

J. ARCH GETTY

State and Society under Stalin: Constitutions and Elections in the 1930s

It is clear that tested by the Constitution of the Soviet Union as revised and enacted in 1936, the USSR is the most inclusive and equalised democracy in the world.

Sidney and Beatrice Webb, 1937

Many who lauded Stalin's Soviet Union as the most democratic country on earth lived to regret their words. After all, the Soviet Constitution of 1936 was adopted on the eve of the Great Terror of the late 1930s; the "thoroughly democratic" elections to the first Supreme Soviet permitted only uncontested candidates and took place at the height of the savage violence in 1937. The civil rights, personal freedoms, and democratic forms promised in the Stalin constitution were trampled almost immediately and remained dead letters until long after Stalin's death.

Yet, while rejecting the hollow claims of the constitution and elections, we can tell a great deal about the workings of Stalinist politics, Soviet society, and the interactions between them when we study their evolution as process. The Stalinist leadership took the constitution very seriously and indeed, for a while, prepared to conduct contested elections. Newly available archival documents make it possible to examine the changing intentions of the Moscow leadership and the reactions of specific social groups to this process through studying the drafting of the 1936 constitution (1935–1936), the "all-union discussion" of the document (1936), and the Supreme Soviet electoral campaign (1937).¹ These events involve important political issues and disputes involving center-periphery relations, articulation of class interests, and the unforeseen consequences of the regime's policies.²

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1. This article is based on archival files from the late 1930s in the *Tsentral'nyi gosudarstvennyi arkhiv oktiabr'skoi revoliutsii i sotsialisticheskogo stroitel'stva SSSR* (hereafter *TsGAOR*), which were recently opened to foreign scholars. *Fondy* 3316 and 1235 are part of the files of the RSFSR and USSR Central Executive Committee (TsIK) of Soviets.

2. Relatively little serious historical work has been done on the drafting of the Stalin constitution. An uncritical review of the archival documents is provided by Z. S. Bogatyrenko, "Obzor dokumental'nykh materialov po istorii sozdaniia konstitutsii SSSR 1936 g.," *Istoricheskii arkhiv*, no. 2 (1959): 197–204. A sketchy account of the subsequent discussion of the constitution is G. I. Tret'iakov, "Vsenarodnoe ob-suzhdenie proekta Konstitutsii SSSR," *Voprosy istorii*, no. 9 (September 1953): 97–102. The most serious Soviet work is V. V. Kabanov, "Iz istorii sozdaniia Konstitutsii SSSR 1936 goda," *Istoriia SSSR*, no. 6 (1976): 116–127. See also S. L. Ronin, *Konstitutsiia SSSR 1936 g* (Moscow, 1957), and S. I. Iakubovskaia, *Razvitiie SSSR kak soiuznogo gosudarstva. 1922–1936 gg.* (Moscow, 1972); A solid analysis of the press is Ellen Wimerberg, "Socialism, Democratism, and Criticism: The National Discussion of the 1936 Draft Constitution," unpublished paper, University of Pittsburgh, 1989. Other works that touch on the constitution and the elections are V. Z. Drobizhev, V. S. Lel'chuk, et al., *Rabochii klass v upravlenii gosudarstvom (1926–1937 gg.)* (Moscow, 1968); E. M. Kozhevnikov, *Istoricheskii opyt KPSS po rukovodstvu Sovetskimi Gosudarstvom (1936–1941)* (Moscow, 1977); I. Ia. Kernes, *Chto chitat' k vyboram v Verkhovnyi Sovet SSSR* (Moscow, 1958); *Vybory v Verkhovnyi Sovet SSSR i v Verkhovnye Sovety soiuznykh i avtonomykh respublik 1937–1938 gg. (tsifrovai sbornik)* (Moscow, 1939). Several Soviet dissertations also deal with this question: S. Ia. Bard, "Bor'ba partii bol'shevikov za podgotovku i provedenie pervykh vyborov v Verkhovnyi Sovet SSSR v 1937 godu na osnove novoi Konstitutsii" (Moscow, 1952); O. Soshnikova, "KPSS v *Slavic Review* 50, no. 1 (Spring 1991)

Apparently at Stalin's initiative, the Seventh Congress of Soviets and the party's Central Committee announced in February 1935 the need to introduce some changes into the Soviet Constitution of 1924. Subsequent elaborations in the press indicated that the Central Executive Committee of Soviets (TsIK) would appoint a special commission to study broadening the basis of the regime; equal, direct, and secret elections were mentioned, as was a general strengthening of legality.³

Official spokesmen justified the need to change the constitution by citing the dramatic changes in Soviet society since 1929. In a formulation that was to become quite common, they noted that, because capitalism had been defeated, the legal and political system had to be brought into line with the new socialist society. Since hostile classes had been destroyed, particular social groups ("class-alien elements" had been denied the vote since 1924) no longer had to be disenfranchised and indirect elections were no longer necessary. Procedural legality could now replace class-based judicial nihilism, universal suffrage could be implemented, and basic civil rights could be guaranteed to all in a society without class conflict.

Such moderate sentiments had been expressed at the Seventeenth Party Congress in early 1934. With the victory of socialism "there is no one left to fight" (in Stalin's words) and the dictatorship of the proletariat could be relaxed. In 1934 and 1935 the regime took a series of measures designed to ease the tense situation in the country: Bread rationing was abolished, the fearsome OGPU (secret police) was reorganized into the ostensibly more responsible Peoples' Commissariat of Internal Affairs (NKVD), the new Writers' Union preached literary toleration, and the Comintern's class-against-class policy was replaced by the more ecumenical popular front strategy. The announcement of a revised or new constitution promising civil and democratic rights was consistent with these events.⁴

Since the process (and not the original motivations) of the constitution is our subject, we need not be detained by lengthy speculation on the variety of reasons for writing a new constitution. Because the new version coincided so closely with the adoption of antifascist popular fronts and with the regime's search for western allies against Germany, the reform's propaganda value is obvious. The reform permitted the Soviet government to appear to be as democratic as its erstwhile allies and the opposite of Adolf Hitler's Germany and also provided a contrast in the popular media to the more sordid unfolding of political terror. In this way, for example, press coverage of the constitution had the same function as the reports of the accomplishments of Soviet aviators and polar explorers, which always seemed to appear in the newspapers simultaneously with important events of the terror. At the same time, though, a genuine extension of popular participation was a primary motivation.

Although the thirty-one members of the Constitutional Commission had been named in February, their first meeting did not take place until 7 July 1935. Stalin chaired the initial session, which appointed twelve subcommissions and approved a press release. Stalin was elected chairman of the commission, with Viacheslav Molotov and Mikhail Kalinin as vice-chairs. The chairmen of the subcommissions were a virtual galaxy of the Stalinist elite: Stalin (general and editorial), Molotov (economic), Vlas Chubar' (finance), Nikolai Bukharin (law), Karl Radek (electoral), Andrei Vyshinskii (legal), Ivan Akulov (central-local relations), Andrei Zhdanov (education), Lazar Kaganovich (labor), Kliment Voroshilov (defense), and Maksim Litvinov (foreign affairs). At this first meeting, the chairs were instructed to nominate their subcommittee memberships and to prepare drafts in their areas within two months. This first meeting also com-

bor'be za pobedu bloka kommunistov iz bespartiinykh na vyborakh v Verkhovnyi Sovet" (Kiev, 1954); and V. Ia. Ashanin, "Organizatorskaia rabota Kommunisticheskoi partii Sovetskogo Soiuza v usloviakh zaversheniia stroitel'stva sotsialisticheskogo obshestva i provedeniia novoi konstitutsii (1934-1937 gg.)" (Moscow, 1954).

3. See *Pravda*, 7 and 8 February 1935, for the announcement and amplifications.

4. The original announcement in February 1935 called only for amending and "correcting the text" of the 1924 Constitution. The decision to produce an entirely new document was apparently taken between February and July 1935, when the editorial commission began to draft a constitution.

missioned Radek to gather texts of foreign constitutions and to review them with Bukharin and Lev Mekhlis (the editor of *Pravda*).⁵

The two-month deadline was not met; drafting work in the subcommissions continued past the end of 1935. The writing of the constitution became a lengthy and detailed process, involving at least five drafts. First, each subcommission produced a partial draft. Second, the editor subcommittee (Iakov Iakovlev, Aleksei Stetskii, and B. M. Tal'⁶) produced a rough draft based on the subcommittee drafts in February 1936. (They wrote a second version in April 1936.⁷) In mid-April, the rough draft was sent to the secretariat of the Constitutional Commission, which produced a revised third version⁸ that was then studied and corrected by Stalin. On 17, 18, 19, and 22 April 1936, Iakovlev, Stetskii, and Tal' had lengthy sessions with Stalin in his office working on the draft. These meetings produced a "First Draft of the Constitution of the USSR," which was actually the fourth draft.⁹ This draft was again revised during the last week of April and sent to a joint meeting of the Politburo and Constitutional Commission, which took place on 15 May. Final revisions were made about then, and the fifth version, the final *Proekt Konstitutsii SSSR*, was submitted to national discussion on 12 June. During this process, several themes emerged that would characterize the final document: centralization, democratization, the separation of powers, and disputes on how to achieve them.

