, l. 13. This suggestion without attribution to a specific collective farm also appears in GAKO f. R-2168, op. 1, d. 474, l. 120 and GASPI KO f. 1255, op.2, d.224, l. 30

⁴⁸ GAKO f. R-2168, op. 1, d. 474, l. 120 this suggestion also appears in GASPI KO f.1255, op.2, d.224, l. 30

⁴⁹ GASPI KO f. 1255, op.2, d.224, l. 3

⁵⁰ GASPI KO f.1255, op.2, d.224, l. 6

⁵¹ GAKO f. R-2168, op. 1, d. 474, l. 282

districts, they were a bit more direct in expressing their outright displeasure with their exclusion from government benefits, stating, “We think it is wrong when now the collective farmers receive medical treatment only after paying, as it will be in the new constitution.”⁵² Similar sentiments existed in other parts of the region, where questions such as the following were common: Why isn’t social support provided for collective farmers in equal measure with workers;⁵³ why are benefits not granted in case of disability on collective farms;⁵⁴ and why is nothing said about vacations for collective farmers in the draft constitution?⁵⁵ Given that such questions arose in many different districts, it is clear that the exclusion of collective farmers from the text of Articles 119 and 120 was of great importance to the collective farmers. They wanted to know why a state that had promised equal rights - even for former enemies - was excluding such a large portion of its population from social welfare rights. This concern made clear the importance that participants attached to Article 1. Given an open forum for discussion, the inhabitants of the Kirov region made numerous suggestions to address this unfair treatment of the collective farmers.

Particularly telling was the language used in the suggestions. Using the party’s own rhetoric, the collective farmers argued that such rights were guaranteed to all citizens of the USSR. As equal citizens, who had to bear the same burdens as the working class, collective farmers believed that they were entitled to the same state benefits. Comrade Daregorodneva, a worker at the city soviet in Iaransk

⁵² GAKO f. R-2168, op. 1, d. 474, l. 282

⁵³ GAKO f. R-2168, op. 1, d. 474, l. 277

⁵⁴ GAKO f. R-2168, op. 1, d. 474, l. 277

⁵⁵ GAKO f. R-2168, op. 1, d. 474 l. 277

suggested implementing social insurance for collective farmers on equal terms with workers and service workers.⁵⁶ At the general meetings of the villages of Sitka and Dubrovo⁵⁷ it was proposed granting these rights to collective farmers, “who, as citizens of the USSR, should receive rest breaks from collective farm work.”⁵⁸ The invocation of both the rights of equality and citizenship to justify the extension of social security to collective farmers indicated that the collective farmers had paid close attention to the language being used in the discussion of the draft and used it to defend their interests.

The idea that social benefits were the rights of Soviet citizens was also reflected in suggestions that people who engaged in behavior that made them unworthy of citizenship should be stripped of their social security benefits. Sokolov, from the Kirov region city of Sovietsk, requested that people who lost their ability to work due to drunkenness, fighting and other disreputable behavior, should not be granted the right to social security.⁵⁹ Likewise, at the plenum of Kokorovshinskii rural soviet,⁶⁰ a suggestion was made that, “it was necessary to count only laborers and to exclude non-working elements from citizens of the USSR for receiving social security.”⁶¹

While many of the suggestions to the draft from the Kirov region focused on the inclusion of collective farmers, the citizens of the Kirov region also requested the exclusion of people they deemed harmful to security and stability. Many

⁵⁶ GASPI KO f. 1255, op.2, d. 400, l. 121

⁵⁷ Kotel'nicheskii *raion*

⁵⁸ GASPI KO f. 1255, op.2, d. 257, l. 47

⁵⁹ GASPI KO f. 1255, op.2, d. 400, l. 112

⁶⁰ In Darovskii *raion*

⁶¹ GASPI KO f. 1255, op.2, d. 400, l. 115

inhabitants of the Kirov region strongly opposed the draft Constitution's proposed extension of citizenship rights to the formerly disenfranchised. The changes in the state's attitude toward the former *lishentsy*, particularly priests and other members of the Orthodox church,⁶² met with both resistance and confusion during the discussion of the draft Constitution.

Some participants were very concerned about giving priests and former *lishentsy* the right to vote. Although it flew in the face of the proposed central policy, such concern appears to have been genuine and accounted for the overwhelming majority of suggestions about voting rights. Of the 244 suggestions made to Article 135 on voting rights, 203 (83.2%) of them were related to limiting the voting rights of former *lishentsy* and cult members. Cult members attracted more ire than the former *lishentsy*, with 130 suggestions proposed either stripping them of their right to vote, their right to be elected to office, or both. By comparison only 73 suggestions targeted the electoral rights of the former *lishentsy*.

