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The Kokovtsov Commission: An Abortive Attempt at Labor Reform in Russia in 1905

The labor unrest that spilled out onto the streets of St. Petersburg in January 1905 and shook the autocracy was hardly a new phenomenon in Russia. Historiography—both Western and Soviet—has shown persuasively that labor discontent was widespread in Russia's industrial centers for at least the preceding two decades.¹ An explosive combination of miserable working and living conditions and repressive regimentation was further aggravated by only partially redeemed hopes of government-sponsored reforms in the 1880s and 1890s.² Moreover, reform legislation was vitiated from the start by the government's desire to keep the workers under strict control. This aim not only took precedence over the wish to see their grievances redressed, but amounted to a philosophy running through the whole corpus of Russian labor law and virtually institutionalized in the Department of Factory Inspection, created by a decree of July 1, 1882. Designed originally to seek out infractions of the labor laws, it soon became a policing agency for the factory owners.³

1. See Otto Goebel, *Entwicklungsgang der russischen Industriearbeiter bis zur ersten Revolution (1905)*, Osteuropa-Institut in Breslau, Quellen und Studien, Abt. 1, Heft 4 (Leipzig, 1920); Maxim Gordon, *Ocherk ekonomicheskoi bor'by rabochikh v Rossii* (Leningrad, 1924); M. I. Tugan-Baranovsky, *Russkaia fabrika v proshlom i nastoiashchem: Istoriko-ekonomicheskoe issledovanie*, vol. 1, 6th ed. (Moscow and Leningrad, 1934); P. I. Liashchenko, *Istoriia narodnogo khoziaistva SSSR*, vol. 2 (Moscow, 1966); Richard Pipes, *Social Democracy and the St. Petersburg Labor Movement, 1885-1897* (Cambridge, Mass., 1963); Reinhard Bendix, "Entrepreneurial Ideologies in Eighteenth- and Nineteenth-Century Russia," in his *Work and Authority in Industry: Ideologies of Management in the Course of Industrialization* (New York, 1963); and Theodore Von Laue, "Russian Peasants in the Factory, 1892-1904," *Journal of Economic History*, 21 (March 1961): 61-80.

2. Liashchenko, *Istoriia*, 2:167.

3. I. Kh. Ozerov, *Politika po rabochemu voprosu v Rossii za poslednie gody* (Moscow, 1906); Alexander Mikulin, *Fabrichnaia inspekttsiia v Rossii, 1882-1906* (Kiev, 1906); A. N. Bykov, *Fabrichnoe zakonodatel'stvo i razvitie ego v Rossii* (St. Petersburg, 1909); M. G. Lunts, *Sbornik statei: Iz istorii fabrichnago zakonodatel'stva, fabrichnoi inspekttsii i rabochago dvizheniia v Rossii* (Moscow, 1909).

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The tragic events of Bloody Sunday and its aftermath produced a state of near panic in some bureaucratic circles.⁴ The combination of labor disorders and social unrest, along with the unsuccessful war with Japan, led many Russian officials to fear that France's confidence in Russia would be undermined. Since France was not only Russia's chief ally but her main creditor as well, Russia's shaky financial system stood to suffer greatly from such a loss of confidence. The minister of finance, V. N. Kokovtsov, who was officially charged with the responsibility for financing the war effort as well as for overseeing the industrial sector, was so disturbed by this prospect that he seemed, in the view of one contemporary, to be "overcome by fright." Therefore he, along with many other officials, initially supported an immediate imposition of martial law lest the events of the day have an adverse effect on Russian securities in Paris.⁵

In his official report to the tsar on January 11, however, Kokovtsov reconsidered his position. He pointed out that Russia's credit had undeniably suffered on foreign markets as a result of recent events. But he now thought it would be better if the government *avoided* further repressive measures, and recommended that instead Nicholas appeal personally to the people to ignore the "tempting promises and fraudulent statements of agitators" and return to their homes and jobs.⁶ His conversion to this view stemmed from his continuing concern that a wrong move by the government at this time would produce a disastrous effect on Russian securities in Paris and reduce Russia's chances for future loans from this source.⁷ Having settled on satisfaction of the workers' demands as a means of keeping order, Kokovtsov remained a consistent champion of this policy. Eight days later he added the suggestion that "the appropriate authorities and other interested persons" discuss the reforms sought by the workers. Indeed, he urged *speedy* action to satisfy the foremost demands: legalization of workers' organizations, establishment of a medical assistance fund for workers, shortening of the working day, and creation of some kind of state insurance for workers.⁸

4. See D. N. Liubimov's reminiscences, "Gapon i 9 ianvaria," *Voprosy istorii*, 1965, no. 9, pp. 114-21.

5. "Dnevnik Kn. Ekateriny Alekseevny Sviatopolk Mirskoi za 1904-1905 gg.," *Istoricheskie zapiski*, 77 (1965): 273.