The notes for the first draft show clearly that one major purpose of the 1936 Constitution (and one not widely publicized) was the centralization of administrative and judicial functions at the expense of the republics. Both old and new research on the Soviet Union in the 1920s and 1930s has noted the relative power of local and regional government in relation to the center.¹⁰ Indeed, many of Moscow's policies and initiatives in the 1930s can be seen as attempts to reign in local satraps and centralize personnel and policy authority. The drafts show that the authors began with the idea of a strong central power and then leaned even more toward increasing the prerogatives of the center.

The 1924 Constitution had organized the republics into a federation, the Union of Soviet Socialist Republics. Compared to the rather loose structure since 1918, this federation was already a step toward centralization. Nevertheless, the 1924 arrangement had formally limited certain central prerogatives. For example, the Supreme Court was not at the top of an integrated court system. Union republic courts enjoyed considerable autonomy, and the USSR Supreme Court could neither review republican court decisions on its own initiative nor issue binding decisions on them. Similarly, the USSR Procuracy did not have supervisory powers over its counterparts in republics, which remained attached to republic commissariats of justice.¹¹

The first draft of the judicial subcommission stressed the need for a unified judiciary. To that end, the committee quickly decided that the Supreme Court should be the highest judicial and judicial-administrative organ of the Soviet Union. The finance subcommission also noted at the beginning that the main effort should be the unity of all finance and credit in the central

5. *TsGAOR*, fond 3316, opis' 40, delo 81, listy 1-5; *ibid.*, dd. 20 and 74-78 contain extracts and texts of the German, French, and other constitutions gathered by Radek and Bukharin. Delo 19 contains the 1917 electoral law of the Provisional Government.

6. These three were heads of important Central Committee departments: Iakovlev was head of the agricultural department; Stetskii was head of Agitprop; Tal' was head of the press department.

7. *TsGAOR*, f. 3316, op. 40, dd. 39, 81, contain general protocols of the commission's work in this period. *Ibid.*, dd. 1 and 4 contain these two drafts.

8. *Ibid.*, d. 5.

9. *Ibid.*, dd. 2 and 5-7.

10. See Merle Fainsod, *Smolensk Under Soviet Rule* (Cambridge: Harvard University Press, 1958), for the first scholarly description of powerful family circles; J. Arch Getty, *Origins of the Great Purges: The Soviet Communist Party Reconsidered, 1933-1938* (New York: Cambridge University Press, 1985), chaps. 1-4; Gabor T. Rittersporn, "The State against Itself: Social Tensions Behind the Rhetorical Apotheosis," *Telos* 46: 1979, and "Rethinking Stalinism," *Russian History*, 11: 4; T. H. Rigby, "Early Provincial Cliques and the Rise of Stalin," *Soviet Studies* 3 (January 1981): 3-28.

11. See Aryeh L. Unger, *Constitutional Development in the USSR* (London, 1981), chap. 2.

government. The subcommission on central and local affairs began with the premise that it was necessary to bring about the "unification of territorial organizations" and to secure verification of their work.¹²

The central and local affairs and judicial subcommittees wrestled with striking a balance between republic and central authority, but the matter became concrete only with the third draft, which stipulated that the central organs would have authority over land use, forests, waters, labor policy, and judicial organization. Centralization increased in the fourth draft (the one in which Stalin participated) in which republican sovereignty was further limited. "Administrative-territorial questions" were specified as central prerogatives that republics could influence only "in full accordance with the USSR Constitution." Similarly, the role of the procurator in relation to local judiciaries had been unclear until the fourth version, which characterized the procuracy as a function of central, rather than republic, power.¹³ In the final draft, republic organs were denied the right to protest decisions of the Council of Peoples' Commissars, which were declared binding on the republics.

Aside from the evolving centralization in successive drafts of the constitution, we can see the outlines of controversies relating to the separation of powers. Soviet secondary sources suggest that Akulov and Nikolai Krylenko (both members of the central and local subcommittee) disagreed strongly on the balance between the legislative and executive power.¹⁴ Krylenko favored combining the two functions in the soviet apparatus, while Akulov favored separating them. Although the archival documents are not clear on the matter, the first subcommittee draft seems to have combined both functions in the soviet structure. By the second draft they were formally separated: The Supreme Soviet was designated the "unified organ of legislative power" while the Council of Peoples' Commissars was named the supreme organ of executive and administrative authority. Krylenko had favored making the Supreme Court the highest judicial and judicial-administrative organ, but by the final draft the court's administrative, supervisory, and executive functions over republic courts had been reduced to judicial review of lower cases, although such review could now be initiated by the Supreme Court and was binding on lower courts.¹⁵

Krylenko lost the arguments on separation of powers but won on the issue of electing judges. The first draft of the judicial subcommittee had called for judges to be popularly elected at all levels. Krylenko, as a former prosecutor and commissar of justice, doubtless knew the regime's problems with poorly educated and incompetent judges in the various regions. He therefore reacted to the first draft in written remarks to the subcommittee. Writing to Stalin, Akulov, and Vyshinskii on 27 September 1935, he apologized for having been on vacation when the first draft was produced but added that he "disagreed with much of it" for being vague and imprecise. Specifically he opposed the principle of electing all judges. Only judges in lower instances should be elected, he wrote, because higher ones need special qualifications and should be appointed. His arguments carried the day, and his suggestions were incorporated in the next draft.¹⁶

Similarly, the electoral principle evolved through the drafts. Up to the time of the second draft, the understanding had been that voting under the new constitution was to be direct, free, and secret, and the electoral subcommission chaired by Radek produced a corresponding draft. In the second draft the Radek subcommittee's formulation was rejected in favor of a formulation adding "universal."¹⁷ The difference was important because universal suffrage would apply to former kulaks, White Army officers, "exploiters," and other class enemies who had been disen-

12. *TsGAOR*, f. 3316, op. 40, d. 81, ll. 20, 22, 24, 26, 50.

13. *Ibid.*, d. 5, ll. 2-14.

14. Kabanov, "Iz istorii sozdaniia," 118.

15. *TsGAOR*, f. 3316, op. 40, d. 4, ll. 15, 19, and d. 2, l. 17. For background, see Peter H. Solomon, "Local Political Power and Soviet Criminal Justice 1922-1941," *Soviet Studies* 37 (July 1985), and Gabor T. Rittersporn, "Soviet Officialdom and Political Evolution: Judiciary Apparatus and Penal Policy in the 1930s," *Theory and Society*, 13 (1984).

16. *TsGAOR*, f. 3316, op. 40, d. 81, ll. 34-40, 42-45, 47-52.

17. *Ibid.*, l. 42; and *ibid.*, d. 4, ll. 16-18.

franchised in 1924 and would have continued to be under the original Radek subcommission formula.

The disputed points in the various drafts (voting rights, control and function of the judiciary, and the rights of local government) would also be criticized in the subsequent national discussion of the constitution. Before turning to that discussion, however, we might deal with the question of the roles of various persons in the drafting of the constitution.

One of the persistent rumors of Soviet history is that former oppositionists Nikolai Bukharin and Karl Radek played a decisive role in drafting the new constitution. It is said that Bukharin and Radek were "the active members of the commission" and that Bukharin in particular was "mainly responsible" for the document.¹⁸ The archival documents do not support this assertion. Although Bukharin and Radek chaired the subcommissions on law and on elections, their names do not appear very often in the documents. Their association with Mekhlis, the editor of *Pravda*, along with their subsequent writings in *Pravda* and elsewhere, suggest that they were responsible more for praising, than writing, the "most democratic constitution in the world." Akulov, Krylenko, Vyshinskii, Stetskii, Iakovlev, Tal', and Stalin all seem to have played much more substantial roles in the drafting. Moreover, the drafts produced by Bukharin's and Radek's subcommissions were rejected or changed by the editorial subcommission (of which they were not members) in the redaction that immediately followed theirs. Finally, neither Bukharin nor Radek were members of the ad hoc group (Iakovlev, Stetskii, Tal') that, with Stalin, produced the authoritative draft.

