

# N. S. Khrushchev and the 1944 Soviet Family Law: Politics, Reproduction, and Language

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Faced with the demographic catastrophe of World War II, the Soviet Union tried to replace the dead by promulgating the pronatalist Family Law of 1944. The results would be many and varied, both planned and unintended. This article, based on recently declassified Soviet archives, analyzes high-level discussions that preceded issuance of the new law and reveals N. S. Khrushchev, the future Soviet leader, as the measure's author. However, his clear statement of pronatalist goals was covered up by euphemisms regarding protection of mothers and children in all public versions. By comparing the internal and public texts, we can discover much about the interrelationship of reproduction, language, and politics in the postwar USSR.

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In World War II, the Soviet Union went through an unprecedented demographic crisis. It lost 27 million soldiers and civilians, and the sex ratio imbalance deteriorated enormously. The average ratio of men and women of reproductive age reached as low as 19:100 in some rural areas. Furthermore, a large percentage of the Soviet population was dislocated by repeated mass mobilization, evacuation, deportation, and occupation. As a result, many families were broken up. The general reproductive health of men and women also deteriorated due to widespread venereal and gynecological diseases after the war. Malnutrition also played a role.

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The most important postwar response by Soviet leaders to this crisis was the 8 July 1944 law (*ukaz*) of the Presidium of the Supreme Soviet USSR “on increasing government support for pregnant women, mothers with many children, single mothers, and strengthening preservation of motherhood and childhood; on the establishment of the honorary title ‘Mother Heroine,’ the foundation of the order ‘Motherhood Glory,’ and the medal ‘Motherhood Medal.’” Publicly this law was presented as paternalistic state support for mothers and families. Several scholars have pointed out the law’s implicit pronatalist goal, but only anecdotal evidence has supported the claim. This article, based on recent archival findings, for the first time analyzes discussions that preceded the promulgation of the 1944 Family Law and reveals that the law was initially proposed by Stalin’s future successor, N. S. Khrushchev, with the explicit aim to increase the postwar birthrate. The discussion shows that Soviet leaders chose pronatalist policies to revive healthy population expansion, which they understood to be essential to postwar economic and social reconstruction.

Khrushchev’s proposal for a new family law consisted of two documents: the informational note (*spravka*) and the draft *ukaz*. The draft *ukaz* was a proposed law and therefore written for public consumption. The *spravka*, titled “on measures to increase the population of the USSR,” outlined the underlying pronatalist logic and highlighted the acute problems of declining birthrate in the Soviet Union and the need to take decisive action to increase fertility. Because the *spravka* was prepared for top-echelon Soviet leaders, it was written in much more pragmatic language than that of the draft *ukaz*.<sup>1</sup> Both were prepared by Khrushchev in Ukraine and submitted as a set to Molotov in April 1944. My goal is to compare the two documents as texts that frame the same policies in very different language. Soviet leaders

1. Recent studies suggest that Soviet citizens actively learned to “speak Bolshevik” and sometimes even identified themselves with the official language of the regime. However, the case presented here shows top Soviet leaders making a different language choice for their private communications. On this, see Stephen Kotkin, *Magnetic Mountain: Stalinism as a Civilization* (Berkeley: University of California Press, 1995); and Jochen Hellbeck, “Fashioning the Stalinist Soul: The Diary of Stepan Podlubny (1931-1939),” *Jahrbucher für Geschichte Osteuropas* 44:3(1996): 344-73.

discussed reproduction and population increase among themselves but created a coded language of paternalist protection for mothers when they presented the pronatalist policies to a wider public.

This study of a single Soviet law and its consequences allows us to see the many ways in which it is analytically useful to consider reproduction as politics in the Soviet state.<sup>2</sup> In the most general sense, the two documents show that intervention into the population's reproductive practices involved distinct forms of political language. Each legitimated the policies in different ideological terms for different audiences. Equally broadly, reproductive policies created new political realities. As I show, the law instituted the legal category of "single mother" and vastly increased the number of illegitimate births. It forged a new set of gender relations. These consequences led to public protest against the law in the late 1950s.

Finally, reproduction made politics on the individual level as well, when expertise in pronatalist policy helped to advance a political career. Khrushchev's direct involvement in the late Stalinist 1944 Family Law was not widely known, either in Russia or abroad.<sup>3</sup> Khrushchev has most often been seen as the leader of Ukraine during World War II, and many believed that his influence on All-Union politics was minimal. He is not generally considered to have had an interest in family policy. He is often viewed as the initiator of the post-Stalin "thaw," yet in considering reproductive policies, he actively supported Stalinist pronatalism, both before and after the great dictator's death. Neither he, nor those with insider knowledge, ever fully acknowledged his involvement with reproductive policy, probably because of the law's unpopular aspects. Therefore, the final aim of this article is to consider the 1944 Family Law in the context of

2. I draw inspiration and theoretical grounding for this approach from Faye Ginsburg and Rayna Rapp, "The Politics of Reproduction," *Annual Review of Anthropology* 20 (1991): 311-43; and Faye Ginsburg and Rayna Rapp, "Reproduction as Politics," in Susan Gal and Gail Kligman, eds., *The Politics of Gender after Socialism* (Princeton, NJ: Princeton University Press, 2000), 15-36.

3. An important exception is oral interview evidence presented in Peter H. Juviler, "Family Reforms on the Road to Communism," in Peter H. Juviler and Henry W. Morton, eds., *Soviet Policy-Making: Studies of Communism in Transition* (New York: Praeger, 1967), 41, 52.

Khrushchev's political career, showing both why Khrushchev was interested in postwar family policy and what the long-term consequences of his continuing interest would be.

### **Soviet pronatalist policy before 1944**

The Soviet government first articulated pronatalist policies in the mid-1930s in response to the declining birthrate of the early 1930s.<sup>4</sup> Stalin's rapid industrialization and urbanization in the late 1920s and early 1930s drew many women from homes to factories, and the liberal abortion policy of the revolutionary government caused a rise in the number of abortions. Together these explain the falling birthrate.<sup>5</sup> Because of their ideological positions, Soviet leaders did not simply accept the declining birthrate as a natural consequence of their economic and social policies. Soviet leaders believed that as living conditions improved under socialism, workers would have many children, increasing population. Strategic concerns were also important. As in several Western European countries, such as France, Germany, and Italy in the interwar period, in the Soviet Union too, the government considered that depopulation would be negatively reflected in the labor and military force, the very measures of national power.<sup>6</sup>

To fight the declining birthrate, the Soviet government introduced a new family law and banned abortion in 1936. Pronatalist policy promoted reproduction in several ways. First, the ban on abortion was justified as a saving of the lives that would have been aborted under the liberal abortion policy. The antiabortion law was presented not as limiting women's choices but as the result of improved material and cultural life under socialism.

4. For a stimulating analysis that covers the interaction between reproductive practice and declining birthrate in the Soviet village, see David Ransel, *Village Mothers: Three Generations of Change in Russia and Tartaria* (Bloomington: Indiana University Press, 2000).

5. For a comprehensive discussion of urbanization, industrialization, collectivization, famine, political repression, and deportation as causes of falling birthrate in the 1930s, see *Naselenie Rossii v XX veke: Istoricheskie ocherki, tom 1, 1900-1939* (Moscow: ROSSPEN, 2000).

