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## Legal Foundations of Social Security of Military Personnel of the NKVD of the USSR and Their Family Members during the Great Patriotic War

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### Abstract

*Introduction:* the article considers legal foundations of social security of NKVD soldiers of the USSR and their families during the Great Patriotic War. *Purpose:* based on the analysis of legal acts of principles, rules and norms, to reveal a mechanism of the Soviet social security system for military personnel during the war. *Methods:* the research was conducted in accordance with the constitutional principle of preserving historical truth based on a critical analysis of sources using empirical methods of description and interpretation, as well as formal legal methods. *Results:* the study of a legal framework that has served as the basis for organizing and regulating the social security system for military personnel shows that state support for military personnel and their families during the Great Patriotic War was an important element of the Soviet social policy. It included various types of support, such as financial support (pensions and allowances), employment, industrial training and retraining for the disabled, placement in boarding schools for the disabled for full maintenance, and prosthetics. The social security system of the NKVD of the USSR military personnel was differentiated by the disability group, the amount of salary before joining the service, and the number of disabled family members. This made it possible to take into account different life situations and provide support to those who needed it. Retroactive application of the law "On pensions for enlisted and junior military personnel and their families" of July 16, 1940 opened access to social assistance for those military personnel who became disabled as a result of hostilities after January 1, 1938, as well as for families of military personnel who died after that period. This legal policy testified to the state's desire to provide maximum support to defenders of the Fatherland and their loved ones.

**Key words:** social security; military personnel; troops of the NKVD of the USSR; family members of military personnel; the disabled; the Great Patriotic War.

5.1.1. Theoretical and historical legal sciences.

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### *Introduction*

Social security of military personnel is an important tool for maintaining the combat readiness and morale of the armed forces. Studying legal norms and mechanisms of social security of military personnel during the war years allows us to better understand how the Soviet state solved the tasks of supporting its defenders in the difficult conditions of fascist aggression. The analysis of historical experience of the USSR can help optimize existing social security systems for military personnel and develop new support measures. This largely determines the relevance of the proposed study.

The study of various aspects of state support for military personnel participating in the Great Patriotic War began in the Soviet period. As part of their work on social policy, researchers discussed targeted support for the disabled and families of front-line soldiers, benefits for war veterans [1–3], organization of regional government agencies during the war, and household and work arrangements of family members of military personnel [4; 5]. Issues of social rehabilitation of war invalids were also considered [6]. In general, researchers positively assessed the efforts of society and the state to provide material support to military personnel and their family members during the war.

Among studies devoted directly to the material support of Red Army soldiers during the war, the works of military historian K.A. Nasonov should be noted [7–10]. Based on a lot of factual material, the author highlighted issues, such as provision of benefits, allowances and advantages to military personnel, monetary allowances, pension and social security, etc. However, the problem of social protection of NKVD troops and its legal grounds remain outside the scope of scientific interest of this study.

Certain issues of legal regulation of pension, clothing, monetary, social and food security, as well as material and household services for NKVD soldiers of the USSR during the Great Patriotic War are covered by E.A. Ignat'ev [11–13]. The author characterizes the social securi-

ty system for military personnel of the NKVD of the USSR that developed in wartime conditions as “stable and effective” [12, p. 126], which, in his opinion, “gave employees of the NKVD of the USSR confidence and strength in performing their official tasks in the wartime” [13, p. 280].

Recognizing the importance and productivity of the research conducted in the field of studying the system of state support for military personnel, it should be noted that not all issues of legal regulation of the conditions and procedure for social security of military personnel of the NKVD of the USSR during the Great Patriotic War have found sufficient coverage in the scientific literature and therefore need more detailed study.

The purpose of this study is to reveal the mechanism of the Soviet social security system for military personnel of the NKVD of the USSR during the Great Patriotic War based on the analysis of legal acts, principles, rules and norms.

The presented work is based mainly on the analysis of decrees, resolutions and instructions adopted by state authorities and military administration, which determined the conditions, norms and procedure for state support of military personnel during the war.

The research is conducted in accordance with the constitutional principle of preserving historical truth based on a critical analysis of sources using empirical methods of description and interpretation, as well as formal legal methods. This approach makes it possible to avoid unmotivated negativism and to consider the Soviet social security system for military personnel in terms of its compliance with political, economic and social opportunities of society.

### *Research*

According to the USSR Law “On universal military duty”, adopted on September 1, 1939, the military structures that were part of the People's Commissariat of Internal Affairs of the USSR (NKVD of the USSR), along with the Red Army and the Navy, were an integral part of the Armed Forces of the USSR [14]. The regular

number of NKVD troops in 1938 was 280,826 people. Since, as of January 1, 1938, the total number of the Armed Forces of the USSR was 1.5 million people, almost 19% of the personnel served in the troops of the NKVD of the USSR [15, pp. 107–108].