Stalin clearly played a major role in the process and devoted considerable time to it. Like the other central leaders involved, he seems to have taken the constitution seriously. He chaired the meetings of the Constitutional Commission and two of the twelve subcommissions (general and editorial), and his signature appears several times on various protocols of meetings. His participation was also decisive in producing the authoritative first draft (actually the fourth sequentially) in the four-day series of meetings in his office at the end of April 1936.

The changes in the draft introduced at that time may well indicate something of Stalin's thinking on the various issues. On the problem of electing or appointing judges, he introduced compromise wording without real compromise. His formulation was only window dressing: Judges were to be "elected" not "named" by the appropriate soviets. Since being elected by a soviet executive committee was tantamount to being appointed, Stalin thus sustained the idea that most judges should not be popularly elected. The wordings that clearly designated the procurator as an agent of central power and allowed union republics to exercise authority only "in accordance" with the constitution (that is, with the center's interpretation of it) were also introduced at the Stalin meetings. On these issues, Stalin was the leading centralizer of a commission of center-minded leaders.

Another change introduced at the Stalin meetings might at first glance seem more formal than real. Up to that time, the drafts of the constitution had characterized the Soviet *ustroistvo* as a "state of free workers of town and country." The new version produced at the Stalin meetings was a "socialist state of workers and peasants." The first, and most obvious, difference is the designation *socialist*, a change that reflects the changed nature of productive property in the Soviet Union, as Stalin had frequently explained. While the first formula had put urban industrial workers and rural agriculturalists into the category *free workers*, Stalin's version drew a distinction: Rural farmers, of whatever type, were not regarded as workers. Kolkhozniki and single-homestead farmers were thus classified together as *peasants*.

The legal distinction between workers and peasants was a real one and had material implications. Articles 119, 120, and 121 of the new constitution guaranteed all citizens the rights to rest,

18. Robert Conquest, *The Great Terror* (New York: Macmillan 1973), 134, citing Boris Nicolaevsky's "Letter of an Old Bolshevik" (Boris I. Nicolaevsky, *Power and the Soviet Elite* [New York, 1965], 22). The "Letter" is the much-quoted origin of many persistent rumors about Stalinist politics in the 1930s. For critiques of the Letter's value, see Roy A. Medvedev, *Nikolai Bukharin* (New York, 1980), 115–118; Robert H. McNeal, *Stalin: Man and Ruler* (New York: New York University Press, 1988), 355. See also the recent critical testimony of Bukharin's widow: Anna Larina, *Nezabyvaemoe* (Moscow, 1989), 272–289.

material security in old age, and education. The articles ensured these rights by the state's provision of free sanatoria, rest homes, pensions, social insurance, medical services, paid vacations, educational facilities, and so forth "for the working people." Although all "citizens" were guaranteed these rights, the constitution spoke about providing them free only to "workers." Stalin's formulation of state *ustroistvo*, therefore, technically meant that the state's obligation to provide these free services to "peasants" was ambiguous. Soviet peasants immediately understood the possible implications of the constitutional formula and in the national discussion that followed raised the question of their exclusion from free vacations, pensions, health care, and education. The state was aware of extensive complaint on this issue, but did nothing to redress it, and in fact concealed the scale of the protest from the public.

The draft constitution was published in the Soviet press on 12 June 1936 and submitted to the public for an "all-union discussion." Throughout the summer and into the fall, the press carried a constant stream of editorials, reports, and quotations from Soviet citizens on the merits and deficiencies of the document.¹⁹ The evidence suggests that the Moscow leadership took the matter seriously and paid close attention to the process.

One can imagine three purposes for the national discussion. First, the regime doubtless wanted to sample public opinion about the constitution. The TsIK archives contain hundreds of files in which transcribed statements of ordinary citizens were collated, digested, and summarized. Oblast and krai organizations were required to report regularly to the center in a series of *dokladnye zapiski* or *otchety* on the progress of the discussion and were expected to provide statistical summaries of the comments. In Moscow, these regional summaries, quotations, and extracts were collected into national summaries and circulated every two weeks to members of the TsIK Presidium and the Politburo.²⁰ Moscow seems to have been vitally interested in public reaction to the constitution.

Second, the effort the center devoted to the discussion suggests a kind of propaganda and mobilization strategy. The Moscow leadership was determined to broaden the discussion as much as possible and to use it to praise the Soviet regime and its accomplishments. Moscow bombarded local party and soviet organizations with demands to propagate the constitution, organize meetings, and encourage as many citizens as possible to participate. The TsIK sent out letters, forms, and blank statistical reports to local organizations and demanded precise information on the number of meetings, participants, and so forth. Flurries of telegrams went back and forth between the center and the localities requesting and providing information on the level of participation. Central officials became quite angry when local leaders were lax in organizing meetings or reporting on them. Akulov issued a number of irate and threatening communications to local bodies. Detailed files were kept on local measures to organize discussions and on their size and frequency. Local officials were exhorted on numerous occasions to use the discussions as a forum to celebrate the achievements of the regime.²¹

Third, the central leadership used the occasion to criticize and browbeat local officials for laxity and dereliction in conducting the discussion. On 14 August 1936, when the progress of the campaign seemed to be lagging, Mikhail Kalinin, chairman of the TsIK, sent a telegram to all

19. Wimberg, "Socialism, Democratism, and Criticism."

20. *TsGAOR*, f. 3316, op. 8 and 41, contains many files of citizen comments. In Leningrad A. A. Zhdanov received reports from the raiony and his staff assembled them for transmission to Moscow. *Ibid.*, op. 41, d. 126, l. 7 is a report to Zhdanov; *ibid.*, d. 127, l. 145 is the "Svodka ob itogakh vsenarodnogo obsuzhdeniia" his oblast sent in on 25 November 1936. See also the svodki and reports in *ibid.*, d. 136, ll. 74–87, 93. *Ibid.*, op. 41, d. 207, ll. 1–46, 46–77, 79–135, 135–152, 153–177, 203–217 are six "informatsionnye svodki" on the discussion circulated to top leaders.

21. For Akulov's communications from TsIK and the various telegrams in reply see *TsGAOR*, f. 3316, op. 8, d. 222, l. 37–39, 51–52, 94–106. *Ibid.*, l. 92, is an Akulov memorandum to locals accusing them of "weakly organizing" the discussion. *Ibid.*, op. 114, is an example of exhortation to use the forum to celebrate the regime. It contains some of the records of the orgotdel of the TsIK on the national discussion broken down by oblast. Fond 1235, op. 114, d. 35, contains some of the records of the discussion in the Western oblast' (Smolensk).

local soviets and executive committees throughout the country. Kalinin complained that "many soviets and executive committees are badly helping, are not promoting nationwide discussion . . . are not organizing the recording and generalization of suggestions and amendments. . . . This situation is intolerable. Chairmen of soviets and ispolkoms are obliged to ensure a genuine discussion of the draft constitution by all citizens." Local soviet officials were ordered to send to the Presidium of the TsIK twice a month reports on the progress of the discussion, along with summaries of the suggestions from the populace.²²

Even before Kalinin's message, the press had begun to attack local leaders for their "formal" and "bureaucratic approach" to the discussion. Already at the end of June press quotations from citizens criticized local leaders for their mismanagement of the discussion. Many citizens considered their leaders' apathy on the constitution to be symptomatic of their lack of concern and general ignorance about local problems.²³

Kalinin's threatening telegram provoked an upsurge in discussion. In the fall of 1936, some 51 million persons were said to have participated in half a million discussion meetings. Even then, the level of participation did not satisfy Moscow. On 23 September 1936 Akulov wrote one of his many memorandums to local leaders and he warned that "despite the telegram of Comrade Kalinin, you are weak in reporting the results to us." Central criticism of bureaucratized local leaders continued through the fall of 1936, both in the press and in secret communications. Ultimately 14,953 deputies to soviets in twenty-one oblasti and kraia were recalled and removed from office by October 1936.²⁴

What did ordinary citizens have to say about the constitution? The press and archival collections provide access to their remarks. The press accounts, while revealing, are less satisfactory because they reflect passage through the filter of the editors: Newspaper comments reflect to a considerable extent what the leadership wanted to publicize about the discussion. The archival collections of citizen comments, used with care, can bring us closer to the intentions and actions of the leadership. They also represent the only thing resembling survey research from the entire epoch and provide the closest thing we have to sources about "public opinion" in the Stalin period. In a limited sense, they are something like the *cahiers de doléances* of the Stalin revolution.