6. David Hoffmann, "Mothers in the Motherland: Stalinist Pronatalism in its Pan-European Context," *Journal of Social History* 34:1 (fall 2000): 35-38; and David Hoffmann, *Stalinist Values: the Cultural Notions of Soviet Modernity, 1917-1941* (Ithaca, NY: Cornell University Press, 2003), 98-100.

Women could now indulge their “natural” urge to reproduce. Abortion was no longer necessary. Second, mothers who had seven or more children received large government subsidies for several years. This policy promoted the ideal of a large family and gave incentives to mothers with several children to have more. Third, the law expanded the network of maternity homes and child care facilities to reduce the burdens of child care for working mothers. Finally, the law created more complex requirements for divorce registration and increased responsibility for child support payment.<sup>7</sup>

Overall, the pronatalist policy of the mid-1930s was structured around the idea of creating incentives for Soviet women of reproductive ages to carry additional children to term. This marked a shift from the revolutionary emphasis on the public health concerns of female reproductive health to an emphasis on increasing fertility and population.<sup>8</sup> The important implication of this shift is that the new family law redefined reproductive roles of men and women in terms of the state pronatalist goals. By this law, reproduction became an important task of Soviet women in their relationship to the state, while the state was to ensure that their male partners shared the responsibility of raising children. The state would also provide a dependable social, legal, and economic environment for child rearing. What was constructed as a result of this legislation was a loose hierarchy of women ranked by their reproductive contribution to the state, as well as a system of rewards for those at the top and punishments for those who contravened. The war put all these issues on a side burner.

7. I use “child support” rather than “alimony” for the translation of the Russian word *alimenty*. For details of the 1936 law, see “O zapreshchenii abortov, uvelichenii material'noi pomoshchi rozhenitsam, ustanovlenii gosudarstvennoi pomoshchi mnogosemeinyim, rashirennii seti rodil'nykh domov, detskikh iaslei i detskikh sadov, usilenii ugolovnogo nakazaniia za neplatezh alimentov i o nekotorykh izmeneniiakh v zakonodatel'stve o razvodakh,” *Sobranie zakonov i rasporiazhenii SSSR* 34 (1936): 509-16. For a detailed discussion of the development of the 1936 Family Law, see chap. 8 of Wendy Goldman, *Women, the State, and Revolution: Soviet Family Policy and Social Life, 1917-1936* (Cambridge: Cambridge University Press, 1993), 296-336. On women's reaction to the 1936 antiabortion policy, see also Sheila Fitzpatrick, *Everyday Stalinism: Ordinary Life in Extraordinary Times, Soviet Russia in the 1930s* (Oxford: Oxford University Press, 1999), 152-55.

8. On discussion of the 1920 law that legalized abortion due to public health concerns, see Goldman, *Women, the State, and Revolution*, 254-57.

With the introduction of the 21 November 1941 decree “on taxing bachelors, single and childless citizens of the USSR,” male citizens joined the reproductive hierarchy. The law was drafted to encourage birth after Khrushchev’s suggestion to Stalin.<sup>9</sup> The law stipulated that the taxes would be subtracted from monthly salaries for practically all childless citizens with only rare exemptions, and the amount of taxes would be class dependent.<sup>10</sup>

By the middle of the war, demographic threats were becoming obvious. The reproductive conditions that caused the low birth-rate differed from those of the 1930s. The defining problems were now the significantly reduced number of citizens of reproductive age and the distorted male-female sex ratio. Soviet leaders used the information on sex ratio to discuss the problem of gender-specific labor shortage in the postwar Soviet Union.<sup>11</sup> They also recognized that the sex imbalance was a reproductive problem. In late 1943 and early 1944, high-ranking Soviet leaders foresaw postwar problems with low birthrate and drafted new decrees that attempted to develop policies to counter it by improving government support for mothers.

In 1943, two draft postwar laws were being prepared within the Soviet government for pronatalist purposes. The first version, titled “on government aid for mothers with many children” went through several drafts under V. M. Molotov, the first deputy chairman of the USSR Council of People’s Commissars, and directed greater government aid to mothers with many children than the level set by the 1936 law. The key criteria were the number of children required for eligibility, the amount of aid, and how long it would continue.<sup>12</sup> The second version, “on measures for improving working and living conditions of pregnant women and nursing mothers,” was submitted by G. A. Miterev, the People’s Commissar of Public Health in October 1943. Unlike Molotov, Miterev aimed at improving living and working conditions for all pregnant and nursing mothers as a way to raise the

9. *Izvestiia*, 9 January 1955.

10. “O naloge na kholostiakov, odinokikh i bezdetnykh grazhdan SSSR,” ukaz ot 21 noiabria 1941, in *Vedomosti verkhovnogo soveta SSSR* 42 (20 December 1941), 3.

11. RGASPI (Rossiiskii gosudarstvennyi arkhiv sotsial’no-politicheskoi istorii) f. 82, op. 2, d. 538, ll. 41-42.

12. RGASPI f. 82, op. 2, d. 387, ll. 18-34.

birthrate. Miterev attributed low birthrate during the war to the general decline in the reproductive health of mothers, as reflected in the high rate of premature births.<sup>13</sup> A combination of Molotov's and Miterev's priorities was being finalized when N. S. Khrushchev's proposal arrived from Kiev.

### **The informational note and draft *ukaz*: The politics of reproduction**

With Khrushchev's project, the conceptualization of postwar pronatalist policy diverged from earlier versions. Khrushchev's vision, while keeping elements of previous drafts, was radically different in that it defined even women and men with one child as insufficiently fertile, that is, taxable. Instead of trying to create ideal large families, Khrushchev focused on the pragmatic task of convincing small families, the vast majority, to have just one more. Nonfulfillment of this obligatory participation was subject to punitive taxation, regardless of a given citizen's reproductive capabilities, "because this tax also allows for the participation of childless citizens in the state expenditure for raising the new generation."<sup>14</sup>

This extreme emphasis on fertility and population increase led to a redefinition of the notion of legitimate site of reproduction. In previous Soviet family laws, all children were identified with the mother and father, suggesting that the site of legitimate reproduction was a sexual union between a woman and man, who would subsequently take responsibility for child rearing together.<sup>15</sup> In the new project, two legitimate sites for reproduction were created. One of them was an officially registered conjugal relationship where child rearing responsibilities would be shared by the man and woman. The other site was single motherhood, where only the mother, with state aid, was responsible for child rearing. The single mother's sexual partner had no legal responsibility or obligations. The legitimization of single mother-

13. RGASPI f. 82, op. 2, d. 387, ll. 35, 38-39.

14. GARF (Gosudarstvennyi arkhiv Rossiiskoi Federatsii) f. 8009, op. 1, d. 497, 1.172.

15. The identified parent did not have to be a genetic relative.

hood as the site of reproduction was one of the most significant outcomes of postwar reproductive politics.

New sites also implied new, gendered roles. Women were expected to be mothers, regularly, often, and without fail. At both sites, aid would be provided, either by the husband or, in his absence, by the state. The pronatalist government wanted all Soviet men of reproductive ages to marry, form stable families, and take up the responsibility of raising many children. But men were asked to fulfill a second task as well, impregnating unmarried women. By sanctioning adultery, a systemic requirement, implied but never stated in even Khrushchev's frankest moments, the Soviet government undermined its simultaneous desire for stable families. In the process of categorizing citizens and establishing new privileges/punishments to maximize the number of births, the 1944 law inculcated a specific set of postwar gender relations.