The NKVD troops were charged with such tasks as protecting the state border of the Soviet Union, carrying out operational tasks of the NKVD of the USSR, protecting important industrial enterprises and structures on the railways, and escorting convicts. After the reorganization of the NKVD of the USSR in February 1941, the number of convoy troops amounted to 38,311 people, the troops consisted of 2 divisions and 7 separate brigades. The number of convoy troops after mobilization in the wartime states amounted to 44,432 people, and at the middle of 1942 it increased to 46,587 people. During the war years, the convoy units served judicial institutions, escorted convicts and prisoners of war, carried out external prison security, guarded filtration camps and performed other tasks [16, pp. 257–258].

The Soviet social security system covered equally the military personnel of the NKVD of the USSR, the Red Army, and the Navy. It was an important tool for maintaining the combat readiness and morale of the armed forces. Key types of social security included: 1) financial support (pensions and allowances); 2) employment, industrial training and retraining of the disabled; 3) placement in boarding schools for the disabled for full maintenance; 4) prosthetics. Financial support for military personnel and their families was called state support in the context of that time.

On July 16, 1940, on the basis of the USSR Law “On universal military duty”, the Soviet government adopted the resolution No. 1,269 “On pensions for the enlisted and junior military personnel and their families” [17], which was later extended to other categories of those provided. The said decree was put into effect on July 1, 1940 and applied to military personnel who became disabled after January 1, 1938, as well as to families of those military personnel who died after that period.

Retroactive application of the law allowed NKVD servicemen who became disabled as a result of injuries received during the fighting on the Khalkhin Gol River, near Lake Khasan, in

the Soviet-Finnish War, in campaigns in Western Ukraine and Western Belarus, as well as the families of servicemen who died while performing combat missions, apply for pensions to the social security authorities. In total, 27,198 servicemen in the RSFSR received the status of military disabled from January 1, 1938 to January 1, 1941 [18, p. 17].

In contrast to the civilian sphere, where the amount of earnings taken to calculate pensions was limited to a conditional maximum of 300 rubles, the amount of earnings taken to calculate preferential pensions of enlisted and junior military personnel was 400 rubles. For enlisted personnel who became disabled as a result of wounds, contusions or injuries sustained in battles during the defense of the USSR, pensions were set depending on the size (but not more than 400 rubles) of the average monthly salary that the serviceman had before conscription. The disabled of Group I received 100% of the average monthly salary, the disabled of Group II – 75%, the disabled of Group III – 50%. Those soldiers who had not had permanent earnings before conscription (former schoolchildren, students, collective farmers) received disability pensions in fixed amounts: of Group I – 150 rubles per month, Group II – 120, and Group III – 90 rubles.

Families of an enlisted man who died at the front were awarded pensions ranging from 35 to 60% of the average monthly salary, depending on the number of disabled family members of the deceased, if they had previously been dependent on the soldier. The junior commanding staff of the military service (sergeants, foremen), as well as their families after the death, were awarded a pension by 25% higher than the pension established for enlisted personnel. Military personnel and their families living in rural areas and related to agriculture were awarded pensions in the amount of 80% of the pensions established for persons not related to agriculture. Families of servicemen who went missing during the fighting had the right to be provided on an equal basis with the families of the deceased.

On the eve of the war, on June 5, 1941, the Council of People's Commissars of the USSR adopted the resolution No. 1,474 “On pensions and allowances for the supreme, senior and middle commanding staff, long-term service

officers, long-term service specialists and their families" [19], which regulated conditions of appointment and the procedure for paying pensions to the commanding staff of the Red Army, the Navy, border and internal troops of the NKVD of the USSR. When retired, they received a long-service pension, disability pension, or severance pay. Pensions were calculated from the full-time salary for the last position, additional cash payments could be added to the salary, for example, for medals. Pensions and allowances were assigned by the bodies of the People's Commissariats of Defense, the Navy and the Internal Affairs of the USSR, according to affiliation. The resolution came into force on July 1, 1941.

Article 19 of the said resolution extended the established procedure for assigning pensions and benefits to:

"a) the commanding staff of the NKVD and NKGB bodies of the USSR who have military or special ranks;

b) the commanding staff (middle and supreme) of the militia, fire service and correctional labor camps and colonies of the NKVD of the USSR;

c) families of the deceased above-mentioned officials" [20, p. 39].