Valuable as they are, they must be used with care and critical attention to two main weaknesses. First, we cannot be assured about principles of selection or inclusion. Despite the presence of hundreds of thousands of transcribed comments in the central archives, we do not know whether the collections represent all of the comments received in Moscow.²⁵ We cannot say whether or not local compilers forwarded everything to Moscow or whether they put their own interpretations on the discussions or summaries. Local leaders probably hesitated to forward comments sharply critical of themselves or their associates. Second, the collected statements cannot be considered a scientific sample of freely given opinions. Although many of the comments were critical of the constitution, citizens hostile or indifferent to the soviet regime might not have bothered (or dared) to speak up. These weaknesses notwithstanding, the thousands of comments are a valuable source. Many of the comments collected were confused, and some

22. TsGAOR, f. 3316, op. 8, d. 222, l. 36. The telegram is in Bogatyrenko, "Obzor dokumental'nykh materialov," 200, and Wimberg, "Socialism, Democratism, and Criticism," 21.

23. Wimberg, "Socialism, Democratism, and Criticism," 15.

24. Ronin, *Konstitutsiia SSSR 1936 g.*, 63. Akulov's memorandum is in TsGAOR, f. 3316, op. 8, d. 222, l. 92. For other examples, see *ibid.*, ll. 51, 110–112, 135–136. Recall and removal of deputies is in *ibid.*, op. 41, d. 105, l. 1. Such attacks on regional leaders were not out of place in 1936. Charges of bureaucratism, laxity, corruption, and "familiness" were hurled at provincial political machines from above and below. See Getty, *Origins*.

25. The total of suggestions and comments received in Moscow is unclear. One authoritative secondary source notes that some two million suggestions were recorded and that 13,721 were received by the TsIK up to November 1936 (V. Z. Drobizhev et al., *Rabochii klass v upravlenii gosudarstvom (1926–1937 gg.)* [Moscow, 1968], 121). Internal TsIK data summaries involve more than 40,000 suggestions. Only specific programmatic suggestions seem to have been saved.

Table. Suggestions and Proposed Amendments to 1936 Draft Constitution from Leningrad and Smolensk

Suggestion	Leningrad		Smolensk	
	Number	Percentage	Number	Percentage
1. guarantee insurance, rest, pension benefits to kolkhozniki as to workers	837	31.9	104	21.9
2. more education, eradication of illiteracy	312	11.9	56	11.8
3. allow kolkhozes to use wood and forests on their territory	298	11.3	0	0
4. allow arrests without procuratorial sanction	211	8.0	63	13.3
5. compulsory military service for women too	209	8.0	24	5.1
6. deny electoral rights to priests and class aliens	202	7.7	80	16.9
7. elect judges and procurators more democratically and to shorter terms	128	4.9	32	6.8
8. more popular control of deputies and soviet chairmen	100	3.8	20	4.2
9. strengthen right to work and leisure	83	3.2	11	2.3
10. strengthen labor discipline; theft = treason	82	3.1	24	5.1
11. change <i>ustroistvo</i> to state of toilers	50	1.9	10	2.1
12. harsher punishment for spies and traitors	41	1.6	0	0
13. better child care, maternity benefits	36	1.4	31	6.5
14. more democratic and frequent voting	27	1.0	10	2.1
15. limits on freedom of speech and press	11	0.4	9	1.9
Totals	2,627	100	474	100

Source: TsGAOR f. 3316, op. 41, d. 127-129; op. 41, d. 136, ll. 8-72; op. 8, d. 222, l. 160.

betrayed a misunderstanding of the constitution. Quite a few thought that the new constitution meant a return to private property, that peasants would "live as before" or that kulaks would return to claim their farms. One peasant woman thought that the secret ballot meant that the identities of the candidates were to be secret.²⁶

The naive suggestions of others must have amused their Moscow readers. G. I. Kurkov of Romny submitted an elaborate electrical voting scheme (complete with diagram). The voter would insert his or her hand into a machine and vote. All voting machines in the country would be connected in parallel and the total voltages measured to determine the winner. "I would be glad to do it if you are interested. I live in Romny; let me know. (If I am on vacation, I will be in Sochi. Here is the address.)"²⁷ Some participants had ideas about changing the capital to Leningrad, about renaming Moscow "Great Stalingrad," about substituting busts of Lenin and Stalin for the hammer and sickle, or about putting tractors on the national flag.

26. Ibid., ll. 139-141.

27. Ibid., l. 7.

The majority of the collected suggestions, however, were serious and programmatic.²⁸ A majority of all suggestions from Leningrad and Smolensk, and apparently from across the Soviet Union, was critical of the constitution.²⁹ The most common suggestion was a complaint: that the draft did not guarantee social benefits (pensions, access to sanatoria, sick insurance) to collective farmers; one-fourth of all suggestions from Smolensk and one-third nationally were on this point.³⁰ Peasants were clearly aware of their interests in this regard; they frequently voiced the demand that they receive "benefits as workers" and were brave enough to speak up about it.³¹ They were also obviously concerned about the rural educational system, land use rights of collective farms, and popular control of kolkhoz chairmen. Crime and the administration of justice were also strong concerns (see table). Roughly one-tenth of all suggestions demanded for villages and kolkhozes the right to arrest and detain suspicious persons without waiting for the approval of the procurator. Another 5 percent to 7 percent requested more frequent and democratic election of judges. Such demands, reflecting primary concern with local or class interests (social benefits, education, local justice), together constituted the majority of suggestions in Leningrad, Smolensk, and the Soviet Union in general.

Although citizens were concerned with bread and butter issues and popular control of local affairs, they were not worried about individual rights or civil protection. Workers and peasants who were not party members displayed a distinctly unliberal attitude on personal freedom. One speaker in Leningrad voiced a common sentiment when he said that "all citizens receiving education and not working without good reason should be charged with a crime." Another thought that "loiterers and bureaucrats should be regarded as enemies of the people and charged." One peasant thought that "using free speech, meetings, and so forth to oppose the Soviet state constitutes a betrayal of the country and should carry heavy punishment." Still another said that "relatives having connection with traitors should face the full severity of the law," and one of his neighbors thought that "any citizen of our country can arrest persons who wreck socialist construction."³² Whether or not such statements were the simple parroting of regime policies is open to question, although it is worth remembering that these suggestions were inherently critical of the proffered Stalin constitution.

A strong but perhaps unexpected sentiment concerned voting rights. Those responding to the discussion took a hostile attitude toward the 1936 Constitution's extension of the franchise to priests and members of alien classes. In rural regions like Smolensk, and indeed across the Soviet Union, around 17 percent of all suggestions represented a protest against allowing such persons to vote; it was the second most popular suggestion in Smolensk. In an internal TsIK memorandum of 15 November 1936, complaints about Article 135 (the voting system) outnumbered those on all other points except the rights and benefits of citizens.³³

The vast majority of those speaking in Pavlovskii raion (Gor'kii krai) and in Orshanskii and Borisov raiony in Belorussia did not want priests to vote. A peasant from Kalinin oblast thought that maybe the children of priests and kulaks could vote but "kulaks and priests must not be given electoral rights." Sergei Belkanov, a testy peasant from Ognego, Cheliabinsk oblast, said,

28. The approximately 3,000 comments in the table are the authors' sampling of original statements from three of the four available *dela* from Leningrad (an urban oblast) and all those from Smolensk (rural). Not included are nonprogrammatic remarks thanking Stalin, changing the name of the state, drawing a new flag, establishing new holidays, or generally demanding more money or resources.

29. Several Soviet works have reproduced tables suggesting that most of the comments expressed approval of the constitution's provisions: see Bogatyrenko, "Obzor dokumental'nykh materialov," 202, and Tret'iakov, "Vsenarodnoe obsuzhdenie," 99. Kabanov is an exception: His careful and honest analysis, skillfully couched in the Aesopian language of the Leonid Brezhnev era, does mention the presence of dissent; see his "Iz istorii sozdaniia," 126.

30. If we include suggestion no. 11 in this category.

31. Although the suggestions from Leningrad included those from industrial areas, the overwhelming majority of those collected in the archives appear to be from peasant meetings.

32. *TsGAOR*, f. 3316, op. 41, d. 127, ll. 9, 13, 40, 53-54, 84.