Khrushchev's proposal consisted of two documents; the informational note (*spravka*) "on measures for increasing the population of the USSR" and the draft *ukaz* "on measures to increase governmental support for women in childbirth and mothers with many children, and reinforcement of the protection of motherhood and childhood." The titles themselves are clear proof that the party's actual intentions would diverge widely from the public presentation. The *spravka* described the urgent need for the postwar Soviet Union to take measures for increasing the birthrate and explained the logic of the new pronatalist policy. The language used in this document openly discussed obligatory participation in reproducing population and the need to encourage unmarried women to give birth. I call this type of language, which expresses the intention of changing reproductive practice, a language of reproduction. In contrast to the *spravka*, the draft *ukaz* listed new measures for the protection of motherhood to be made law without articulating the pronatalist logic behind the legalistic text. It also obscured the focus on single mothers. One might call this "motherist" language.

Because reproductive language expressed highly controversial concepts such as reproductive responsibility, out-of-wedlock birth, child support, paternity identification, and divorce procedure, the

internal document (*spravka*) also introduced obfuscations to show how the new policy could be presented as the outcome of positive intentions by a paternalistic state. The most striking use of such legitimizing language appeared with regard to single mothers, whose loss of the rights to child support and to register children under the father's name, was described as a newly gained "freedom."<sup>16</sup> By the same twisted logic, barriers to prevent the married from divorcing or common-law couples from obtaining legal recognition were now labeled "strengthening the family [*ukreplenie sem'i*]."

To demonstrate how the reproductive language of the *spravka*, which was used only internally within the higher echelon of Soviet leadership, was replaced with motherist language in the draft *ukaz*, intended for broader consumption, I compare the two texts on three key themes: (1) reproduction as civic responsibility, (2) encouragement of out-of-wedlock births, and (3) strengthening families.<sup>17</sup>

## 1. Reproduction as civic responsibility

### *Spravka*

As discussed above, Khrushchev's pronatalist project considered reproduction a civic responsibility. The *spravka* explained how many children a citizen must produce, as well as what the advantages and disadvantages would be for those who did and those who did not. First, Khrushchev set the quota at two children. To encourage women to have more than two, the government aid for mothers with many children would begin when a mother bore a third child.

In order to encourage procreation [*poosbchreniie detorozhdeniia*], it is necessary to establish payment of governmental subsidies to those mothers as well, who having two children, give birth to a third, thus entering on the path to reproducing the population [*vstupili na put' vosproizvodstva naseleniia*].<sup>18</sup>

16. GARF f. 8009, op. 1, d. 497, l. 167.

17. The draft *ukaz* is a terser document, filled with eloquent silences, which is why my sections explicating the *spravka* are longer.

18. GARF f. 8009, op. 1, d. 497, l. 165.

For the third child, one-time government subsidies would be provided at birth. In addition, monthly subsidies would be provided for five years, beginning from age two.<sup>19</sup> Thus, the award for exceeding the reproductive quota would begin when a citizen replaced herself, her spouse, and then made an addition toward population growth.

There were some important qualitative differences between the Khrushchev proposal and the previous projects for increasing government aid to mothers. Khrushchev and those who studied reproductive politics thought that glorification of the large family was not sufficiently effective (*nedostatochno effektivno*) for the goal of stimulating (*stimuliruiushchee znachenie*) population increase.<sup>20</sup> The new definition of mothers with many children as mothers with three or more children directly reflected the demographic thinking of the policy makers who considered that regeneration of the Soviet population was possible when the average number of children per woman of reproductive age exceeded two.<sup>21</sup>

Punishment for those who did not fulfill the reproductive quota took two forms, taxes and prison sentences. Khrushchev's *spravka* was clear on how to finance additional subsidies for mothers and children following the logic of the tax on insufficiently fertile citizens decreed in 1941.<sup>22</sup> This wartime law, suggested by Khrushchev to Stalin, penalized all childless adult citizens, excepting only military personnel, students, and people who could not have a child for health reasons.<sup>23</sup> The need for

19. The suggested "birth bonus" for a third child was 500 rubles. For the fourth child and up it ranged between 1,500 and 5,000 rubles. GARF f. 8009, op. 1, d. 497, l. 165.

20. GARF f. 8009, op. 1, d. 497, l. 165.

21. Another way in which the postwar policy of increasing maternal privileges differed from the prewar policy was that the postwar policy was prepared to treat women's reproductive work (childbirth) on a par with productive work. This notion was expressed in two ways. First, the project proposed to provide double rations to pregnant women after the sixth month of their pregnancy and all breastfeeding mothers during the entire period of lactation. Second, nonworking mothers with more than four children, who in the past were not eligible for rations, were to be given a ration card equivalent to the normal portion of bread and other foodstuffs for a worker. These proposals suggest a significant shift in the conceptualization of legitimate Soviet citizenship in that Soviet leaders were prepared to consider housewives' (nonworkers') fertility as valuable as the productive work of female workers. GARF f. 8009, op. 1, d. 497, l. 169.

22. *Izvestiia*, 8 January 1955.

23. "O naloge na kholostiakov, odinokikh i bezdetnykh grazhdan SSSR." The *spravka* refers to the discussion prior to the 1941 law. See GARF f. 8009, op. 1, d. 497, l. 171.

additional resources and the justification of new taxes were combined to generate the idea that all citizens must participate in the state project to replace the dead. To increase revenue, Khrushchev reduced the number of exempted categories. Only pensioners without additional sources of income and military actually at the front killing enemies would be exempt. Since there were more male than female military personnel eligible for exemption, the new exempt categories for the childless would apply primarily to men. Students were the only young women to be exempted from these taxes, as defined in the draft *ukaz*.

Khrushchev's *spravka* stated that those who had only one child would also be taxed one-third of the burden imposed on the childless. Low birthrate was not only about the barren (*bezdetnost'*), but also about family planning practices that limited the number of children in the family to one. The *spravka* considered this practice harmful both for population stability and growth. The new focus on one-child families created material disadvantages (*material'nye nevygody*) for the insufficiently reproductive (*malodetnykh suprugov*), while stressing the negative views "of the government and society [*obshchestvennost'*] toward the one-child family [*ogranicheniiu sem'i odnim rebenkom*]."<sup>24</sup> Additional penalties for unlicensed production of contraceptive devices and substances were also recommended.

According to Khrushchev, incarceration was the answer to women's antireproductive behavior. First, the *spravka* intensified punishment for "crimes against the health and life of mothers and children," code words for abortion and infanticide. The project proposed to increase jail terms for both abortionists and women who seek abortion, as well as to intensify medical surveillance over suspected abortion and hemorrhage cases to improve reporting to investigative authorities.<sup>25</sup> The *spravka* explained

24. Taxing one-child families was not only a financial measure, since the policy maker did not know the existing number of one-child families. Interestingly, these measures can also be seen as an incentive for young men to marry, since only children sired in registered marriage would count. Women could satisfy the law with out-of-wedlock children, too. GARF f. 8009, op. 1, d. 497, l. 174.