The participants in the discussion opposed the extension of the franchise to former priests and *lishentsy* for several reasons. Some expressed fears that the former *lishentsy* would use their new rights to infiltrate the state apparatus, and perhaps establish their own small governing circles. Such fears were not unfounded. The People's Commissariat of Internal Affairs (NKVD) party cell reports for 1936 noted that, on at least one occasion, a former kulak was elected to the rural soviet

⁶² I could not find why the local population also seemed hostile to priests. Much work has been done on the relationship between the party, state and religious officials during this period, but virtually none on priest- citizen relations.

and he put his friend and supporters in positions of local power.⁶³ The participants in the discussion of the draft Constitution were well aware that many of the formerly disenfranchised were still locally influential and quite capable of using their new rights to promote their interests. One discussant, Maslennikov,⁶⁴ argued that granting electoral rights to kulaks and having secret elections might allow foreign elements to be elected to the local administration. Therefore, Maslennikov contended, if they give kulaks the right to vote, it needs to be through not secret, but open elections.⁶⁵ Similarly, D. A. Shabalin, a party member,⁶⁶ considered it inappropriate to allow the former *lishentsy* who were deprived of rights not by the court but because of their social character to be elected as they might stand up for the interests of the bourgeoisie in the organs of administration.⁶⁷ While couched in the language of the state and class struggle, such concerns reflect the instability in the countryside and anxiety about the lingering influence of the formerly disenfranchised.

Although concerns about local power shaped the fears of some participants in the discussion, others felt that the former *lishentsy* had not proven themselves worthy of full citizenship rights and the honors and responsibilities that citizenship entailed, as they had not or were not actively participating in socialist construction. For example, a collective farmer named Kudrevatykh⁶⁸ suggested that people who had been deprived of voting rights be given the right to participate in elections to

⁶³ GASPI KO f.1290, op1, d. 56, ll. 120-121

⁶⁴ From Urzhumskii *raion*

⁶⁵ GASPI KO f. 1255, op. 2, d. 400, l. 189

⁶⁶ From Kotel'nicheskii *raion*

⁶⁷ GASPI KO f. 1255, op. 2, d. 400, l. 203 / GASPI KO f. 1255, op. 2, d. 257, ll. 45, 47

⁶⁸ Of the "Red East" collective farm, Chernovskii *raion*

the soviet only after they proved themselves in the building of socialism.⁶⁹ D. Il'in, a Stakhanovite worker,⁷⁰ shared Kudrevatykh's sentiment. He proposed not granting voting rights to members of religious cults because, "they aren't occupied with useful work for Soviet society, and parasites on society must not be admitted to the elections to the soviets."⁷¹ He also suggested that they must not be allowed to be elected to the soviets, which was the highest responsibility and honor for the laborers of the USSR.⁷²

Other discussants who opposed the expansion of the franchise utilized party messages about the struggle between the forward-thinking workers and peasants, and the remnants of the old regime to justify their opposition. Using the party's own arguments, they protested that "former people" were untrustworthy. Such suggestions may have reflected local power struggles, but as always they were couched in the language of class struggle so as to make it relevant to the central state narrative. N. F. Nikulin, a collective farmer,⁷³ suggested segregating people who interfered with "our October conquests" and formulating a special article about not allowing them in elections.⁷⁴ Similarly, Murav'ev, a collective farmer,⁷⁵ asked the state to not give the right to vote to former merchants, landlords, owners of factories and mines as "all of them are enemies of the laborers and must not have the right to vote or be elected."⁷⁶ Nor were religious people were to be trusted.

⁶⁹ GASPI KO f. 1255, op. 2, d. 400, l. 190

⁷⁰ He worked in the Galva metric section at the Belokholunitskii factory, Belokholunitskii *raion*,

⁷¹ GASPI KO f. 1255, op. 2, d. 400, l. 191

⁷² GASPI KO f. 1255, op. 2, d. 400, l. 200

⁷³ From Kirovskii *raion*

⁷⁴ GASPI KO f. 1255, op. 2, d. 400, l. 192

⁷⁵ From the Kirov collective farm, Pizhanskii *raion*

⁷⁶ GASPI KO f. 1255, op. 2, d. 400, l. 193

Ovchinnikov, a collective farmer,⁷⁷ recommended that members of religious cults should not be granted voting rights because, “at the present time they are still not familiar with work and continue to befog the heads of the laborers.”⁷⁸ Comrade Gagarinkov⁷⁹ also argued that cult members, “who today pull the wool over the heads of the laborers,” should not be eligible to stand for election.⁸⁰ Finally, I. P. Plotnikov, a worker and party member,⁸¹ summed up the root of this distrust, arguing that members of religious cults not be eligible to be elected “as religion is an irreconcilable enemy of socialism.”⁸² Whether these people had truly internalized the party’s argument about the dangers of former exploiters and religious people, or whether they were using the party’s rhetoric to further a personal cause is unknown. However, they used the language of the party to make a compelling argument against the new electoral policies proposed by the same leaders who had given them these ideological tools.