33. *Ibid.*, op. 8, d. 222, ll. 158-162.

"We kolkhozniki greet the new Constitution. But we have some questions. What about priests? Will they or will they not be able to vote?"³⁴

Without detailed studies of the Soviet countryside in the 1930s, it is difficult precisely to interpret such data. These sentiments represent lingering but strong resentment and bitterness against "former people" dating from 1917 and the civil war. They also raise an interesting question. If one-sixth of all persons offering suggestions felt the need to raise this point, we may well wonder whether or not "anti-Soviet" social groups did not perhaps maintain a strong presence in the countryside as late as the mid-1930s. Why take the trouble openly to criticize the constitution (and the government) about letting priests vote, if such voting posed no perceived danger? As we shall see below, the Moscow center was indeed worried about the influence of priests and kulaks on the upcoming elections.

Taken together, these comments, suggestions, and criticisms—most of which came from peasants—suggest a good deal about the persistence of village mentalité. The peasants' recognition of how the promised constitution affected their corporate and daily interests shows a strong sense of class consciousness. Peasants were keenly aware of the negative meaning of a "socialist state of workers and peasants" and were quick to protest their second-class status under the new system. They were also eager to affirm their local control over justice and administration. Their comments represent a traditional, down-to-earth, no-nonsense, "setting things straight" attitude toward crime, and an intolerance with the procedural niceties of regularized justice: Many could see no reason to wait for an official procurator's approval before arresting and punishing malefactors. They wanted to elect their own judges and try their own criminals. Many took a "genetic" approach to criminality: Relatives were held responsible for the crimes of their kin. They seemed quick to brand excessive free speech, loafing, and trouble making as alien activity that deserved punishment and took the attitude that in the realm of labor everyone should do his or her share: Loiterers were considered criminals. In this regard, their attitudes seemed little changed since the old regime.³⁵

In all this, a clearly self-conscious worldview is evident, and is familiar to students of peasant history. For Soviet peasants of the 1930s, as for their fathers, the world was divided into two groups: members of the local collective (*us*) and everyone else (*them*). The peasants instantly knew how things affected *us* and did everything they could to protect what little corporate autonomy they had. *They*, a category that included criminals, members of other classes, and sometimes the state, were considered a dangerous and hostile force and an appropriate target for rough justice. The peasants responding to this discussion had no trouble excluding priests, kulaks, and former exploiters from participation in collective society even if it meant depriving *them* of civil rights. Peasants' corporate spirit was hardly in line with the "liberal" approach of the new constitution (or with that prevailing in the west, for that matter) and it quite naturally favored communal assertions over individual prerogatives.

Accordingly, their attitude toward the Soviet state was ambiguous at best, and it is not obvious whether they considered the regime to be part of *us* or *them*. Certainly, most of them expressed patriotic sentiments, a naive attachment to Stalin, and general approval of the constitution. At the same time, their comments indicated opposition to state intrusion, outside interference, and, especially, official exclusion of their rights to social benefits. These comments suggest the survival of a self-conscious and class-conscious Russian peasantry even after collectivization. In their remarks, they couch their traditional class interests and protests in praise for the regime and its leader, just as they had for centuries. The discussion showed that in 1936 the peasant class was able to adapt to the Stalinist system by using the language and norms of the state to protest its policies.

34. Ibid., II. 26, 50, 62; and op. 41, d. 207, II. 173–202, 230.

35. See Moshe Lewin's "Customary Law and Rural Society in the Postreform Era," *Russian Review* 44, no. 1 (1985), and "Popular Religion in Twentieth-Century Russia" in *The Making of the Soviet System* (New York: Oxford University Press, 1985), 57–71. See also Stephen P. Frank, "Popular Justice, Community, and Culture among the Russian Peasantry, 1870–1900," *Russian Review* 46 (1987): 239–265, for an analysis of peasant conceptions of justice.

Combined with scattered openly hostile comments (discussed below), this protest made an impression on the Moscow regime, which had to put a positive face on the constitution and gloss over the criticisms. On 25 November 1936, Stalin spoke to the Extraordinary Eighth Congress of Soviets, which had been called to ratify the constitution. Beginning with the theoretical justifications for the new draft, he analyzed "bourgeois" constitutions and the reactions of western states to the draft and then turned to a discussion of the proposed amendments and additions produced by the discussion. Most of the suggestions he described had to do with minor points: the right of free secession from the Soviet Union (Stalin was for it), the rights of autonomous areas, the bicameral nature and size of the Supreme Soviet, and the election of a president of the Soviet Union (Stalin was against it).

He somehow never mentioned that the most common criticism regarded denying social benefits to the peasantry, and he dodged the issue in two ways. First, he quickly dismissed "certain questions concerning social insurance, some questions concerning collective-farm development" as points that "deal not with constitutional questions but with questions that come within the scope of the routine legislative work of future legislative bodies." Second, he defended his wording of the Soviet Union's *ustroistvo* by ignoring the anti-peasant implications of his formula and making it a matter of terminology and theory. Speaking about amendments to change the *ustroistvo* of the Soviet Union back to "free workers," he said:

As we know, Soviet society consists of two classes, workers and peasants. . . . Consequently, Article 1 of the Draft Constitution properly reflects the class composition of our society. . . . The fact that a majority of peasants have started collective farming does not mean that they have already ceased to be peasants. . . . And if [the peasants] have not disappeared, is it worthwhile deleting from our vocabulary the established names for them? . . . Evidently, what the authors of the amendment have in mind is not present society, but future society, when classes will no longer exist and when the workers and peasants will have been transformed into toilers of a homogeneous communist society. Consequently, they are obviously running ahead. But in drawing up a constitution one must not proceed from the future, but from the present, from what already exists. A constitution should not and must not run ahead.

Although he deftly sidestepped the most common complaint about the new constitution, Stalin did deal with the suggestion that members of alien classes be denied the vote. Rejecting this proposal, he quoted Lenin's statement that universal suffrage would someday be restored and minimized the danger of allowing "white guards, kulaks, priests, etc." to vote. "But what is there to be afraid of? If you are afraid of wolves, keep out of the woods. (Laughter and loud applause.)" Stalin claimed that the danger could be prevented by propaganda: "If, however, our propaganda work is conducted in a Bolshevik way, the people will not let hostile persons slip into the supreme governing bodies."³⁶

Like any skilled politician, Stalin had managed to avoid unpleasant subjects by omission, misdirection, and humor. The constitution was ratified with only minor changes; the vast majority of suggestions and proposed additions were completely ignored in the final document. The regime entered 1937, the year of the first elections under the new constitution, under the banner of universal suffrage and democracy. But the discontent and potential danger from below, which Stalin had deliberately misconstrued or laughed off, remained. They became evident in the confused, contradictory, and ultimately frightened way the regime handled the new elections.

The first half of 1937 was a time of mounting terror in the party and state. In January Georgii Piatakov, Radek, and Grigorii Sokol'nikov were tried in the second of the Moscow treason trials. In the next month the February Plenum of the Central Committee condemned Bukharin and Aleksei Rykov and expelled them from the party. In the following months, arrests of key leaders of party and state mounted as the Ezhovshchina spread.

At the same time, though, in a curious kind of overlay, a populist campaign for grass-roots

36. This formulation was pure Zhdanovism in the 1930s, and provided a theoretical riposte to N. I. Ezhov's campaign against "enemies."

participation was also spreading. It complemented the violence by providing a vehicle for denunciation of bosses and officials of all kinds for being antidemocratic or bureaucratic. The same February 1937 plenum that condemned Bukharin and Rykov announced a round of party elections to be held in the spring of 1937 and to be explicitly patterned on the rules mandated in the new constitution. Based on a much-publicized speech by Zhdanov, the party elections were to be free, direct, and secret. These party elections took place in May, and, although powerful regional officials and party secretaries retained their posts, some 50 percent of lower party secretaries and committeemen were voted out.³⁷

Shortly after the completion of the 1937 party elections, the TsIK and the party's Central Committee announced the regulations and procedures for the constitutionally mandated first elections to the Supreme Soviet in a detailed *Polozhenie o vyborakh v Verkhovnyi Sovet SSSR*.³⁸ According to this widely published regulation, citizens and organizations could freely nominate multiple candidates for seats in the Supreme Soviet. Each seat could be contested, and all qualified candidates could run for office. A majority vote was required for election, and provisions were made for runoffs between the top two contenders if none received a majority in the first election. Local and regional soviet officials were to organize the drawing of electoral district lines, the preparation and verification of voter lists, the nominating meetings, and the election itself. Nomination meetings would take place in October and the election was scheduled for December of 1937. Archival evidence on these events suggests that the center devoted great attention and energy to the preparations for contested elections. The Soviet and Russian republic TsIKs were attentive to the process, busying the local *ispolkomy* and soviet officials with regulations, report forms, and advice.³⁹