6. "Doklady V. N. Kokovtsova Nikolaiu II: 9-e ianvaria 1905 g.," *Krasnyi arkhiv*, 11-12 (1925): 5. See also V. N. Kokovtsov, *Iz moego proshlago*, 2 vols. (Paris, 1933), 1:55.

7. "Doklady V. N. Kokovtsova Nikolaiu II," p. 5.

8. "Vsepoddaneishii doklad ministra finansov V. N. Kokovtsova 19 ianvaria, 1905 g.," in Boris Romanov, ed., *Rabochii vopros v kommissii V. N. Kokovtsova* (Moscow, 1926), p. 2. This compilation of documents has some three hundred pages and contains twenty-eight items, the majority of which are government draft laws for the improvement of workers' conditions. The collection also includes such relevant documents as Kokovtsov's

Many of these proposals had been gathering dust in the offices of the Ministry of Finance for years. Though originally drafted at the beginning of the century, they had not been put into effect because control rather than reform was the government's chief aim. Now, in a fashion typical of the regime, they were to be brought out, dusted off, and presented for discussion and—perhaps—adoption. Moreover, the aim was primarily to meet the urgent *economic* demands of the workers. Most of the *political* demands put forward by the strikers were ignored. Kokovtsov revealed this to be a deliberate strategy when he observed that while satisfaction of the former should and could be speedily achieved, the latter were by their very nature illegal.⁹

Despite Kokovtsov's emphasis on the need for speedy action, the machinery of the tsarist administration moved slowly. Nicholas turned Kokovtsov's recommendations over to the Committee of Ministers, which, meeting in late January, decided that his proposals raised questions which could be "more efficiently resolved by a more specialized commission." This body was to consist of representatives from several concerned governmental agencies, the ministries directly involved, and Russia's various industrial groups. Kokovtsov was selected to chair the commission, which was supposed to convene, then consult with leaders of labor and zemstvo groups, and then draft new labor laws for the whole empire.¹⁰

The man charged with the chairmanship of the commission was himself a product of the bureaucracy. Kokovtsov was a hard-working and intelligent man whose rise through the bureaucracy had been brilliant and fairly rapid. The son of an old *dvorianstvo* family, he was basically a conservative who subscribed quite literally to Burke's adage that if it is not necessary to change, it is necessary not to change.¹¹ His conservatism did not, however, blind him

official reports during January 1905 and the minutes of both the Committee of Ministers and the plenary sessions of the Kokovtsov Commission. These are chiefly from the "fund" of the General Chancellery of the Ministry of Finance contained in the Economic Section of the Leningrad Central Historical Archive. Finally, it contains the policy statements and counterproposals of the contemporary industrial groups, drawn from various sources. On the whole, the collection contains a fairly representative selection of documents which give an excellent picture of the main issues confronting the commission and the problems it had to deal with. The only shortcoming is a relative lack of the preliminary drafts, minutes, and transcripts of the commission's working subcommittees. In this one respect, at least, the reader is unable to get any representative picture of the actual mechanics of the commission and how decisions on preliminary drafts were made.

9. "Doklady V. N. Kokovtsova Nikolaiu II," p. 7. For a description of the "political" demands of the workers see S. P. Turin, *From Peter the Great to Lenin: A History of the Russian Labour Movement with Special Reference to Trade Unionism* (London, 1935), p. 74.

10. "Osobyie zhurnaly komiteta ministrov 28 i 31 ianvaria 1905 g.," *Rabochii vopros*, p. 29.

11. "Pervye rodov dvorianskikh Rossiiskoi imperii," *Obshchii gerbovnik dvorianskikh rodov Vserossiiskoi imperii* (St. Petersburg, 1797), p. 65.

to reality, and he was quick to concede the need for change when the need was manifest. This attitude, combined with a sense of *noblesse oblige*, had characterized his policies during his years in the Central Administration of Prisons and as head of the Imperial Chancellery. It would also mark his policies as minister of finance, despite his ill-disguised suspicion of popular movements in general. The choice of Kokovtsov, then, though not revolutionary, at least guaranteed reasoned, intelligent, and sympathetic leadership for the deliberations on labor reform.

