

## CHAPTER III.

### *The Correctional Labour Code of 1924*

Need for increased productivity—The Correctional Labour Code of 1924—Enjoins the use of prison labour on a commercial basis—The assigned task and dependent food ration—Primary, Intermediary and Privileged Offenders.

THE opportunities offered to trade and enterprise under the New Economic Policy for some years made any recourse to general compulsory labour unnecessary. The limitation placed on exactions of grain ensured 'abundance of food in the cities in spite of bad crops,'<sup>1</sup> and private trade rapidly increased. But individual output, which in the period of militant Communism<sup>2</sup> had fallen to 29·2 per cent. of the pre-war figure,<sup>3</sup> improved but slightly during the first years of the New Policy. Wages, on the other hand, had to be increased in order to restore the physical strength of the working classes, which had been severely shaken in the years prior to the change.<sup>4</sup>

The introduction of bonuses in cash and kind was

<sup>1</sup> Haensel, p. 38.

<sup>2</sup> i.e. 1917-21.

<sup>3</sup> S. Zagorsky. *Wages and Regulations of Conditions of Labour in the U.S.S.R.* (International Labour Office, Studies and Reports, Series D., No. 19), p. 152. U.S.S.R.=Union of Soviet Socialist Republics, i.e., all the republics comprised in the Soviet Union.

<sup>4</sup> *Ibid.*, p. 155.

intended to increase both wages and output, but only partially succeeded. Continued rises in wages, unaccompanied by corresponding increases in individual output, were only made possible in State factories by Government subsidies and by charging high prices for the products sold. A depression at the end of 1923 obliged these factories to reduce their 'selling prices,' and it then became an urgent matter to increase output in order to reduce labour costs.

The Central Committee of the Communist Party therefore decreed on August 15th, 1924, that 'increase in individual output must exceed the rise in wages in order that industry may develop, that the power of the State may be increased, and that wages may continue to rise and their real value be maintained.'<sup>1</sup> Increased output was to be obtained by unrestricted piece rates, provided that wages were periodically revised as plant improved. The Party's findings were endorsed at the Sixth Trade Union Congress held in the following November.

The desire for increased national output, combined with a pressing criminal problem, produced in 1924 a 'Correctional Labour Code,' requiring a widespread use of prison labour on a commercial basis.<sup>2</sup> The Code required the 'maximum development' of 'correctional labour' in 'places of detention,' and frankly proclaimed that both 'loss of freedom and compulsory labour without detention under guard,' are designed generally to prevent the

<sup>1</sup> *Ibid.*, p. 155.

<sup>2</sup> *The Correctional Labour Code of the R.S.F.S.R. 1924* (including amendments), Cmd. 3775, pp. 48 *et seq.*

commission of crimes by 'untrustworthy elements of society,' a wording which suggests that persons might be sentenced on mere suspicion.

Few of the articles of the Code which date from 1924 deal with compulsory labour 'without detention under guard,'<sup>1</sup> but full details are given as to labour requirements in places of detention. The 'former prisons' were to be replaced by agricultural, technical and industrial colonies and 'temporary correctional labour centres.' All these establishments were to endeavour to defray their expenses by means of the prisoners' labour, 'without losing sight of the correctional end in view.' Once internal needs were met they could take orders. In order to ensure the maximum productivity of labour in works carried out in places of detention, a system of task and piece-work was to be established. Article 75 further laid down that 'the food allowance of those engaged in compulsory labour will be augmented according to the amount of energy expended by them.' Article 79 required 40 per cent. of the net profit earned by a place of detention from the work of its inmates to be allocated to expansion of production in the institution. Only 12½ per cent. was to be used for improving the food supply. On the other hand, Article 49 prohibited 'any trace of brutality' in places of detention, or such 'physical compulsion' as solitary confinement, or the withholding of food or of the right to interviews with visitors through a grating. It is clear, therefore, that as long ago as 1924

<sup>1</sup> Evidently, however, this was developed before 1927. See p. 19.

prison labour was being definitely regarded as a useful means of increasing national production. The methods of the assigned task and of food ration varying with the amount of work done are principles to which we shall later find a wider application given. They obviously resemble Article 57 of the Labour Code.

Persons sentenced to long-term periods of detention were to be divided into three categories, 'primary, intermediary, and privileged.' In the first class were to be placed those sentenced to 'loss of freedom combined with strict isolation,' in the second were to be 'lawbreakers of the professional class, and those who have committed offences as the result of their class habits, considerations or interests'; in the third, the privileged, were to be 'all those who do not belong to the first or second class,' obviously all below professional status, who had not committed serious crime.

This distinction among sentenced persons according to social status rather than to offence, lays bare what is elsewhere in the 'Blue Book' officially described as 'the admittedly class character of the whole penal system.' The aim of 'correction' in a place of detention was to be attained by 'cultural and educational work in every correctional labour centre.' This work might have as its avowed object the 'abolition of general and political illiteracy,' but it was obviously also intended by the terms of the regulations to supply a strict system of supervision of prisoners in regard to political opinions, conduct, and their mutual personal relations.

## CORRECTIONAL LABOUR CODE, 1924 19

Such was the Correctional Labour Code of 1924. It shows a long-cherished intention on the part of the Soviet Government to utilise on an ever-expanding commercial basis the labour of persons supposed to be disaffected to its rule. In spite of the prohibitions placed on a reduction of food, the principle of a daily ration that might vary with expenditure of energy on an assigned task obviously offered opportunities for penalising any prisoner against whom there might be a bias.

By the year 1927 the persons sentenced to compulsory labour without detention numbered 216,339, out of a total of 1,020,469 persons sentenced in that year.<sup>1</sup> But in places of detention the system is said to have remained something of a dead letter for some years, from lack of efficient organisation.

<sup>1</sup> Birmingham University *Memorandum*, p. 16, quoting the Criminal Statistics of the U.S.S.R., 1930, Nos. 3-4. *The Times*, Oct. 7th, 1930, quoting from official sources, says that the number of persons doing compulsory labour in 1927 was 136,679. No. 5 of the Criminal Statistics gives the total number of sentences inflicted in 1927 as 2,161,242.