25. Under the new project, doctors would be sentenced to prison confinement for three to five years. Abortionists without special medical training would receive a five- to ten-year prison sentence. GARF f. 8009, op. 1, d. 497, l. 177.

that the growing number of underground abortions was particularly alarming “not only because the birthrate has significantly decreased, but also because we have lost many women who were physically healthy and capable of procreation.”<sup>26</sup> The post-war proposal to increase punishment for abortion was partially based on the recognition that the 1936 antiabortion law had failed to stop abortion. Khrushchev also defined “crimes against the dignity of mothers and children” as activities that would cause moral and material difficulties, which would in turn discourage women from child rearing. Such activities included firing pregnant women from workplaces, reducing salaries on account of their pregnancy, or insulting or humiliating unmarried mothers. Those who committed such crimes would also be deprived of their freedom.<sup>27</sup>

In such a threatening environment for single mothers, Khrushchev even foresaw the need for preventative incarceration. In addition to a general expansion of child care and maternity facilities, the project proposed to organize special rest homes for single mothers and weakened nursing mothers. Such a measure was considered necessary, because it was believed that single women were often unable to give birth to a child in their place of residence because of hostile family relations or bad living conditions and that they should therefore temporarily go to a different place during pregnancy, childbirth and postpartum recovery. Leaving single mothers alone in questionable conditions was harmful because they often “place[d] their children with relatives and abandon[ed] them, and sometimes even kill[ed] them.”<sup>28</sup> From the description of the project, it is clear that the major function of such homes for single mothers was not glorification of single motherhood. Rather, it was to facilitate a system of monitoring single mothers to “remove such phenomena [*ustranit’ podobnye iavleniia*]” as abortion, infanticide, and/or abandonment. This is why the medical control commission (*vrachebno-kontrol’naia*

26. GARF f. 8009, op. 1, d. 497, l. 175.

27. GARF f. 8009, op. 1, d. 497, ll. 178-179.

28. GARF f. 8009, op. 1, d. 497, l. 169.

*komissii*), rather than maternal request, would determine who should stay in these facilities and for how long.<sup>29</sup>

#### *Draft ukaz*

The draft *ukaz* did not provide background information for the new reward and punishment systems. It never explicitly mentioned the notion that Soviet citizens had an obligation to contribute to population growth and that they were subject to privileges or punishment depending on their reproductive performance. It did not explain why even citizens with one child should be taxed, in addition to the childless. Instead, it introduced the new system of rewards for fertile women as increased government aid to mothers. New penalties, such as the tax for insufficiently infertile citizens and expanded punishment for abortion, infanticide, and wounding the dignity of women, were simply included as such. Deliberate exclusion of such justificatory information is significant, because it allowed the policy makers to present the new project as a gift from the benevolent state to mothers. The source of funding, tax revenues from insufficiently fertile citizens, was not mentioned.

The draft law obscured the punitive nature of new tax measures by calling them “amendments to the law ‘on taxation of bachelors, single women, and childless citizens of the USSR,’ ” rather than “on increasing taxes on bachelors, single women, the childless, and people with few children [*malodetnye*]” as in the *spravka*. Here the title in the draft *ukaz* avoided mentioning the tax increases (*uvelichenie*) by using the word change (*izmenenie*) instead. The *spravka*’s title emphasized the inclusion of citizens with one child as new taxpayers. In contrast, the title of the draft *ukaz* did not include people with few children as new taxpayers. Nonetheless, in the article the draft *ukaz* included the new provision for the taxes on “parents who have only one child [*roditeli, imeiushchikh tol’ko odnogo rebenka*]” and demanded one-third of the amount of taxes for the childless.<sup>30</sup>

29. GARF f. 8009, op. 1, d. 497, l. 169. The medical control commission referred to here is probably the same commission that decided which pregnant women would qualify for clinical abortion.

30. GARF f. 8009, op. 1, d. 497, l. 191. The final draft that became law went one step further to tax two-child families as well.

The section on taxes of the draft *ukaz* for the insufficiently fertile does not mention why certain categories of citizens were exempt from taxes and why others were not. The draft *ukaz* simply listed two categories of exempt citizens. The addition of students (up to twenty-five years old for male students and up to twenty-three years old for female students) in middle schools and higher educational institutions, indicated the primary importance of youth education for postwar reconstruction.<sup>31</sup>

Most important, punishment for women who committed underground abortion was increased from public censure or fines to three- to five-year prison terms. The draft *ukaz* also set a two-year prison term for those who insult or humiliate mothers, “especially women who are not married [*zhenshchiny, ne sostoiashchei v brake*], in relation to her pregnancy or the birth of her child.”<sup>32</sup> This was the only instance where the draft *ukaz* specifically referred to single mothers as unmarried, but still without using the standard term, *odinokaia mat’*.

## 2. Encouragement of out-of-wedlock births

### *Spravka*

One of the most significant divergences of the postwar from the prewar pronatalist project were inducements for women without husbands to reproduce. Khrushchev stated,

The question of stimulation of procreation among women who are not married for one reason or another (widows of those who died in the war and unmarried girls) has special significance at the present moment and in the approaching postwar period.<sup>33</sup>

The collapse of the distinction between war widows, respected members of the community entitled to government support as bereaved wives, and unmarried mothers, stigmatized or tolerated at best, was possible only in the context of reproductive politics. These two groups, the polar extremes of female respectability,

31. GARF f. 8009, op. 1, d. 497, l. 190.

32. GARF f. 8009, op. 1, d. 497, l. 192.

33. GARF f. 8009, op. 1, d. 497, l. 166.

now formed a single category of women for policy makers focused on the state's great reproductive task. The *spravka* argued that women without husbands would give birth, if they had the means. In public—in the *ukaz*—the new law would indulge in linguistic subterfuge: single mothers are only mentioned once.

Even during the war, there was an increased number of women demanding child support from their male sexual partners. In the prewar period, the Soviet government had already experienced the limitations of a child support system that was unable to ensure the welfare of children when too many fathers refused to pay child support. The result was an increase in the number of neglected and abandoned children.<sup>34</sup> From the perspective of raising rates of childbirth, it was also harmful because mothers left with children without child support were unlikely to have additional children. Moreover, in cases where fathers provided child support for children from earlier relationships, they were likely to limit the number of children in the new family. Thus, the existing system of child support was doubly problematic for motivating citizens to procreate.

Khrushchev's project proposed a system with a different pattern of rewards and punishments. The key step was the provision of government aid to single mothers. Because of the state's full involvement in raising out-of-wedlock children, women would not have to be afraid of getting pregnant, and male partners would not have to be afraid of impregnating their sexual partners. Thus, the new project was designed to encourage both men and women to have nonconjugal sexual relationships that would result in procreation.