At the same time the Committee of Ministers ruled out direct representation of workers on the commission, arguing that the work would be too difficult for them and that organizing elections for workers' representatives would be "fraught with insuperable difficulties." Another consideration in this decision was undoubtedly the almost simultaneous creation of the Shidlovsky Commission. Representation of workers was mandatory on this body, whose task was twofold: to determine the causes of unrest among the workers, and to discover ways to eliminate those causes.¹²

Whatever the reasons for the decision to exclude workers from the Kokovtsov Commission, the results were unfortunate. Charges of class discrimination were leveled against the commission, and accusations were widespread that its deliberations would lack balance because only the views of the industrialists were represented. In fact, however, given the absence of worker representation, the government's proposals became a target for the resentments and suspicions of the industrialists. The nearly unanimous opposition from this group to Kokovtsov's program and to concessions of any kind came as an un-

12. Solomon M. Schwarz, *The Russian Revolution of 1905: The Workers' Movement and the Formation of Bolshevism and Menshevism* (Chicago, 1967), pp. 86–128. The significant differences between the two commissions were many, but the main difference was that the Shidlovsky Commission included elected representatives of the workers and the Kokovtsov Commission did not. Exactly who was responsible for this provision in the former instance is not known, but it is commonly assumed that it was the idea of General D. F. Trepov, because it reflects many of his basic assumptions. See, for example, "Trepovskii proekt rechi Nikolaia II k rabochim posle 9 ianvaria, 1905 g.," *Krasnyi arkhiv*, 20 (1927): 240–42. The chief purpose of the Shidlovsky Commission was investigation. In this way the Russian government hoped to redirect the energies of the workers from revolution in the streets toward a peaceful solution of their problems. This did not presage a shift in the government's usual policies toward the inclusion of workers in commissions of this nature but was rather an experiment which would stand or fall on the success it achieved in grounding worker discontent. The Kokovtsov Commission, on the other hand, was created solely to formulate concrete draft laws to improve the conditions of workers. That it was designed to take advantage of and incorporate what the Shidlovsky Commission had learned is borne out by the fact that Nicholas II named Senator N. V. Shidlovsky to sit on the Kokovtsov Commission as an official member in addition to chairing his own. See "Lichnyi sostav vysochaishe uchrezhdennoi kommissii dlia obsuzhdenia mer po uporiadocheniiu byta i polozheniia rabochikh v promyshlennykh predpriatiiakh imperii," *Rabochii vopros*, p. 34.

welcome surprise to him. In the days immediately following Bloody Sunday he had consistently sought to convince Nicholas of the industrialists' fairness and their willingness to see just reforms introduced.¹³ But the emphasis Kokovtsov now placed on *immediate* satisfaction of some of the workers' demands led the industrialists to conclude that the government was seeking to buy labor and social peace at their expense. From this suspicion stemmed an opposition that grew steadily more intense as the year progressed.¹⁴

Professor Jacob Walkin argues that the industrialists were justified in their opposition, because economic concessions to the workers could not affect the situation in Russia. Pacification could be achieved only through political concessions granted by the government to society as a whole.¹⁵ This reads altogether too much political consciousness into the workers' movement and gives too much credence to the Bolshevik contention that workers were interested primarily in political reforms. On the contrary, the workers evinced great interest in just the kind of economic concessions Kokovtsov contemplated. Moreover, as far as the sincerity of the industrialists is concerned, one wonders why they had not forcefully expressed their concern for political reform *before* the events of January, and why their solicitude for the political liberties of the Russian people was mysteriously absent after 1905. Their emphasis on the satisfaction of political demands before economic ones suggests that they were ready to argue for the former in the hope of delaying the latter.

The difficulties created by the predominance of industrialist representation were compounded by the delay that attended the convening of the commission itself. Nicholas did not finally approve the recommendations of the Committee of Ministers until February 20, and the first organizational meeting of the commission did not take place until mid-March. Moreover, the government made a serious tactical blunder by excluding representatives of the industrial groups from this initial session as well as from all early planning, consultative, and drafting stages of the commission's work. Finally, at the first session, attended only by bureaucrats from those government offices most affected by the prospective reforms, Kokovtsov's opening remarks seemed to confirm the industrialists' growing suspicion of a government *diktat* on the question of

13. Kokovtsov, *Iz moego proshlago*, 1:43. There was some basis for Kokovtsov's optimism, since of the two major groups of Russian industrialists the St. Petersburg group generally favored some aspects of labor reform, though the Moscow factory-owners did not.

