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AND QUESTIONS OF LAW

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FOREWORD

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Following is a translation of an editorial in Sovetskoye Gosudarstvo i Pravo (Soviet State and Law), No. 2, Moscow, February 1960, pages 3-8.

The December (1959) Plenum of the Central Committee of the CPSU will stand out as one of the vivid and splendid events in the history of the development of the Soviet State. N. S. Khrushchev stated: "This expanded plenum was, so to speak, to some extent a Party conference." All secretaries of oblast party committees, the chairmen of the oblast executive committees, some secretaries of the rayon party committees, a large number of party activists, scientists, kolkhoz chairmen, production innovators (mechanizers, swinherds, milkmaids, and others) took part in the work of the plenum. In addition, many non-party people took part in the work of the plenum, which provides clear evidence that the activities of the party are united with the activities of the entire people, that non-party workers are working directly, side-by-side with the party members.

The plenum discussed thoroughly and adopted a resolution on one of the most important problems of the building of communism -- the further development of agriculture. Soviet agriculture is now improving sharply; it has achieved unheard of progress and has again demonstrated all the undisputed advantages of the socialist -- kolkhoz and sovkhoz -- structure, and is capable of solving the world historical problems of the building of communism in still shorter periods than had been planned previously. The December Plenum of the Central Committee of the CPSU pointed out: "All essential conditions for a further mighty improvement in all branches of agriculture have now been created in our country. The national movement, started at the initiative of advanced kolkhozes and sovkhozes with the purpose of catching up with and surpassing the United States of America in the per capita production of meat, milk, and butter in the near future, is developing on an ever-wider scale. Socialist competition which is being developed in the republics, krays, and oblasts shows that the goals of the Seven-Year Plan for the development of agriculture can be fulfilled ahead of schedule."

In describing the December Plenum of the Central Committee of the CPSU, N. S. Khrushchev stated: "This plenum of the Central Committee is a plenum for mobilizing the reserves of agriculture." The resolutions of the plenum are directed precisely toward mobilizing the enormous

reserves available in the kolkhozes and sovkhoses for pre-term fulfillment of the goals of the Seven-Year Plan for Agriculture, for still more rapid advances in the work of building communism, and for the further improvement of the material welfare of the Soviet people.

The work of the December Plenum of the Central Committee of the CPSU provides vivid evidence of the further development of the entire Soviet social structure, of the extensive development of Soviet socialist democracy, the growth in the creative activity and the initiative of the wide masses of the people, and of the indivisible unity of the Party and the people. The orators who spoke at the plenum shared their experiences, expressed new thoughts, and daringly advanced new propositions on different problems of agricultural production, the use of machinery, and on forms of organization of kolkhozes and sovkhoses. A great deal of creative discussion was heard in the plenum on a number of organizational problems (on the fate of RTS [Meaning of this abbreviation not clear], on setting up unions of kolkhozes, et cetera).

In the interests of mobilization of available reserves in kolkhoz and sovkhos production the participants in the plenum suggested many new forms and methods for working the fields, keeping and raising stock, using machinery, organizing socialized production, procuring State agricultural products, and distributing income and wages in kolkhozes, et cetera. The most important problems were solved in the resolution of the December Plenum of the Central Committee of the CPSU On the Further Development of Agriculture adopted 25 December 1959. The plenum charged the Presidium of the Central Committee of the CPSU to study and examine a number of other problems. The extensive democratic discussions held in the plenum manifested ardent aspirations to do everything possible to ensure a still mightier improvement in agriculture. The collective intelligence of the Communist Party was vividly displayed and many urgent problems of the present time were solved in a daring and creative manner.

The mistakes which had been permitted in certain oblasts, krays, and republics were revealed with bolshevik straightforwardness and principle and measures were determined for correcting them. The progress made by agriculture has been great, the development of its productive forces is increasing sharply, but the Communist Party never rests upon what has been achieved and, in the interests of further development, daringly uncovers these shortcomings which hamper the most complete utilization of all the possibilities inherent in the socialist structure and takes measures to eliminate them. N. S. Khrushchev said: "We must arouse the will of the people and the enthusiasm of the workers for the successful fulfillment of the plans for building communism. Along with this, the Party organizations are obliged to wage the most merciless struggle with shortcomings and to enlist the masses in the struggle with defects and perversions which still exist in our country in order to get rid of them more rapidly."