The project's description about the end of child support was written to show that the primary intention of the Soviet government was the protection of mothers, not an increase in nonconjugal relations. The first example of this is that the new project described governmental aid to single mothers as a policy

34. See "Absconding Husbands" in Fitzpatrick, *Everyday Stalinism*, 143–47. Mothers also left children and had to pay child support. However, in the Soviet discussion of child support, it is generally assumed that it is the father who leaves the family and is therefore responsible for child support.

that would “free women from claiming child support from the child’s father [*osvobodit’ ot vzimaniia alimentov s ottsa rebenka*].”<sup>35</sup>

Another example is found in the way the project characterized the new system of supporting single mothers after the end of child support. Once single mothers could not expect to receive child support from their male partners, the Soviet state was to give single mothers the option of either receiving government aid for child rearing or of sending the child to an orphanage without paying any fees. The goal of this measure was described as “alleviating single women’s burden in bringing up a child,” and thus, “cannot be applied to women still seeking child support from their husbands.”<sup>36</sup>

Despite some language that suggests the state’s primary concern for women’s well-being, the overall logic makes it clear that the new project wants women not to seek child support from their husbands. The possibility that a single mother might want to receive child support from her partner rather than the government for reasons other than financial was never considered in this policy statement. Monthly payments of 150 to 300 rubles, depending on the number of children, were meant to match the amount of child support a single mother would receive from a father who made the average Soviet wage, 600 rubles per month.<sup>37</sup>

#### *Draft ukaz*

In contrast to the *spravka*, the draft *ukaz* did not want to make obvious the centrality of single mothers. Neither the title of the law, nor section titles, included the term “single mother [*odinokaia mat’*].” While increased material support for mothers with many children remained as one of the clearly stated goals, the focus on single mothers was obscured in the language of the draft *ukaz*.<sup>38</sup> This obscuring of the focus on single mothers is also

35. GARF f. 8009, op. 1, d. 497, l. 166.

36. GARF f. 8009, op. 1, d. 497, l. 166.

37. GARF f. 8009, op. 1, d. 497, l. 167. Khrushchev’s goal was to provide sufficient aid to single mothers, but the allocations were cut substantially even before the draft became law and again three years later.

38. GARF f. 8009, op. 1, d. 497, l. 185.

reflected in the fact that such descriptive expressions as “mothers not in marriage [*materi ne sostoiashchimi v brake*],” “women who are not in marriage for one reason or another [widows of those who perished in the war, girls who have never been married],” “single mothers not in marriage [*odinokie materi, ne sostoiashchikh v brake*],” or “mothers who have a child outside of conjugal relations [*materi, imeiushchei rebenka ot vnebrachnoi svyazi*]”<sup>39</sup> were not used in the draft *ukaz*, except for one instance.<sup>40</sup> Instead, the draft *ukaz* used “single mothers [*odinokie materi*]” to refer to all of the above.<sup>41</sup> This word choice is most likely strategic, because “single mother [*odinokaia mat*]” in popular usage generally included war widow-mothers, whereas the *spravka* clearly used “single mothers” to mean women without husbands who give birth to a postwar child. This suggests that Soviet policy makers were aware that the new policy on single mothers could become controversial.

The first two articles were specifically about single mothers’ new privileges: entitlement to state aid and the right to leave children in orphanages, while only the third article was about the loss of their previous right “to appeal to the court with regard to establishing paternity and levying child support from non-registered marriage.”<sup>42</sup>

Article Four further clarified the new status of mothers in nonregistered marriages and their children. The birth of a child “outside of the registered marriage [*rozhdenie rebenka ot nezaregistrirovannogo braka*]” would be recorded “under the family name of the mother with her choice of patronymic [*po familii materi s prisvoeniem emu otchestva po ukazaniiu materi*].”<sup>43</sup> In “exchange” for new government aid, single mothers gave up the rights of asking for child support and using fathers’ names on birth registration. Unlike the *spravka*, the draft *ukaz* provided no clear rationale for changes in single mothers’ status.

39. GARF f. 8009, op. 1, d. 497, ll. 164, 166, 167, 178, 179.

40. The phrase “women who are not married [*zbenshchiny, ne sostoiashchei v brake*]” was used in the discussion of crimes against the dignity of mothers in the draft *ukaz*. GARF f. 8009, op. 1, d. 497, l. 192.

41. GARF f. 8009, op. 1, d. 497, l. 185.

42. GARF f. 8009, op. 1, d. 497, ll. 185-186.

43. GARF f. 8009, op. 1, d. 497, l. 186.

Regarding the “additional measures for organizing institutions for the protection of motherhood and childhood,” the draft *ukaz* concealed the fact that such institutions were mainly for improved surveillance of single women. It also treated the establishment of special rest homes for single mothers and weakened nursing mothers as an aid to “needy pregnant single women [*nuzhdaiushchikhsia beremennykh zhenzhin-odinochek*],” rather than “needy single mothers [*nuzhdaiushchikhsia odinokikh materei*]” as in the *spravka*, implying that the important qualification was not single motherhood, but pregnancy.<sup>44</sup>

### 3. Strengthening families

#### *Spravka*

The *spravka* characterized the goal of the new policy toward marriage as “further strengthening the family [*v tseliakh dal’neisbego ukrepleniia sem’i*].”<sup>45</sup> The concept of “strong family” presented here is not about strengthening emotional ties among married couples and family members.<sup>46</sup> On the contrary, strongly affective conjugal bonds might inhibit the state’s key goal, since, statistically, maximization of birthrate required that adult males impregnate more than one female partner. What the project tried to enforce was the social, legal, and economic institution of marriage as a distinct and stable unit where various rights and obligations were clearly defined.

In the postwar period, to provide government aid to single mothers and fatherless children, but not for two-parent families, the state needed to create a clear boundary between the two types of family. In addition, the state preferred marriages to be permanent to prevent subsequent reallocations of child care resources and responsibilities, followed by runaway costs at state expense. The fluidity of prewar conjugal relations illustrated this potential danger. If fathers (or married mothers) proved truant in

44. GARF f. 8009, op. 1, d. 497, ll. 169, 188.

45. GARF f. 8009, op. 1, d. 497, l. 180.

46. GARF f. 8009, op. 1, d. 497, l. 181. The Soviet government first promoted “strengthening” the family in the mid-1930s. David Hoffmann argues that in the mid-1930s the rhetoric of “strengthening the family” was used to promote familial obligations, while depriving the family of autonomy. Hoffmann, *Stalinist Values*, 108.

large numbers, too many unplanned maternal claims would be made on state aid and the postwar system would collapse. Even “good” divorced fathers who provided child support would still be less inclined to have additional children in later marriages. Provision of aid to single mothers forced the state to erect high barriers to divorce.

The same key measures that created single mothers also formalized the clear distinction between single-mother and two-parent families, namely, changes in the definition of marriage and birth registration. After 1944, only registered marriage would be legally binding. As a corollary, only legal wives could register their children under the patronymic and family name of the father. The *spravka* states that “only registered marriage generates rights and obligations between spouses.” With this narrow definition of legal marriage, the government could easily identify single mothers and provide child care support, while their male partners would assume no responsibility for child rearing. Similarly, the government could easily identify two-parent families, now fully responsible for their own child care. To make marital status easily identifiable, the project suggested the addition of a new passport page to include information about the place and time of marriage registration, as well as the name, patronymic, and family name of the spouse in all internal passports. To enforce new restrictions on marriage, the *spravka* also proposed three-year prison sentences for those who entered a new marriage while being registered with another partner, and five-year sentences for those who neglected their child care responsibilities. This suggested the greater importance of child care responsibilities over marriage.<sup>47</sup>

47. On penalties and passports, see GARF f. 8009, op. 1, d. 497, l. 181. This new policy toward marriage would mark a radical shift from the revolutionary family policies of the late 1920s which legally recognized nonregistered marriage. The 1926 Family Law had changed the 1918 Codex that recognized only registered marriage as legally binding, because lawmakers realized that *de facto* marriage without registration was preventing many women from getting child support from their male partners. The direct cause was child support, but a significant side-effect was that marriage became an institution defined by individual practice. As long as the mother had full control over identifying the father of her child through birth registration, unmarried status was a matter of maternal choice, and all children had officially recognized fathers in the prewar Soviet Union. See Goldman, *Women, the State, and Revolution*, esp. chap. 3.