In the localities, though, there was considerable foot-dragging. Officials had to be prodded, browbeaten, and threatened into organizing the districting, preparation of voter lists, and nomination efforts. TsIK Chairman M. I. Kalinin had to intervene on two occasions to force local officials to complete the districts and lists. In one urgent telegram to all *ispolkomy*, Kalinin ordered immediate compliance and complained about "insufficient work" in making lists of voters, forming electoral districts, providing paper and printing facilities for ballots and lists, and preparing electoral meetings. On occasion, when local soviet officials refused to comply, or did so dishonestly, they were arrested by local procurators.⁴⁰

Provincial officials tried to narrow or restrict the process. In some places, they restricted the franchise by claiming that "those under investigation" (which could include entire categories of the local population) could not vote. On 15 October 1937, the TsIK sent to all *ispolkomy* a circular that accused local officials of leaving the preparation of electoral lists to "purely technical workers": Voter lists were being falsified, electoral boundaries were still not fixed, and many persons were being excluded from voting lists contrary to the constitution. The circular called on local procurators and courts to investigate these practices. To strengthen the point, Chairman Kalinin issued an order the next day specifying that all persons had the right to vote unless they had explicitly been deprived of electoral rights.⁴¹

Why were local officials so reluctant to open the electoral process and move it along? Part of the answer lies in their traditionally lackadaisical attitude toward carrying out Moscow's routine orders. Local party officials frequently ignored, diverted, and modified central policies to suit themselves and to adapt the policies to local conditions. The state situation seems to have been the same. To take only one example, the Russian republic TsIK of soviets complained in a secret April 1937 report to Kalinin that "local *ispolkomy* and soviets in a series of places not only

37. See Getty, *Origins*, chaps. 4 and 6, for an account of the democracy campaign and party elections.

38. *Pravda*, 2, 7, and 8 July 1937; *Partiinoe stroitel'stvo*, no. 14 (July 1937):20-28.

39. *TsGAOR*, f. 1235, op. 76, contains part of the files of the TsIK on these matters. See especially dela 160, 163, 164.

40. *Ibid.*, op. 78, d. 159, l. 4. See also his threatening 29 September 1937 letter on electoral districting: *Ibid.*, op. 76, d. 162, ll. 1-2. Refusal of local officials and their arrests can be found in *ibid.*, op. 78, d. 159, ll. 121-122.

41. *TsGAOR*, f. 1235, op. 76, d. 157, l. 92: "Delo no. S-52/20"; and op. 78, d. 159, l. 74.

do not fulfill the decisions of the Presidium, but also ignore questions and reminders from the TsIK. . . . we have not taken sufficiently serious measures against this completely intolerable situation." The same report recounted a story in which the Western oblast (Smolensk) ispolkorr had not fulfilled a routine TsIK request for two years. Eleven reminders produced no reply to Moscow, "and only after we sent an instructor to the place was it established that NOTHING HAD BEEN DONE to fulfill this order. . . . It is completely evident that such disorder cannot be tolerated."⁴²

In the case of the bungled electoral preparations, however, one suspects that more than routine sloth and disobedience was at work. Local soviet officials seem too have deliberately frustrated the elections. By the summer of 1937 Moscow had clearly shown its determination that the elections succeed. The spectacle of the constitutional process the previous year, combined with extensive 1937 publicity on contested elections, made it clear that this was no routine bureaucratic matter to be safely ignored. Local officials had been explicitly criticized for bureaucratic sloth and obstructionism during the national discussion and fifteen thousand of them had been removed at that time. Their counterparts in the party apparatus had suffered in the May 1937 party elections when the center used grass-roots populism to unseat them. For their parts, local raion and oblast soviet officials must have felt that in any openly democratic process, they could lose their jobs. They knew better than Moscow that in the national discussion a majority of the participants had expressed fundamental criticisms of the constitution.

To defend themselves from the possible results of free elections, locals not only stalled the preparatory process but also played on the center's fear of "enemies" by warning Moscow about the possibility that alien elements might be elected. There was some basis for the threat. The year before, during the national discussion of the constitution, distinctly anti-Soviet remarks were not as uncommon as one might think. For example, Grigorii Gorbunov, a peasant from the Ukraine and a former Socialist Revolutionary had said

If we have a secret ballot, we will choose whom we want. I hope that they will elect me. The new Constitution says that there will be a Supreme Soviet: I think that then there will be no more Party, or that it will merge with the Supreme Soviet. The Constitution permits the organization of parties apart from the VKP(b). Accordingly, we are organizing our party, our press, and we will carry out our line.⁴³

Many of Gorbunov's neighbors agreed with him. Others thought that the new constitution meant that private peasants could "live as before." Kulaks were returning from exile, spreading rumors that the elections meant that socialism would be defeated, and demanding their old property back. "Priests and evangelists" were demanding reopening of prayer houses, and peasants were asking for closed churches to reopen. Even poor peasants and kolkhozniki showed some signs of vacillation: Kolkhoznitsa Kaniushina from Leningrad oblast said that "the kulaks never repressed us. They helped us . . . now we give most of the best quality bread to the state . . . and get a poor price."⁴⁴ Other comments at the time of the constitutional discussion were equally hostile to Soviet power. For example, kolkhoznik P. Kalinin (described by the recorder of his comment as a "loafer") said "it is not for us to discuss the Constitution. We did not write it." An anonymous kolkhoznik said that "if the Ukraine is able to secede from the USSR, it will be very rich again."⁴⁵

Local officials knew that their own high-handed manners and misconduct had not won them many friends among the local population. An April 1937 TsIK report to Chairman Mikhail Kalinin noted that "many times misconduct and lawlessness, committed by various organs of power and various workers in the center and localities give strength to the hands of the class enemy to

42. Ibid., op. 76, d. 149, l. 13 (emphasis in original).

43. Ibid., f. 3316, op. 8, d. 222, l. 72, 73.

44. TsGAOR, f. 3316, op. 8, d. 222, ll. 139-141, on priests and evangelists; quotation in ibid. op. 41, d. 126, l. 11.

45. Ibid., op. 8, d. 222, l. 73. Such "anti-Soviet" comments were rare in the archival collections. That there are any is surprising.

discredit our state system and weaken the power of the country."⁴⁶ In Belyi raion, near Smolensk, Comrade Ivanov spoke of his unit's usual rural party work: "If we act this way in the elections then we will undoubtedly suffer a defeat." Throughout the summer of 1937, local officials tried to convince Moscow of the dangers of contested elections, saying implicitly that "either we local officials get reelected or else overt anti-communists will win." In Smolensk, activists warned that "alien elements," "enemies," priests, and even "friends of Hitler" could be elected.⁴⁷

From the publication of the *Polozhenie o vyborakh v Verkhovnyi Sovet SSSR* in July and the beginning of October, the Moscow leadership resisted local pressures and held firm to contested elections. The TsIK monitored local discussions of the electoral system and suggested tactics to the locals. In a series of internal reports and memorandums to local soviets, the TsIK recognized the danger from kulak, class-alien, and religious elements in the countryside, but advised local officials to keep their heads. In September 1937, on the eve of the nomination process, a central memorandum admitted that 300,000 religious institutions still existed and 600,000 persons worked in them. It admitted that religious elements would try to sabotage the elections but told local officials simply to work harder to win the elections. "The struggle will be serious, and it is necessary to prepare seriously!" Local officials were exhorted to struggle against anti-Soviet elements with propaganda rather than "administrative measures." As additional vote-getting schemes, the TsIK recommended stepping up bread deliveries to kolkhozes and completing more popular local construction on time.⁴⁸

Up to October 1937 the TsIK had continued to spell out the procedures and timetables for runoffs between competing candidates, and local newspapers had promulgated the procedure. The press was full of propaganda on the upcoming elections. Election calendars were proposed and approved and detailed rules were specified for contested runoffs.⁴⁹

At the same time, however, a plenum of the Central Committee suddenly and secretly reversed the electoral system. The October plenum decided to ban contested elections in the upcoming voting; only one candidate would run for each position. No announcement of this volte face was published until December, and even then the date of the October decision was not given. After such a loud campaign in favor of the free elections, such a reversal must have been embarrassing. Indeed, so secret was the decision that we can place it in early October only from circumstantial evidence in the press and hints from Soviet historians with access to party archives.⁵⁰ Shortly after the plenum, the central and regional press began to prepare the public for the change. It abruptly began to publish editorials and articles stressing the "unshakable alliance" and "blood connection" between the party and the masses; the retreat from free elections to single candidates was to be presented as the result of social and political unanimity.⁵¹

Privately, word of the decision for a "bloc of party and nonparty candidates" (that is, uncontested single candidacies) trickled down to the localities. In the subsequent nomination meet-

46. Ibid., I. 11.

47. Smolensk Archive file WKP 111, 14, 33, 75; WKP 321, 97, 216.

48. *TsGAOR*, f. 1235, op. 76, d. 158, l. 23-24: "O khode izucheniia 'Polozheniia o vyborakh v Verkhovnyi Sovet': Informatsionnyi Biulleten no. 1"; and *ibid.*, l. 25: "Organizatsiia massovo-politicheskoi raboty v sviazi s vyborami."