The high, statesman-like approach of ordinary people from the kolkhoz villages, and local representatives working on the solution of urgent problems of the kolkhoz structure, were characteristic features of the plenum. A swineherd from the Shevchenko Kolkhoz of Zolochevskiy Rayon of L'vov Oblast', Ya. S. Chizh, who achieved a sharp reduction in the cost of producing pork and at whose initiative the kolkhoz board reviewed and reduced pay rates three times, told the plenum: "You see, my working conditions are improving all the time and my wages remain high at the lower piece rates, and it would be unjust for just one person to profit from this... I feel that not just one person should receive the benefit, that this benefit should be received by society, the State, the entire people." (Pravda, 25 December, 1959).

A high, statesman-like approach was also manifested in questions asked about the prices on a number of agricultural products procured by the State from kolkhozes. These prices had been previously raised markedly in the interests of further strengthening the economic standing of the kolkhozes and which can now be reviewed again with the aim of reducing them, which would ensure the possibility of reducing retail prices on consumers goods and improving the living standards of the entire Soviet people.

This was also demonstrated in the question raised about the more proper regulation of wages of kolkhoz people in order that the latter would not surpass the level of workers wages. As is well known, the working class is the leading force in Soviet society. The kolkhoz peasantry are working closely with the working class under the leadership of the working class to build communism, and this means, as N. S. Khrushchev pointed out at the plenum: "...work together, create socialized wealth and receive such wages as will not offend either the worker or the kolkhoz peasant." The interests of strengthening the close comradeship between the workers and the peasants, the interests of over-all improvement of the welfare of Soviet society on its way to communism were all expressed in the speeches of those who participated in the plenum and in the propositions and resolutions adopted by the plenum.

The exceptional attention paid to problems of mechanization of work in socialist agriculture as one of the most important factors for the further development of agriculture was one of the special features of the Plenum of the Central Committee of the CPSU and the measures outlined by it. The 21st Congress of the CPSU emphasized the enormous significance of technological progress for building communism. Further increases in the productive forces of Soviet society are possible only on the basis of technological progress which should take place in all branches of the national economy (in industry and in agriculture). These propositions advanced by the Party Congress found their development, their statement in concrete terms in the resolutions of the June (1959) Plenum of the Central Committee of the CPSU which dealt primarily with industrial production.

The December (1959) Plenum of the Central Committee of the CPSU thoroughly aired the problems of technological progress in agriculture. The plenum recognized that in order successfully to secure fulfillment of the tasks set by the 21st Party Congress for the further development of agriculture, it will be essential to ensure first of all uninterrupted technological progress in the mechanization and electrification of agriculture, to accelerate the tempo of supplying kolkhozes and sovkhoses with new equipment for over-all mechanization and markedly reduce on this basis the periods required for carrying out agricultural work, to raise the general cultural level of agriculture, to achieve new increases in labor productivity, and to lower production costs. The plenum noted that the wide introduction of over-all mechanization is the most important condition for further increases in labor productivity in agriculture.

The plenum ordered the GOSPLAN of the USSR to ensure the production and delivery to agriculture of tractors, machines, and machinery on a scale which will ensure over-all mechanization of all branches of agricultural production on the basis of technological charts. This will mean first of all aiming to carry out spring sowing in 5-6 days and grain harvesting in 10-12 working days. A great deal of attention was devoted to measures connected with the so-called low mechanization, that is, measures for supplying numerous comparatively secondary labor processes which divert many working hands with machinery. The Plenum of the Central Committee of the CPSU proceeded under the banner of further technological progress in agriculture which could ensure a new increase in productive forces in this most important branch of the national economy.