Pensions for these persons were initially calculated from three quarters of the allowance, and from April 1, 1944 – from the full allowance for the last position. The new pension payment procedure also affected the enlisted and junior commanding officers of the police and paramilitary guards of correctional labor camps and colonies and their families. They began to receive pensions in accordance with the resolution of the Council of People's Commissars of the USSR No. 1,269 of July 16, 1940.

A distinctive feature of the resolution No. 1,474 was that the established procedure for the payment of pensions and benefits also applied to pensioners who retired in 1938–1939 and received their payments on the basis of regulations issued in the early 1930s. This innovation concerned, in particular, pensioners from among the commanding staff of the border and internal troops and employees of the NKVD of the USSR, police and paramilitary guards of correctional labor camps and colonies. In addition, for certain categories of pensioners, including employees of the NKVD, police and

paramilitary guards of ITL and colonies, previously established pensions and benefits were increased by 25–50%.

Throughout the entire period of the war, great attention was paid to the state support of supreme and middle-ranking officials. On June 28, 1944, the resolution of the Council of People's Commissars of the USSR No. 1,474 of June 5, 1941 was supplemented by the resolution of the State Defense Committee on material and household support for generals, admirals, commissars of state security, police commissars, senior officers of the troops and bodies of the NKVD of the USSR and the NKGB of the USSR, who had a 25-year service term and were enlisted in the reserve or dismissed [20, p. 31]. Pensions for generals were set at 95% of the allowance of 1,400 rubles. By the decree of the Presidium of the Supreme Soviet of the USSR on July 6, 1945, military ranks established for officers and generals of the Red Army were introduced for the commanding staff of the NKVD and NKGB of the USSR. As of January 1, 1945, the total number of NKVD troops was 833 thousand people [21, p. 319].

All Soviet citizens who served in the Armed Forces of the USSR, regardless of nationality and class, were covered by the state social security system. Already in the early days of the war, the legislative authorities of the USSR adopted a number of important regulatory documents designed for wartime. Among them was the Decree of the Presidium of the Supreme Soviet of the USSR of June 26, 1941 "On the procedure for the appointment and payment of benefits to families of the enlisted personnel and junior commanders in wartime". The procedure for applying this decree was established by the Instruction of the People's Commissariat of Social Security of the RSFSR of July 2, 1941, approved by the Council of People's Commissars of the RSFSR and the General Staff of the Red Army [22, pp. 52–59].

State allowances were assigned to families of the enlisted and junior commanding staff who were conscripted into the Red Army, the Navy, border and internal troops of the NKVD on mobilization, with the exception of families of over-served personnel. The amount of the pension depended on the number of disabled family members who were dependent on the serviceman before the mobilization. Children



under the age of 16, students under the age of 18, as well as a mother and father over the age of 55 and 60, respectively, were considered disabled. The monthly allowance was paid in the amount of 100 to 200 rubles in cities and 50% of this amount in rural areas.

The above-mentioned basic legislative acts on the appointment and procedure of monetary payments within the framework of state support to various categories of military personnel were clarified and significantly supplemented by subsequent government resolutions and departmental instructions during the war and post-war years up to the mid-1950s.

Special instructions approved by the resolutions of the Council of People's Commissars of the USSR were widely used in practical activities of social security agencies. On June 1, 1943, the instruction "On the procedure for assigning and paying allowances and pensions to families of the enlisted personnel and junior commanding staff" [20, pp. 104–142], approved by the Council of People's Commissars of the USSR on June 17, 1943, was put into effect. This document summarized all previously issued regulations on this issue and clarified the procedure for their application.

As a general rule, it was established that if the family of a serviceman has the right to several pensions or benefits for different reasons at the same time (for example, the right to a pension on the death of a serviceman and the right to a personal pension, the right to benefits in connection with the conscription of the head of the family for military service and the right to a pension on the death of another member family member), family members are provided with only one type of security of their choice: either an allowance or a pension. The amount of allowances for military families was set depending on the number of disabled and able-bodied family members. In cities, allowances ranged from 100 to 250 rubles, in rural areas – from 50 to 125 rubles per month.

Families of military personnel who were awarded orders of the USSR and who worked as workers and employees before conscription were awarded pensions based on the monthly salary and additional monetary payments for the order. The amount of the allowance depended on the importance of the order. So, for the Order of Lenin they received additional 25

rubles, for the Order of the Red Banner and the Order of the Patriotic War of the I degree – 20 rubles, for the Order of the Red Banner of Labor, the Red Star, the Patriotic War of the II degree – 15 rubles, for the Order of the Badge of Honor – 10 rubles.

On November 8, 1943, the decree of the Presidium of the Supreme Soviet of the USSR established the Order of Glory of I, II and III degrees. Those awarded Orders of Glory of all three degrees, except for the benefits and advantages established by the general regulations on orders of the USSR, were entitled to an increase in disability pension by 50% relative to the prescribed pension [23].