49. See, for example, *ibid.*, d. 157, ll. 71, 76. See also the 23 October 1936 TsIK schedule for voting: "O kalendarnykh srokakh otdel'nykh meropriatii po provedeniiu vyborov v Sovet Natsional'nostei," which specified the provisions for contested runoffs, in *ibid.*, d. 161, l. 13. See also *Rabochii put'* (Smolensk), "Poriadok goslosovaniia," 9 October 1937.

50. S. Ia. Bard, *Bor'ba partii bol'shevikov za podgotovku i provedenie pervykh vyborov v Verkhovnyi Sovet SSSR v 1937 godu na osnove novoi Konstitutsii* (Moscow, 1952), 18-19, places the decision to nominate single candidates in October; he writes that the "bloc" of candidates (the euphemism for single candidates) "appeared" after the October plenum. See also E. M. Kozhevnikov, *Istoricheskii opyt KPSS po rukovodstvu Sovetskim gosudarstvom (1936-1941)* (Moscow, 1977), 82.

51. See *Pravda* editorials, 13 and 27 October 1937, and *Rabochii put'* (Smolensk), "Krepche sviaz' s bespartiinyimi massami!," 14 October 1937, for examples.

ings covered in the press, single candidates were nominated, although at least publicly, multiple nominations were possible. The actual decision for single candidates (for the party to enter the elections in a "bloc" with nonparty candidates) was not published until December, on the eve of the voting. The announcement took up the entire front page of *Pravda* and was presented as a victorious sign of the "close connection" between the party and the masses.⁵² Actually, the Moscow regime had become convinced that the opposite was the case.

This decision to restrict the elections is clouded in secrecy. No Soviet publication or currently available archival source documents it. Local anti-Soviet opposition probably appeared in the final prenomination process. One Soviet dissertation with documentation from party archives claims that in the process of organizing the elections enemies tried to place "anti-Soviet elements" on the nominating commissions.⁵³ We do not know whether this statement is true or not, but it seems safe to assume that the accumulation of local warnings and central fears of enemies convinced Stalin to retreat on contested elections.

Of course, one might argue that the regime never really intended to expand political participation or to permit free elections. Indeed, the 1936 Constitution and elections that followed are usually characterized as an officially sponsored ruse or publicity stunt. Hindsight, however, allows one automatically to assume that the Moscow regime never seriously entertained the possibility of expanding political participation solely because the promises of the 1936 Constitution were ultimately frustrated. Evidence strongly suggests that the central leadership took the constitution and contested elections seriously until late 1937. First, important issues were in the constitution: issues that preoccupied the leaders, provoked disagreement among them, and found resonance in society during the public discussion. In centralization, union republic rights, social benefits, electoral rights and balance between legislative, executive, and judicial the 1936 Constitution was an important document with real ramifications for real people then and now. Second, the constitution was drafted by a commission of the party's top leaders who spent a good deal of time away from their other duties to work on the document. Stalin also devoted much time to the document and supervised the process. Moscow carefully organized the all-union discussion, forced reluctant local officials to carry it out, and scrutinized the results with intense interest. Finally, had Stalin planned all along only to stage a democratic farce, he would not have proclaimed one thing for so long (contested elections), only to enact the opposite. It is difficult to imagine a regime planning to inflict such a glaring contradiction on itself. The sequence of events discussed above rather suggests a regime that governed by opportunism, improvisation, and reaction to changing events rather than by adherence to a long-term plan.

The "democratic" project of the 1936 Constitution was a trial balloon. From the regime's point of view, social reality burst it. Stalin and company experimented with broadening the political base by expanding political participation in both the party and soviet apparatus. When it offered the plan to the population, it was startled to find a sullen, critical, unliberal, class-conscious peasantry more interested in corporate rights and punishing its perceived enemies than in constitutional niceties. Despite this popular ambivalence, combined with mounting evidence of survivals of anti-Soviet hostility, Moscow held to its commitment to the constitution for several months. Only after a year's warnings from local party activists, growing chaos from the arrests, and pressure from antimoderates did Stalin become frightened off.

The question of elections may also have divided the Moscow center. Until late 1937, with Zhdanov as its main spokesman, the Moscow leadership held fast to the idea of contested elections. Such elections were good international propaganda, good domestic public relations, and a centralizing and disciplining weapon against centrifugally minded local leaders. The exhortation to use propaganda rather than "administrative measures," or force, recalled speeches and remarks by Zhdanov and others from 1934–1936, and before. Arguing in the early 1930s that the class enemy was destroyed with the victory of collectivization and industrialization, moderates

52. *Pravda*, 7 December 1937, 1: an "address" to the voters from the Central Committee. The expression "bloc" of party and nonparty candidates had not been used until this date.

53. Bard, "Bor'ba partii bol'shevikov za podgotovku," 21.

had called for a general relaxation of the combative policies of the 1929–1931 “cultural revolution period.” Often identified with Sergei Kirov, this line called for reconciliation with former class enemies and oppositionists, institutionalization and regularization of the judiciary, and a generalized democratization of the regime. Although the sword of the proletarian dictatorship was not to be beaten into plowshares, it could at least be sheathed.

Beginning with Stalin’s 1931 speech rehabilitating the old intelligentsia, the moderate line extended into 1933 with the Stalin-Molotov telegram releasing large numbers of prisoners and the decision to reduce planned industrial targets in the Second Five-Year Plan.⁵⁴ It continued in 1934 with the readmission and rehabilitation of former oppositionists at the Seventeenth Party Congress and the abolition of bread rationing at the end of that year. Even after the assassination of Kirov at the end of 1934, the policy endured with the antifascist popular fronts, the announcement of the new constitution and a campaign to expand party participation and political education as an alternative to administrative measures or repression. Zhdanov’s Leningrad organization produced numerous resolutions calling for increased political education and popular participation in party committees.⁵⁵ He also took the lead in calling for the restoration to party membership of those expelled in the 1933–1936 purges; his idea was that errant party members should be trained and nurtured rather than expelled. A campaign against bureaucratic practices in regional party organizations attracted national visibility in 1935, when in a highly publicized attack Zhdanov accused the Saratov kraikom of dictatorship and repression. In 1936 came the all-union discussion of the draft constitution and even a decline in the population of the labor camps. At the February 1937 Central Committee plenum, Zhdanov gave the keynote speech on democratizing party organizations, ending bureaucratic repression of “little people,” and replacing the co-option of party leaders with grass-roots elections.⁵⁶ Indeed, under pressure of this line, contested secret party elections were held in 1937.

Of course, another more sinister current, the call for vigilance against enemies and traitors, ultimately destroyed the moderate policy. This line was most closely identified with Nikolai Ezhov, the Central Committee secretary who headed both the Party Control Commission and the NKVD, and its supporters resisted any relaxation of the dictatorship and argued that plenty of enemies remained at large in the country. This group’s slogans about unmasking enemies, destroying the class enemy, and “enemies with party cards” are well-known. Undoubtedly, many in the Moscow leadership accepted the argument that “enemy” strength in the country was a real danger to the regime. Some, like Ezhov himself, had made careers by advancing the argument that class enemies and anti-Soviet wreckers were everywhere. While not necessarily sympathizing with the local bosses, Moscow leaders may have argued against testing mass opinion in such dangerous times.