The historic resolutions of the Plenum of the Central Committee of the CPSU have advanced a whole series of organizational and legal problems which should be solved under modern conditions with the purpose of successful realization of the tasks set by the plenum. The most urgent of the organizational and legal problems which must be solved is that of the further improvement of the system of leadership of kolkhozes and management of their economic affairs.

The idea of setting up new organizational forms of leadership and management of kolkhoz affairs in the form of unions of kolkhozes (rayon kolkhoz unions, et cetera) was brought out at the plenum. It was pointed out that establishing such unions would serve the further development of kolkhoz democracy, would make it possible to recruit kolkhoz peasants into the work of leading and managing not only individual kolkhozes, but groups of kolkhozes of a whole rayon, oblast', or kray. The sphere of conduct of public affairs by kolkhoz peasants would then pass beyond the framework of individual kolkhozes and would be extended far beyond its bounds, thus facilitating the further inculcation of kolkhoz peasants in the spirit of national interests. Establishing such unions of kolkhozes would help concentrate the funds of individual kolkhozes to solve the most important economic problems -- the construction of the largest production projects, enterprises for serving cultural and every-day needs, the solution of problems connected with raising backward kolkhozes up to the level of the advanced ones, pensions, and many others.

At the same time, the idea of establishing such unions of kolkhozes also gave rise to many doubts which are worthy of attention which were connected first of all with whether such a system for managing kolkhozes would cause separating the system of kolkhozes from the sovkhoses, which would remain outside the system, and whether this would lead to expansion and inflation of the administrative apparatus since the corresponding State agencies, including those for managing sovkhoses, would continue to exist along with the systems of kolkhozes. This problem is very complicated but merits the most serious attention; therefore the plenum charged the Presidium of the Central Committee of the CPSU with making a painstaking study of this problem and adopt suitable resolutions.

Soviet legal specialists in the field of kolkhoz law must make a deep study of this problem and help the Party work out new organizational forms of leadership for kolkhozes on a modern level, and to determine the legal nature and competence of the new agencies or changes in the competence of already existing agencies. This problem has already been discussed by legal workers in a number of articles and speeches. Study of the materials of the plenum should be a guarantee of the successful and correct solution of this problem.

The problem of the further strengthening of kolkhoz ownership and improvement of its internal structure in connection with the gradual approach of kolkhoz ownership to national ownership is another, not less urgent problem. It is well known that the decisive factor in raising kolkhoz ownership to the level of national ownership is the indivisible funds of the kolkhozes which are already approaching the position of funds of national character. Taking this into account, the Plenum of the Central Committee of the CPSU directed kolkhozes to work for over-all development and strengthening of indivisible funds and the further expansion of their use. Starting with the level already achieved in the development of the socialized economy, the plenum recognized that it would be expedient to increase deductions from the monetary income to be paid into the indivisible funds of kolkhozes, with authorization of general meetings of the kolkhoz peasants, and recommended that the monetary resources of these funds be directed in the first instance to obtaining tractors, agricultural machinery and equipment, the construction of production buildings, irrigation and reclamation projects, roads, major repairs to property assets, and other measures which would ensure the rapid improvement of the economies of kolkhozes, the growth of labor productivity, marketable production and kolkhoz income, also the construction of houses for kolkhoz peasants to be paid for on deferred payment plans.

Taking into consideration the ever growing significance of inter-kolkhoz production and economic ties in the further increase of kolkhoz production and the rapprochement of the two forms of socialist ownership, the plenum recommended that the kolkhozes release money from their

indivisible funds for building enterprises for producing construction materials, processing agricultural raw materials, and for building roads, boarding schools, hospitals, homes of culture, and other works under inter-kolkhoz jurisdiction.

The laws now in force that cover interkolkhoz organizations, which are already obsolete in many respects, frequently are conflicting; they do not reveal the genuine essence of interkolkhoz ownership corresponding to modern problems, they often restrict without justifiable grounds the legal capacities of interkolkhoz organizations in respect to property, and have been subjected recently to serious criticism in the legal and economics literature. An urgent need has arisen to publish new legislation regulating interkolkhoz relationships and stemming from the resolutions of the December (1959) Plenum of the Central Committee of the CPSU. In this respect, legal personnel who are concerned with problems of kolkhoz law can be of great assistance.