14. See A. Ermansky, "Krupnaia burzhuaziia v 1905–1907 g.," in L. Martov, P. Maslov, and A. Potresov, eds., *Obshchestvennoe dvizhenie v Rossii v nachale XX-go veka*, 4 vols. (St. Petersburg, 1909–14), vol. 2, pt. 2, p. 189; also *Trudy* of the Thirtieth Session of the South Russian Mining Industrialists and *Gornozavodskii listok*, no. 12–13, p. 7234.

15. Jacob Walkin, "The Attitude of the Tsarist Government Toward the Labor Problem," *American Slavic and East European Review*, 13 (April 1954): 163–84.

labor reform.¹⁶ Kokovtsov asserted that the Russian government should now turn its attention to the needs of the workers and the conditions under which they labored, rather than simply maintaining its previous exclusive concern with the welfare of the industrialists.¹⁷

Following Kokovtsov's remarks the commission adjourned formal sessions for two months. This was done to permit consultation with zemstvo officials and labor leaders in order to elicit their opinions and suggestions concerning the drafting of the proposed new labor laws. It was understood that once this consultation and the initial drafts were completed, the full commission—including industrial spokesmen—would meet to consider the drafts, and would revise, amend, and clarify them in an effort to make the final legislation acceptable to all parties. This procedure not only delayed convocation of the first general session until May 16 (more than four months after the events of January), but the very process itself sowed seeds of future difficulties and dissension.

Much of the consultation took the form either of consideration of written petitions addressed to the commission or of audiences between zemstvo and labor groups and government members of the commission—again without the participation of representatives of the various industrial groups. Similarly, the reform proposals were drafted within bureaucratic circles associated with the commission, and without consulting the industrialists. The government obviously assumed that the factory-owners would be content to wait until the plenum of the commission began its final deliberations. Thus the government made few efforts to answer the steadily mounting criticisms from that quarter.¹⁸

What, then, were the proposals that created such continuing opposition? Basically, the government's drafts dealt with the same four areas of reform suggested by Kokovtsov in his reports of late January: a shorter workday, medical assistance for workers, state insurance for workers, and legalization of labor unions and economic strikes. In their specific provisions, these projected reforms were more radical than the labor legislation usual in Western Europe at the time, with the exception of Germany, the laws of which they consciously emulated.¹⁹

16. "Lichnyi sostav vysochaishe uchrezhdennoi kommissii," p. 34.

17. "Rech' Kokovtsova na zasedanii 15 marta 1905 g.," *Rabochii vopros*, p. 49.

18. Ermansky, "Krupnaia burzhuziia," pp. 43–44.

19. Since the 1880s Germany had been the leading country in legislation for its workers. Under the leadership of Prince Bismarck, the imperial government anticipated the programs of the socialists by a series of laws—the Health Insurance Law of 1883, the Accident Insurance Laws of 1884 and 1885, and the Old Age Law of 1888—which decisively undercut much of their appeal. At first limited only to industrial workers, the schemes were extended by subsequent legislation in 1886 and 1887 to include farm workers, craftsmen, persons employed in naval and military administrative services, and apprentices in

The draft law on the length of the working day is an example of the advanced position the commission was prepared to take. In suggesting a ten-hour maximum for day labor in industries, mines, and railroads it considerably anticipated the actions of many countries of Western Europe. In addition, the workday was reduced to nine hours on days preceding certain specified holidays, and all-night shifts were set automatically at eight hours.²⁰ The draft law did establish, however, certain conditions under which the workday could be extended: such as work considered a national or social necessity (for example, armament manufacture and defense, the support of rail and canal transport, and the maintenance of vital services such as water, sewage, and electrical works) and seasonal work (for example, the breaking of ice-floes in the Neva River). But even in these matters, prior agreement of the workers was required, and the extensions were to be for limited and specific periods of time, in no case more than one month.²¹