The primary change in divorce policy also involved the stabilization of marriage as a social, legal, and economic institution for raising children. The *spravka* condemned those who desired divorce as being “frivolous [*legkomyslennoe*] toward family and family responsibilities.” It mandated “increased material expenditures for the breakup of conjugal relations” and a series of embarrassing, public “formalities.” The new procedure for divorce would become (1) submit a petition to the court about intention to divorce accompanied by a payment of 100 rubles; (2) summon spouse and witnesses to the court; (3) publish the announcement of filing a divorce in a local newspaper at the expense of the plaintiff; (4) go through mediation and, if unsuccessful, a court investigation which would assign postdivorce child care responsibilities; (5) pay 300 to 1,000 rubles to register the divorce at ZAGS (Zapisi aktov grazhdanskogo sostoianiia [civil register office]); and (6) make a note about the divorce in both spouses’ passports.<sup>48</sup>

#### *Draft ukaz*

The draft *ukaz* is spare in its treatment of issues regarding the strengthening of the family. In fact, the text is so economical that almost no explanations are provided. Even the legitimizing value of “strengthening the family” is ignored. The phrase disappears in Khrushchev’s draft only to resurface as “one of the most important tasks of Soviet government” in the very first sentence of the actual Family Law as published on 8 July 1944.<sup>49</sup> The description of those seeking divorce as “frivolous” is also missing, although the new jail sentences and the addition of a page to the Soviet passport, a central tool of social control since 1932, were confirmed.<sup>50</sup>

Thus, the draft *ukaz* kept silent about reproducing population. The key reproductive novelties Khrushchev introduced in the *spravka* were masked by euphemistic language. “Single mothers” and their illegitimate children were never named as such.

48. GARF f. 8009, op. 1, d. 497, ll. 181-183.

49. *Sbornik zakonov SSSR, 1938-1956* (Moscow, Gosudarstvennoe Izdatel'stvo Luridicheskoi Literatury, 1956), 383.

50. GARF f. 8009, op. 1, d. 497, l. 193.

The universal obligation of all Soviet citizens to procreate, the suppression of the child support system, and the need for close surveillance of single mothers because of their tendency to perform antireproductive actions were all left unmentioned. Measures to this effect remained quietly unexplained in the draft *ukaz*. The terms of the law created an imperative for men, both single and married, to impregnate millions of women, many of whom became the “new single mothers” of the postwar era.<sup>51</sup>

### **Khrushchev and the 1944 Family Law**

In 1894 Nikita S. Khrushchev was born into a peasant family in Kurskaia oblast'. He moved to the Donbass region of Ukraine with his family in 1909, when his father decided to work in the mines. Khrushchev himself worked as a metal fitter there.<sup>52</sup> After participating in the Civil War, he went back to the Donbass mines and worked as an administrator after 1920. He climbed up the party structure in Donbass and then Kiev. In 1928 he became the deputy chief of the Department of Organization at the Central Committee of the Communist Party of Ukraine. In 1929 he moved to Moscow to study at the Industrial Academy and took up various party positions there. After working in Moscow for several years, most memorably as the builder of the subway, he was sent back to Ukraine in 1938 as the first secretary. During the war and German occupation, he stayed in Ukraine as a member of the military council. After the war, he was the chairman of the Council of People's Commissars of Ukraine between 1944 and 1949.<sup>53</sup> He devoted himself to the postwar reconstruction of Ukraine until 1949, when Stalin suddenly recalled him to Moscow to head the Moscow party organization.<sup>54</sup>

51. For an extensive discussion of the “new single mother,” see Mie Nakachi, “Replacing the Dead: The Politics of Reproduction in the Postwar Soviet Union, 1944-55” (Ph.D. dissertation, University of Chicago, 2006), chap. 4.

52. Nikita S. Khrushchev, *Khrushchev Remembers: The Last Testament*, Strobe Talbott, trans and ed. (Boston: Little, Brown, 1974), 148n.

53. The Council of People's Commissars was renamed as Council of Ministers in 1946.

54. V. I. Ivkin, *Gosudarstvennaia vlast' SSSR: vyssbie organy vlasti i upravleniia i ikh rukovoditeli 1923-1991* (Moskva: ROSSPEN, 1999), 578; and Khrushchev, *Khrushchev Remembers*, 93-95. This brief biography is not meant to suggest that Khrushchev's career ran smoothly upward. For example, between 1947 and 1949, he was removed from his party positions in Ukraine and replaced by L. M. Kaganovich.

The rise of Khrushchev's political career is linked to reproduction in important ways. Khrushchev's postwar work of reconstruction had to deal with the significant reduction of the Ukrainian population, both young and old. World War II, the subsequent battles between Ukrainian nationalist and Soviet forces, and emigration all contributed to these losses. The fall in population would cause decline not only in the present but also the future labor force of Ukraine. As the historian of Soviet labor policy, Donald Filtzer, shows in his study of labor in the USSR in the late Stalinist period, the postwar Soviet government dealt with the immediate problem of labor shortage by recruiting and organizing demobilized soldiers and young people (often by force) and using convicts.<sup>55</sup> The issue of long-term labor supply, however, depended on the level of birthrate. Khrushchev was aware of the impact of demography on future economic development. Already in 1941, he suggested to Stalin a tax on the childless as part of the Soviet Union's reproductive policies for population increase.<sup>56</sup> Stalin, who was acutely aware of the correlation between size of population and level of economic development, accepted the policy to encourage childbirth.<sup>57</sup> The proposal resulted in the All-Union law of November 1941. Khrushchev understood that to secure a long-term growth of the labor force, increased birthrate was necessary. However, the prospects were grim on account of a shortage of men of reproductive ages and the deteriorated sex ratio, especially in rural areas.

Khrushchev, whom the Yugoslav leader Milovan Djilas described as "the only one among the Soviet leaders who delved

55. Donald Filtzer, *Soviet Workers and Late Stalinism: Labour and the Restoration of the Stalinist System after World War II* (Cambridge: Cambridge University Press, 2002). 13-40. Chapter 2 is particularly useful in understanding how the postwar Soviet government tried to solve the problem of labor shortage.

56. Khrushchev's speech reported in *Izvestiia*, 8 January 1955.

57. In 1939, Stalin stated that "the population of the Soviet Union is 170 million, and the population of England is no more than 46 million. Economic capacity/power [*mosbchnost*] is indicated not by volume of industrial product as a whole, without regard to the country's population, but by the size of the demand for this product per capita [*na dusbu naseleeniia*] . . . the more population there is in a country, the more there is demand for consumption goods, which means all the more industrial production for such a country." Stalin's speech at the 18th Party Congress on 10 March 1939. I. V. Stalin, *Sochineniia* t.1 [XIV] 1934-1940, ed. Robert H. McNeal (Stanford, CA: Hoover Institution on War, Revolution, and Peace, 1967), 350.