One of the most difficult activity areas of social security agencies was the work on state support for military personnel who became disabled as a result of wounds and contusions received in battles while defending their Homeland. According to statistics, 2,576,000 military personnel received disability during the war years, which was 7.5% of the total number of conscripts [24, p. 219]. Under these conditions, the role of the prosthetic industry increased markedly, and the production of prosthetic and orthopedic products went up dramatically. In 1941–1946, the volume of prosthetic production in the RSFSR alone increased 4-fold [20, p. 492], prosthetic factories operated in three shifts, but still the lack of prostheses was catastrophic. The situation escalated towards the end of the war. Hundreds of disabled people were unable to return to normal life, as they were forced to wait for prosthetics and bicycle belts for many months, which caused widespread discontent and numerous complaints.

When solving the problem of material support for the disabled, the state relied on their professional retraining and employment. On May 6, 1942, the Council of People's Commissars of the USSR issued the resolution No. 640 "On labor arrangement of the disabled of the Patriotic War", according to which People's Commissars of Social Security of the Union Republics were personally responsible "for labor arrangement and organization of training in new professions of the disabled of the Patriotic War, as well as for the placement of those in need in homes for the disabled" [25, pp. 46–47].

The procedure for assigning and paying

disability pensions to the enlisted personnel, non-commissioned and warrant officers was regulated by the instructions approved by the decree of the Council of People's Commissars of the USSR on January 31, 1944 and put into effect on February 1, 1944 [20, pp. 60–101]. The document repeated, summarized and specified key provisions of the resolutions of the Council of People's Commissars of the USSR of July 16, 1940 and June 5, 1941. The instruction established the minimum amount of monthly pensions for military personnel who became disabled due to combat wounds: in the city for the disabled of Group I – 150 rubles, Group II – 120 rubles and Group III – 90 rubles. For people with disabilities living in rural areas, the minimum pension was 80% of the minimum city pension: for people with disabilities of Group I – 120 rubles, Group II – 96 rubles and Group III – 72 rubles. For military personnel whose disability was not related to being at the front, a lower minimum pension was established: in the city – 120, 100 and 70 rubles relative to the disability group, in rural areas – 96, 80 and 56 rubles.

In the USSR, disability and survivor's pensions in the minimum amount were received by many former military personnel and their family members. This was explained by the fact that a significant part of the military personnel could not document the amount of their earnings or the availability of the necessary work experience before entering military service. This circumstance was pointed out, in particular, in one of the reports of the People's Commissariat of Social Security devoted to the application of the decree of the Council of People's Commissars of the USSR of July 16, 1940, "When applying this decree to the participants of the Patriotic War, great contradictions arose from the very first days. Due to the fact that part of the territory is occupied by the German occupiers or is located in a war zone, the servicemen who had lived and worked in this territory could not keep documents on their work experience and earnings, which should serve as the basis for determining the amount of their pension, and the archives of the institutions and enterprises in which they worked had been destroyed". [64–65]. A lack of documented information about pre-war work experience and earnings was the

main reason why pensions for various categories of military personnel were assigned in fixed minimum amounts.

### *Conclusion*

Legal regulation of the social security of the NKVD troops of the USSR and their families was carried out through a set of normative legal acts adopted by the highest bodies of state power and military command. During the Great Patriotic War, decrees, resolutions, directives and instructions were issued that defined the procedure and conditions for social protection of this category of citizens. Soviet legislation took into account the specifics of military service in the NKVD troops of the USSR and provided for a wide range of social guarantees for the commanding and enlisted military personnel and their families.

In most cases, pension provision for NKVD servicemen was directly related to the establishment of disability due to combat operations, wounds, or diseases sustained during the performance of official duties at the front. In the event of the death of a serviceman, his family was also provided with appropriate social guarantees, which indicated an integrated approach to social security.

Issues related to state support for military personnel and their families remained relevant in the post-war period. On May 9, 1945, the Minister of Foreign Affairs V.M. Molotov, speaking on the radio in San Francisco in connection with the unconditional surrender of Germany, solemnly declared, "The memory of the fallen soldiers and the countless victims of German fascism will forever be sacred to us. We will honestly fulfill our great duties to the disabled of the war, to orphaned families..." [27, p. 264]. For millions of widows, orphans, and the disabled, these words sounded like a solemn oath coming from the top leadership of the Soviet Union. However, the fulfillment of these "great responsibilities" required significant financial resources, which were clearly insufficient in the conditions of post-war devastation. The disabled of the Great Patriotic War and families of deceased servicemen were supported throughout the following decades and was determined by financial capabilities of the state.

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