Similar in its forward-looking philosophy and projected scope was the draft law on medical assistance to workers. Here the proposed benefits came under three headings. First, workers were to be provided compensation for

the trades. All three schemes were compulsory—that is, both employers and employees had to participate in them. The minimum relief available under the former two acts consisted of free medical treatment, medicine, bandages, and so forth, while monetary compensation for more serious illnesses was administered through various “friendly societies” or “funds” to which all workers had to belong. Associations of employers (*Berufsgenossenschaften*) were established on a regional basis and were required to raise the money needed to meet all claims from among their members. Pensions could be claimed beginning only in the pensioner’s seventy-first year, although annuities could begin after the worker had been insured for five years if he was the victim of some permanent incapacity. In other areas of labor reform, laws passed in 1890 to amend the German Industrial Code provided for the creation of industrial courts for the settlement of monetary disputes, restricted the number of hours of weekly employment of women and juveniles, and prohibited employment of the preceding two groups during night hours. Moreover, the workers were given the right to form associations (unions) through which they could negotiate with their employers concerning working conditions. Finally the German government had, by the 1890s, conceded grudging acceptance of the legality of the workers’ right to strike, although it was hedged about with restrictions. For a more detailed discussion of German labor legislation see William H. Dawson, *Bismarck and State Socialism: An Exposition of the Social and Economic Legislation of Germany Since 1870* (London, 1890), pp. 120 ff.; W. F. Bruck, *Social and Economic History of Germany from William II to Hitler, 1888–1938: A Comparative Study* (London, 1938; New York, 1962), p. 129; William H. Dawson, *The German Empire, 1867–1914, and the Unity Movement*, 2 vols. (London, 1919), 2:265; and Harvey Mitchell and Peter N. Stearns, *Workers and Protest: The European Labor Movement, the Working Classes and the Origins of Social Democracy, 1890–1914* (Itasca, Ill., 1971), p. 136.

20. “Proekt zakona prodolzhitel’nosti i raspredelenii rabochego vremeni v promyshlennykh zavedeniakh,” *Rabochii vopros*, pp. 64–65. It was further suggested that on Christmas Eve the maximum be reduced to half the number of hours required on the eve of any other holiday.

21. *Ibid.*, pp. 68–69, arts. 19, 22, and 24.

a variety of illnesses or disabilities which prevented them from working—for example, first aid for sudden illnesses or accidents on the job, ambulance service, and compensation for work missed during childbirth. In the latter respect the Russian plan went much further than the German national plan. Second, workers were to be furnished free medicine, bandages, and other medical needs in the event of minor injuries. But the most significant provision was the third, which required industrialists to provide hospital facilities for their workers. This could be done in any of three ways: either through private hospitals financed and operated by the industrial factory-owners themselves, or through hospitals established and run in cooperation with other industrialists in a given geographical area, or through arrangements made with local city governments or zemstvo organizations to provide hospital facilities for which the industrialists would pay. The maintenance and safety of such facilities were to be assured through a system of regular inspections.²²

The third broad category of government proposals dealt with state insurance. Once again a number of articles provided substantial benefits to the workers: for personal illness as well as for accidents occurring on the job, and for advanced age, disability, and death.²³ All workers in manufacturing enterprises were to be covered, as well as those in other enterprises whose incomes did not exceed 1,500 rubles per year.²⁴ Coverage under the latter provision was to be quite liberal—for example, during illness, payments were to be made of from one-half to two-thirds of the worker's daily wage until recovery; for pregnancy, from four to six weeks' pay; and for burial of a participant in the program, payment at the rate of twenty to fifty installments equal to the worker's daily wages.²⁵ At the same time, pension funds were to be established for those workers who suffered permanent incapacitating injury on the job as well as for those who reached the age of fifty-five and wished to retire.²⁶

The final commission drafts dealt with the related questions of legalization

22. "Proekt polozheniia ob obespechenii vrachebnoiu pomoshch'iu rabochikh promyshlennykh predpriatii," *Rabochii vopros*, p. 94. But not all of the *chinovniki* on the commission were convinced of the efficacy of such a decentralized scheme. Thus some recommended that the whole question of medical assistance be included in a system of state insurance, with the organization and control of private expenditures resting with the government. See "Zhurnal zasedaniia komissii po zakonoproektu ob obespechenii vrachebnoi pomoshch'iu . . . 26 aprelia 1905 g.," *Rabochii vopros*, p. 99.

23. "Osnovnoe polozhenie zakonoproekta o gosudarstvennom strakhovanii rabochikh i sluzhashchikh na zavodakh, fabrikakh i gornykh promyslakh," *Rabochii vopros*, pp. 110–31.

24. *Ibid.*, p. 111.

25. *Ibid.*, p. 113.