into detail, into the daily life of the Communist rank and file and the citizenry,” understood that the dire condition of Ukrainian demography, health, family, and living environment was not favorable for increasing the birthrate and that comprehensive policies were necessary to change birthrate prospects in Ukraine.<sup>58</sup> The Ukrainian leader also understood that the Soviet Union as a whole faced similar problems and therefore addressed his reproductive policies to the Soviet leaders in Moscow. Maybe it was Stalin who suggested the drafting of such a plan, but the need was fairly obvious, as the circulation of other drafts shows. After nearly ten years in Moscow, Khrushchev would certainly have recognized this as a political opportunity. He would not miss it. On arrival in Moscow, Khrushchev’s draft law immediately became the center of attention. In the three months until its promulgation, several versions circulated at the highest levels of the Communist Party and the Soviet bureaucracy, with each entity adding or subtracting its pound of flesh.<sup>59</sup>

In 1948, Khrushchev’s initiative again commanded attention, as his proposal to Stalin for the “deportation out of Ukraine SSR of individuals consciously avoiding labor in agriculture and leading an anti-social and parasitic way of life” was taken up as the basis for a similar All-Union law promulgated in June. In this case, it was Khrushchev himself who wrote to Stalin in April 1948 arguing for application of his Ukrainian measures “to the RSFSR and to other republics.” With his work on issues involving peasants, agriculture and demography, Khrushchev had carved out his specialized niche at the All-Union level.<sup>60</sup> Of course, when he was recalled to Moscow in 1949, it was as much a matter of rebalancing the Politburo after the latest purge, but it can also be argued that only his All-Union significance gave him enough

58. Milovan Djilas, *Conversations with Stalin*, trans. Michael Petrovich (San Diego, CA: Harcourt Brace, 1962), 122.

59. On this last lap to promulgation, see Nakachi, “Replacing the Dead,” chap. 2.

60. For Khrushchev’s “unwavering attention” to agricultural problems, see Roy Medvedev, *Khrushchev* (New York: Doubleday, 1983), 46. For his attack on the *izbepolkbozniki*, see Jean Levesque, “Part-Time Peasants: Labour Discipline, Collective Farm Life, and the Fate of Soviet Socialized Agriculture after the Second World War, 1945-53” (Ph.D. dissertation, University of Toronto, Canada, 2003), 120 ff. I would like to thank Mark Edele for drawing my attention to this thesis. It should also be kept in mind that knowledge of peasant affairs was automatically of demographic value in a country where more than half the population was rural. In 1950, only 38.9 percent of Soviet citizens were urban. *Naselenie Rossii*, t.2, 198.

political heft for Stalin to use him as a counterweight to G. M. Malenkov and L. P. Beria, after the demise of N. A. Voznesenskii and A. A. Kuznetsov.<sup>61</sup>

After Stalin's death, Khrushchev would continue to be known as the country's most influential specialist on agriculture. His trademark campaign to develop the Virgin Lands (*tselina*) in Central Asia would only confirm this reputation as he gradually ousted or overshadowed the other members of the collective leadership to reach primacy in 1957. In contrast, Khrushchev's intimate involvement with demography was almost never mentioned again. Neither at party plenums nor in the press was his key role in drafting the 1944 Family Law addressed. And yet, in the inner circles of the top *nomenklatura*, it was well known that the leader had a clear conception of how to mobilize population in the service of power. For those whose main interest was the acquisition, retention, and maximization of influence in both the national and international arenas, this could only make Khrushchev's star shine more brightly. In this sense, his politics of reproduction served him well, though it is hard to measure the effect. And nonetheless, an unbroken silence surrounded the paramount leader's tie to reproductive issues, while the enduring impact of his initiatives produced society-wide consequences, intended and unintended.

### **Consequences of the law**

The effects of the 1944 Family Law ran deep and wide, touching millions for decades. During the war, mobilization took tens of millions, mainly men, away from their families. Evacuations moved tens of millions more away from the front lines, making it difficult for families to maintain contact. In the new environment, both women and men formed sexual unions of convenience and desperation seeking solace and support amidst the horrors and anxieties of war. New families were the result. The war destroyed

61. Yoram Gorlizki and Oleg Khlevniuk, *Cold Peace: Stalin and the Soviet Ruling Circle, 1945-53* (Oxford: Oxford University Press, 2004), 89-92. This work examines Politburo/Presidium infighting in bloody detail to show how Stalin's machinations created the embryo of the collective leadership that would succeed him.

the social landscape both at the front and in the rear. Many families went without fathers, for most of the able-bodied males were fighting or dead. But until 1944 there were no “single mothers,” for every mother could name the father of her children and make claim on him for financial support.

The 1944 Family Law changed this, by adding the category of *de jure* “single mothers” to the preexistent *de facto* ones. Demography and the 1944 law shaped people’s decisions and desires about postwar marriage and family. Demobilized men who had prewar families but had formed new liaisons often did not want to return to their old households. If the prewar marriage was common-law, they were free to remarry although the financial responsibility for earlier children remained. On the other hand, if they had registered prewar relationships, then they were now subject to new stricter divorce laws.

As millions of demobilized men abandoned their former families, they created “single-mother” families. The surplus of postwar women made it easy to find new partners, but even a superficial reading of the 1944 law sufficed to discourage marrying intentions in many males. In a world without contraceptives, this was a simple recipe for more “single mothers,” a recipe that could be repeated many times over. The varied life courses described above produced millions of “single mothers” and illegitimate children. Complete Central Statistical Bureau (TsSU) data for 1945 to 1955 show 8.7 million illegitimate births.<sup>62</sup> Partial data suggests similar rates until the late 1960s, when changes in registration practices made identification of illegitimacy more difficult.<sup>63</sup> Abortion rates also skyrocketed.<sup>64</sup>

62. See Nakachi, “Replacing the Dead,” chap. 4.

63. The 1968 All-Union Basic Family Code made it possible for paternal information to be entered by unmarried mothers into children’s birth certificates and ZAGS documents. Actual last names and patronymics could be used with paternal consent or by court order. Alternatively, mothers could use their own last name, in the masculine gender. In either case, no damning blanks would be immediately visible for all to see. On the complex development of the 1968 law, see Kazuko Kawamoto, *Dainiji sekaitaisengono sorenni-okeru renpokazokukibonho seiteikatei* [The postwar process of creating an All-Union Basic Family Law, 1948-1968] (Ph.D. dissertation, Tokyo University, 2005).

64. The failure of criminalized abortion was recognized by its repeal in 1955, after twenty years as a key plank of pronatalism. The other central components, difficult divorce and the single-mother system, would not be modified until they had done another decade of damage.

According to a People's Commissariat of Justice study of 1944 divorce cases, besides "dissimilarity of characters," the three commonest causes for divorce were presence of another *de facto* family, infidelity of the spouse, and disease/infertility.<sup>65</sup> The fact that infertility and sexual dysfunction had become common motives for legal divorce is logical under the pronatalist policy and men and women alike quickly learned to play on the authorities' interest in encouraging reproduction. In an era when gynecological and venereal disease had reached epidemic proportions, this reasoning was readily accepted by the courts.<sup>66</sup> Getting the court to grant a divorce was no mean feat. Many men, and some women, learned to talk "reproduction" to do it. Those suffering from infertility or venereal disease were unlikely to replace the dead, the key state goal, another reason the legal authorities would often accept the legitimacy of such accusations. But these accusations often masked hidden motivations, especially when an immediate remarriage was planned. All too often, though, men wanted neither marriage nor divorce. A secret study conducted in 1948 by party functionary A. Abramova revealed disturbing patterns of sociability. Male partners were abandoning women as soon as they found out about their pregnancy and beginning to go out with other women. The single mothers Abramova interviewed referred to "male butterflies [*muzhichki-motyl'ki*]."<sup>67</sup> This common practice was described straightforwardly in plaintive letters as "polygamy [*mногоzhenvstvo*]," and its practitioners as "khans [*ottsy-khany*]."<sup>68</sup>