It would certainly be a mistake to regard Zhdanov as some kind of liberal or democrat in opposition to Stalin. Zhdanov ran his Leningrad party organization in the usual Stalinist dictatorial style, and his postwar activities in cultural affairs clearly show his intolerance of dissent. He promoted the democratic-participatory line in the 1930s in order to promote his personal ca-

54. Within the Russian Federation the number of criminal sentences in 1934 was more than 25 percent lower than it had been in the previous year. Verdicts against counterrevolutionaries numbered some 4,300 in 1934, a drop of more than 50 percent from the previous year. These estimates are based on Peter H. Juwiler, *Revolutionary Law and Order* (New York: Free Press, 1976), 50, 52.

55. One of the most famous of these was “Zadachakh partiino-organizatsionnoi i politiko-vospitatel’noi raboty,” *Partiinoe stroitel’stvo*, no. 8 (April 1935), 7–16. Its call for nurturing and promoting new cadres, collective leadership of party cells, and increased participation were picked up and discussed around the country. See Smolensk Archive files WKP 322, 81, and WKP 89, 3.

56. See *Pravda*, 12 June 1935, for Zhdanov’s attack and also Zhdanov’s mass-circulation pamphlet, *Uroki politicheskikh oshibok Saratovskogo kraikoma* (Moscow, 1935). For statistics on the Gulag population see “‘Arkhipelag GULAG’ glazami pisatel’ia i statistika,” *Argumenty i fakty*, no. 45 (1989) (these statistics apply only to the GULAG camps and do not include prisons or labor colonies). Zhdanov’s keynote speech is “The preparation of party organizations for elections to the USSR Supreme Soviet under the new electoral system and the corresponding reorganization of party political work,” *Pravda*, 6 March 1937.

reer: It gave him an issue in the competition for Stalin's favor and support. Zhdanov's line can best be seen as one possible Stalinist strategy for broadening the social base of the dictatorship without threatening or truly democratizing it. If Zhdanov's tendency had won, the Soviet system under Stalin would not have become democratic, but it might have become slightly more constitutional and participatory. At the least, it might have provided a firmer constitutional and philosophical basis for democratization and reform after Stalin's death.

Of course, in the climate of the mid-1930s, neither of these lines could have existed without Stalin's support or approval, and neither line ever challenged his authority. Once he made a choice, the decision was final. What we now know about Stalin's methods of rule suggests that he rather liked to encourage competition among policy options and the spokesmen who supported them. We know that in the 1930s he juggled Litvinov's collective security and Molotov's pro-German tendency and put off making a final choice until forced to do so. Testimony from economic and military leaders who dealt with Stalin also suggests that he encouraged competing initiatives and experiments having to do with new tanks, guns, or factories. We are told that he often listened to both sides until forced to make a choice. By fostering such competition, he maintained several lines of information and kept his policy options open. By reserving and holding back his decision, he maximized his personal dictatorship.

In the case of the constitution and elections, Stalin might have tried to ride both horses. By continuing to support contested elections, he reserved the option of a more populist, participatory, "democratic" dictatorship while conveniently providing a distraction to the hunt for enemies. Between the murder of Kirov and the electoral decision of October 1937, the vigilant policy overlapped the moderate line. In 1935 calls for constitutional democracy coexisted with new arrests of the opposition. In 1936 the first show trial coincided with the constitutional discussion and the generalized decline in the GULAG population. In 1937 Zhdanov's antipurge sentiments and calls for party revival coexisted with Ezhov's police depredations. In October of that year the Moscow leadership was forcing local leaders to plan and implement procedures for contested runoff elections; at the same time it was deciding to cancel them. Stalin held his options open until the very last minute. On the eve of the elections he was forced to choose among his minions; only then did he change his mind and decide to cancel the contested elections. Ezhov was elevated to the Politburo at the same Central Committee meeting that eclipsed Zhdanov's policies. For more than a year after that October meeting, all Zhdanovist talk of popular mobilization and participation stopped, and the GULAG labor camps received the largest annual population increase in their history.⁵⁷

Even after making the decision to restrict the elections to single candidates, Stalin was not at ease. Because of the possibility of write-ins or crossed-out ballots, the regime still feared that the elections could turn out badly for them. In the weeks preceding the December balloting, Georgii Malenkov, a key Ezhov aide and Central Committee operative, quietly took charge of the Central Election Commission, which technically had been an arm of the TsIK rather than the party. In a secret telegram to all local electoral commissions, Malenkov ordered that special procedures be followed in the elections.⁵⁸ As soon as the ballots were received and counted, local officials were immediately to telephone or wire to the Central Election Commission the name of the candidate elected, the number of voters in the district, the number voting for the candidate, the number voting against, and the number of write-in votes. This information was to be communicated to Moscow before the official local electoral protocols were filled out, and the press was to be told nothing about the vote count (except the name of the winning candidate) until Moscow agreed. Originals of the ballots, tally sheets, and protocols were to be sent to Moscow through the NKVD courier service.⁵⁹ Even though they faced the electorate uncontested, the Moscow leadership apparently feared they might lose.

They did not, at least according to the official announcements. Depending on the republic,

57. For a detailed treatment of the moderate current, see Getty, *Origins*, chap. 4.

58. *TsGAOR*, f. 1235, op. 76, d. 161, l. 58-59.

59. *Ibid.*, 11, 60-65.

between 95 percent and 99 percent were said to have voted for the candidate of the party and nonparty bloc. Given Malenkov's insistence that his office control all reporting of vote counts, we can wonder whether the reported totals bore any relation to reality. On the other hand, with only one candidate on each ballot, the procedure at the polling places made it difficult to dissent. Those voting for the proffered candidate showed their support and patriotism by simply receiving their ballots and publicly putting them in the box. True, one could have crossed out the name on the ballot, but to do so meant ostentatiously entering the voting booth in order to do so. Everyone present would recognize opposition to the official candidate at a time when enemies of the people were being rounded up wholesale. One should not be too surprised that few would choose to demonstrate dissatisfaction in public.

The lineage of Mikhail Gorbachev's economic policy can easily be traced to the mixed-economy gradualism of the NEP supported by Bukharin. On the political side, however, his quasi-democratic but participatory policy echoes the abortive moderate policy of the 1930s. Although Stalin's and Gorbachev's policies were radically different, both thought to use elections and expanded popular participation to support the general secretary and to undermine opposition from the territorial party apparatus. In 1937, as we have seen, the experiment was quashed. A fearful regime sounded society and found ambiguous loyalty, peasant hostility, and a lack of education and sophistication. Stalin panicked at the possible results, and terror and force replaced mass participation as modes of government.

The 1936 Constitution was an important document. Of course, arguments about separation of powers and the rights of union republics were rendered meaningless during Stalin's lifetime. The Central Committee and police apparatus dominated by Stalin actually controlled the work of all "branches of government." Yet these constitutional arrangements never came into play only because of Stalin's dominant position. Had he or the party been overthrown, these issues would have been most important, and they have become so since his death. Dictators come and go, but their heirs must wrestle with constitutional and institutional arrangements that, in the long run, are important. In 1936 the union republics were stripped of whatever independent authority they had enjoyed. Today, they are trying to regain it. The Constitution of 1936 (and its centralizing spirit) outlived Stalin and, more than the exorcism of his ghost, they are the stuff of current Soviet political debates. The decline of centralized party control means that these constitutional issues of the relative powers of branches of government and of the relations between central power and union republics have come to center stage. The intense constitutional debates today in the Supreme Soviet, and the redefinition of that body in 1989, show that constitutions are important in the Soviet Union and, in the absence of a dictator willing to use force to control central administration, issues relating to checks and balances in government have great meaning.

As in all political systems, Soviet society in the Stalin period defined the parameters within which political decisions could successfully be taken. In Stalin's time, the political sphere did not operate independently of the social. In this instance, the state had confronted society with a new plan. Society, or rather the regime's perception of it, reflected indifference and hostility to the regime. The state's agents warned that a plan that generated such ambiguity, combined with lingering anti-Soviet hostility, could lead to political trouble not only for the agents, but for the state itself. After considerable defensive reflection the state admitted these unforeseen consequences and recognized its inability to control society with anything other than force. The decision to cancel these democratic and participatory reforms and to fall back on force was a sign of state weakness, not omnipotence.

The Stalinist state could not swallow society, at least not completely. Although it was capable of sporadic and terrible violence, the state was weak. Society, however disorganized and inert, was massive. Society had not, however, won the round in a clear-cut conflict between state and society. The defeat of political participation and the renewal of force were hardly victories for society at large. The interaction between the Stalinist state and Soviet society was complex and multidirectional, and it is still poorly understood. The 1936 Constitution and 1937 elections illustrate the limits of state power in its interaction with a vast, multifaceted society.