Taking into account the ever growing requirements of kolkhoz construction in respect to money and the gradual rapprochement of kolkhoz ownership with national ownership, including the problems of the internal structure of kolkhoz monetary funds, the Plenum of the Central Committee recommended that kolkhoz current funds be appropriated and set up on the kolkhozes, in addition to the indivisible funds, to carry out normal production activities and also to observe the principle of providing incentives for the kolkhoz peasants in developing a socialized economy. In this connection, legal personnel are faced with great problems in assisting in determining the legal position of this part of the ownership of each individual kolkhoz. In the meantime, the necessity for appropriating such funds from loans because the existing laws do not provide for such funds is still holding up some projects. In fact, neither the Model Regulations for Agricultural Kolkhozes of 1933 nor the previous laws in effect have provided for such funds. However, the practice of kolkhoz construction of the last few years urgently requires that such funds be set up and legal science should actively assist the legal appropriation and formation of such funds.

In the interests of the all-round development of kolkhoz ownership and the further intensive strengthening of kolkhoz economics, the plenum recommended that measures be worked out for each kolkhoz and sovkhos, also in each rayon, for the pre-term fulfillment of the tasks of the Seven-Year Period in respect to the production of grain, meat, milk, and other agricultural products. Ultimately all this should be reflected and stated in concrete terms in the financial-production plans of kolkhozes and sovkhoses.

The problem of further development and improvement in labor on the kolkhozes is one of the great problems of exceptional importance. The fact was hailed at the plenum that a number of oblasts and krays had refused to recruit people from cities and workers settlements for agricultural labor in 1959 and had managed with their own permanent workers from kolkhoz and sovkhos peasants through the wide use of mechanization.

The plenum emphasized that as mechanization increased, the occupational specialization and skills should also increase, not only among the sovkhos workers, but also among the kolkhoz peasants.

The ever increasing amount of machinery supplied to the kolkhozes has already led to the introduction of the appropriate categories of technical skills among the kolkhoz peasants on some of the kolkhozes. Thus, for example, skilled ratings for kolkhoz peasants (master of agriculture of the first class, second, and third classes, et cetera) were awarded by special qualifications commissions on the Kirov Kolkhoz, Kuntsevskiy Rayon, Moscow Oblast'. The initiative of this kolkhoz has now been taken up by several other kolkhozes. All these new things in the practice of kolkhoz building require painstaking study and inclusion in appropriate legislation.

Production norms and pay rates are of great importance in the field of labor relations on the kolkhozes. The Plenum of the Central Committee of the CPSU recognized that as mechanization increases in agricultural production, the skills of the kolkhoz peasants improve, and as labor is better organized, it will be essential systematically to review and establish more progressive production norms and pay rates on the kolkhozes similar to those prevailing in industrial enterprises. At the same time, as the plenum pointed out, the wages paid kolkhoz peasants should not surpass the wage levels of the workers of that rayon or oblast'. The workers and the kolkhoz peasants whose joint labor creates the material wealth of the country should march in step to improve their well-being.

This vital and fundamental position should find legal expression and consolidation first of all in the regulations of the individual kolkhozes. In this connection it has now become necessary, as previously suggested by people from some advanced kolkhozes, to change the procedure for distribution of income on the kolkhozes and to pay wages (simultaneously with settlements with the State) to kolkhoz peasants in accordance with established pay rates; then all remaining income should be turned to public needs. This would bring greater stability into kolkhoz wages, thus increasing their material incentive in kolkhoz production and, at the same time, make possible the growth of collective funds. All these and many other labor problems on the kolkhozes merit further thorough study.

The historic resolutions of the December Plenum of the Central Committee of the CPSU have aroused the working enthusiasm of the Soviet people, an enthusiasm which will serve as a guarantee that the program outlined by the Twenty-First Congress of the CPSU for a sharp improvement in the agriculture of our nation will be fulfilled successfully and ahead of schedule, which in turn will accelerate the march of Soviet society toward communism.