*Literaturnaia gazeta* became a rallying point on this issue. Many letters condemned fathers of out-of-wedlock children and discussed the necessity of bringing "fugitive fathers [*ottsy-begletsy*]" to justice. Some called for punishment for these fathers with "unclean consciences [*nechistaia sovest'*]." The 1944 law itself was brought into question when cited as the excuse for acts of cruelty. The article presented one anonymous letter to *Literaturnaia gazeta* "almost in entirety," but the brutal letter

65. GARF f. 9492, op. 1, d. 491, ll. 2-3, 94.

66. For the postwar spread of venereal disease, see Nakachi, "Replacing the Dead," chaps. 1 and 3.

67. RGASPI f. 17, op. 118, d. 255, ll. 49-50.

68. GARF f. 9492, op. 1, d. 1936, l. 19. "Ot imeni syna," *Literaturnaia gazeta*, 28 August 1954.

within the letter was written by the husband fleeing his responsibilities, flagellating his helpless “wife” and child. The “father” wrote,

Have you not heard of the Law of July 8, 1944? According to Article 29 of KZOBS [*kodeks zakonov ob opeke, brake, i sem'e*], since the child was born in a non-registered marriage, I owe nothing to you or your child. Extricate yourself as you wish [*Kak kbotite, vykruchivaites*]. You are now an adult. No one asked you to bear children. Our socialist fatherland [*otchestvo*] will direct and raise the boy in the Communist spirit.<sup>69</sup>

On 7 January 1955, Khrushchev made a speech to the Komsomol ranks of Moscow youth. Although the main topic was the Virgin Lands, other virgins were also targeted. Khrushchev revealed that he was the one who had proposed the tax on insufficiently fertile citizens to Stalin as a form of intergenerational financial justice and that he, Khrushchev, still believed in pronatalism.

We have people who neither marry, nor have children after marriage. For the moment, we will not discuss why they don't. In any case, such people exist in our society, and they are taking advantage of all of our public weal. They will get old. We might ask, “who will take care of them when they can no longer work?” Of course, the answer is, those very young people who are being raised by our marvelous mothers with many children. That is why Comrade Stalin proposed to provide support for large families. At whose expense? At the expense of those who live without thinking about tomorrow.<sup>70</sup>

Many women responded to this speech by arguing that their lack of children was not a sign of irresponsibility but was due to the war that deprived them of husbands. A group of single mothers wrote to Khrushchev, “After the war according to the statis-

69. “Ot imeni syna,” *Literaturnaia gazeta*, 28 August, 1954. The title of this article is vaguely religious in the depth of its indignation, since “in the name of the son” could be taken as an invocation of Christ's benevolent authority. In the 1944 Family Law, Article 20, not 29, concerns the end of the unmarried mother's right to child support.

70. “Rech' tovarishcha N. S. Khrushcheva na sobranii komsomol'tsev i molodezhi g. Moskvyy, iz'iaivshikh zhelanie poekhat' rabotat' na tselinnye zemli, 7 ianvaria 1955 goda,” *Izvestiia*, 8 January 1955.

tics, there are more women than men. This means that not everyone can find a partner.”<sup>71</sup> Another letter from a single mother argued that if fathers became responsible, women would be able to have more children. As long as the law allowed paternal negligence, women would not be able to cooperate with state efforts to increase population:

As you know, it turns out that during the years of war our young people were a little spoiled, and they need to be tightened up. This regards men, who have no sympathy for women who give birth to children. A man lives with a woman, let's say, three to four years. For personal reasons he does not or is not able to marry legally and cheats on her. Then after some time, without feeling responsibility for what he has done, he looks for another woman, who has not given birth to his children and lives contentedly [*zhivet sebe pripevaiuchi*]. He says that the government will help, because the son or daughter is not his, does not carry his family name, and is illegitimate. What a pity to hear those words when men become impudent and don't want to recognize illegitimate children, taking shelter in the 1945 [*sic*] Law. . . . We women of course, ask you, Comrade Khrushchev, to help us with amending the law. . . . If you comply with our request, which women await and watch closely, it will also be beneficial for the fertility of our generation.<sup>72</sup>

Problems with single mothers, abortion, and divorce guaranteed that a whole host of reform recommendations would soon follow, but although a range of these ideas made it to the Council of Ministers, no significant new legislation was passed until the Brezhnev era. Women wrote desperate pleas and complaints about the negative effects of the law to various government organs and Soviet leaders. Female critics within the party wrote early, even in Stalin's time, but swiftly fell silent. Abramova's 1948 report was classified as a “special file [*osobaia papka*]” and had no chance of seeing the light of day. Journalists also attacked the legislation in print, as soon as Khrushchev's “thaw” permitted. *Literaturnaia gazeta* promoted this cause as just one aspect of the general correction of Stalinist excesses. The highpoint in this campaign was probably the 9 October 1956 letter to the editor, initiated by S. Ia.

71. GARF f. 9492, op. 1, d. 1936, l. 87.

72. GARF f. 9492, op. 1, d. 1936, l. 67.

Marshak<sup>73</sup> and signed by Ilia Erenburg, Dmitrii Shostakovich, and G. N. Speranskii.<sup>74</sup> As high-ranking men, they accepted that “serious state considerations” might have lent the law some validity in wartime conditions. But the title of their article stated that the law had been “repudiated by life itself [*eto otvergnuto zhizn'iu*].” Any communiqué signed by these four men, the very flower of Soviet culture, could well be considered the voice of the intelligentsia.

Various concerned parties began to grind out piecemeal revisions to Khrushchev’s law. Many focused on the basic inequalities exhibited by the sufferings of single mothers and, even more so, their offspring. Drafts were prepared in the late 1940s, 1950s, and early 1960s. They were discussed by members of the Supreme Soviet and Council of Ministers. Insiders predicted their imminent promulgation, but in the end nothing came of it.<sup>75</sup>

Peter Juviler has speculated that many Soviet leaders had fathered illegitimate children and therefore were unwilling to pass these measures into law, but during the Khrushchev years, especially after 1957, only Nikita Sergeevich would have had the final say.<sup>76</sup> The 1955 speech on the Virgin Lands cited above shows that the Soviet leader’s belief in the logic of pronatalism prevented the reform. Only those who were too selfish to think about tomorrow, Khrushchev implies, would disagree with the need for more fertility. His belief that quantitative reproductive successes were the sole measure of family policy efficacy seems to have persisted into the 1960s.

Only after the fall of Khrushchev did reform come to fruition.

73. Samuil Iakovlevich Marshak (1887-1964) is famous both for his original poetry, much of it for children, and for his translations into Russian from both English (Shakespeare, Coleridge) and Scotch (Burns). Marshak would not live to see the law reformed. A. E. Vaksberg, *Moia zhizn' v zhizni*, t.2 (Moscow, Terra-Sport, 2000), 137.

74. Georgii Nestorovich Speranskii (1873-1969) was the founding father of Soviet pediatrics.

75. Peter Juviler’s anonymous informants, some of whom were among the draft authors, also told him in 1963 that the reform would soon appear. Juviler, “Family Reforms on the Road to Communism,” 40-41.

76. *Ibid.*, 48.