The maintenance of law and order was another point of friction between the central state’s proposals, as outlined in the draft Constitution, and the interests of the inhabitants of the Kirov region. At that time, crime was a problem in the Kirov region in general. Reports of violence against state and collective farm officials were often reported in the news. The inability of the state to provide for the security of its citizens, and the appearance that the safety of person and personal property seemed to be of secondary concern to the state, created a backlash against the

⁷⁷ From Pizhanskii *raion*

⁷⁸ GASPI KO f. 1255, op. 2, d. 400, l. 193

⁷⁹ From Kaiskii *raion*

⁸⁰ GASPI KO f. 1255, op. 2, d. 400, l. 195

⁸¹ From the "Stroiiadelali" Factory, Kotel'nicheskii *raion*

⁸² GASPI KO f. 1255, op. 2, d. 400, l. 196

implementation of *habeas corpus* among the inhabitants of the Kirov region, particularly in the countryside where state and policing organs had the weakest presence. The concern that the implementation of *habeas corpus* would undermine citizens' security and any semblance of law and order in the villages became an important theme during the Constitution's discussion. Article 127 received 223 suggestions, of these 198 (88.8%) specifically asked for arrests to be carried out without the sanctions of the procurator (*habeas corpus*).

| Breakdown of suggestions related to <i>habeas corpus</i> | <i>Number of suggestions</i> |
|--|------------------------------|
| Allow local authorities to arrest criminals without the sanction of the procurator | 102 |
| Be allowed to arrest criminals who posed an immediate threat without sanctions | 12 |
| Allow criminals caught at the scene of the crime to be arrested without the sanction of the procurator | 40 |
| Allow the arrest of hooligans without procuratorial sanction | 12 |
| Allow citizens to arrest criminals themselves | 10 |
| Total | 223 |

How can one interpret this data, which suggests giving the state and its police more discretion and power? One explanation is that these suggestions reflected a

weak policing apparatus and the constant threat of violence that permeated the countryside.⁸³ Empowering local authorities to handle criminals in the absence of other organizations was vital. The language of the suggestions made during the discussion highlight citizen's concern for order and security, and the fear of violent crime. One of the main reasons people were opposed to *habeas corpus* is because they believed it would delay the apprehension of the criminals and allow them to either perpetrate more crime or, as M. N.Vorob'ev, a Party member feared,⁸⁴ "hide from proletarian justice."⁸⁵ V. Ia. Kolosov⁸⁶ proposed that the state strengthen the responsibility for taking drastic measures to guard social tranquility in the village from drunkenness, hooliganism and rowdiness.⁸⁷ Other collective farmers also expressed concern about security. The farmers of the "Truth" collective farm⁸⁸ asked the state to grant the right to organs of the *militsiia* to seize obvious criminals, who threaten social order.⁸⁹ Other collective farmers⁹⁰ demanded that those perpetrating hooliganism and thievery, which "was a blight on the people, be quickly arrested on location without the sanctions of the procurator."⁹¹ These collective farmers make it clear that crime was a major threat to safety and order in the villages. The rural inhabitants of the Kirov region wanted the ability to deal with crime themselves because the state had failed to do so.

⁸³ For more information see David Shearer, *Policing Stalin's Socialism*

⁸⁴ From the village of Antonovka, Urzhumskii raion

⁸⁵ GASPI KO f. 1255, op.2, d. 400, l. 150

⁸⁶ From Urzhumskii district

⁸⁷ GASPI KO f. 1255, op.2, d. 400, l. 148

⁸⁸ In Sanchurskii raion

⁸⁹ GASPI KO f. 1255, op.2, d. 400, l. 152

⁹⁰ Of Ashlanskii rural soviet, Urzhumskii district

⁹¹ GASPI KO f. 1255, op.2, d. 400, l. 148

The citizens of the Kirov region engaged the state in conversation about their needs and expectations, which were often notably different than the needs and expectations that the state had been promoting through its managed discussion of the draft Constitution. The focus on pensions, crime, *habeas corpus*, and property reflected a larger trend concerned with the mundane realities of daily life and the impact that government policy had on them. In all cases, they demanded “fair” treatment from the government and “fair” distribution of duties to the state. While the concerns of those in the Kirov region and the state may have differed, they used a common language, the language of state-building and revolutionary struggle, to agitate for their respective interest. The skillful manipulation of this language by both the rural and urban inhabitants of the Kirov region suggests that they were politically shrewd and used to engaging the local and national authorities in dialogue. However, their outright rejection of some of Stalin’s key constitutional policies, such as the idea of a two-class state and re-enfranchising former class enemies reflects both the central authorities lack of understanding of life in the provinces and a fundamental disagreement about the role of the state and citizens in the USSR.