26. *Ibid.*, p. 116, art. 34; p. 128, art. 98. Provision was also made for earlier retirement if the worker had suffered at least two-thirds disability or had reached at least fifty years of age (with a lower pension in the latter instance).

of workers' organizations and legalization of strikes.²⁷ Of the two proposals, the one dealing with workers' organizations was the briefest and least detailed. Indeed, it was not fully ready for presentation to the plenum of the commission by May 16.²⁸ Nevertheless, its basic thrust was unmistakably clear. Just as reformist were the recommendations contained in the second of the two final drafts to the effect that certain articles of the existing laws on strikes should be amended to make them less punitive and more equitable. For example, the commission's draft prohibited criminal prosecution for simple breach of a labor contract, defined the simple cessation of work as not constituting a breach of the civil order, and established the equal responsibility and accountability of both workers and employers for violations of contracts and acts of violence during strikes. The commission's draft did, however, suggest criminal prosecution of those found guilty of violence or the threat of violence against other persons or property during a strike. This provision was clearly directed more against the workers than the employers.²⁹

In the main, then, the commission's proposals not only constituted a significant advance beyond the practice of most West European states of the time, but were a radical shift from the government's past policies which had tended to favor the economic interests of the industrialists. The industrialists were very upset. During the interval between the creation of the commission in February and May 16 (the date set for the first general session) several industrial groups made their opposition public. Their judgments on the commission's proposals took the form of numerous memoranda and counterproposals. Both were couched in a harsh and hysterical tone. The industrialists argued that the drafting process was too authoritarian and that the commission's proposals were based on expediency alone and tended to carry Russia along the path of labor reform *too rapidly*:

In the aggregate, these draft proposals create conditions for the workers which are so extraordinary in their scope that not a single industrialized nation, nor, one might say, *all* of the industrialized nations of Europe taken together can offer their equal; there are few examples in the laws of other nations able to compare with those the government has designated for immediate implementation in Russia.³⁰

More specifically, the factory-owners argued that the projected shortening of

27. "Osnovnye polozheniia ob organizatsiakh lits, zaniatiiakh v promyshlennykh predpriatiiakh," *Rabochii vopros*, pp. 133-40, and "Ob izmenenii karatel'nykh statei zakona, kasaiushchikhsia stachek i dosrochnykh rastorzhenii dogovorov o naime," pp. 141-74.

28. *Torgovo-promyshlennaia gazeta*, Apr. 1/14, 1905.

29. "Ob izmenenii karatel'nykh statei zakona," p. 171, arts. 1-4.

30. Zapiska s-peterburgskogo obshchestva, "K predstoiashchim zaniatiam kommissii," *Rabochii vopros*, p. 62.

the workday would paralyze Russian industry and “rob it of its competitiveness with the industries of other nations.”³¹ At the same time they decried medical assistance to the workers as a “corrupting principle,” state social insurance as “ill-considered,”³² and the legalization of workers’ unions and of strikes as “open invitations to and encouragement for” new strikes and disorders.³³

The industrialists also charged that the commission had failed to show sufficient concern for the economic implications of the suggested reforms. Since implementation of these measures would be costly for them, they asked how else they could hope to meet their new responsibilities except by raising prices and shifting the financial burden to the consumer.³⁴ Not content with this rather obvious suggestion of economic blackmail, the factory-owners went on to castigate the government for its lack of a “general plan for the solution of the labor problem,” for failing to provide a “connecting link between the various draft proposals.” In their eyes, the absence of a central principle tinged each proposal with expediency; each became an attempt to pander to the workers’ demands rather than part of a well-planned program of labor legislation. Finally, they pointed out that many of the projected reforms applied only to workers in “heavy” industry and largely ignored the many millions of Russians employed in “light” industry. In the latter criticisms the industrialists were on firm ground. Many of the commission’s proposals, as we noted earlier, were simply up-dated versions of draft laws suggested at the turn of the century, and they did not touch many basic issues of Russia’s labor problem, or provide a connected philosophy through which to approach new labor-law reform. It is also clear that the proposals primarily affected workers in the heavy-industry sector of the economy—particularly in those branches of vital interest to the state.

At the same time it is important to note that the industrialists had no alternative program of basic reform to suggest. The few counterproposals they made concentrated on specific aspects of the government’s draft laws.³⁵ Moreover, they stressed the connection between the commission’s proposals and political reform. Using the question of legalizing labor unions as a point of departure, they argued that the right to form unions presupposed freedom of

31. *Ibid.*

32. *Ibid.*, p. 56. See also *Zapiska s-peterburgskogo obshchestva*, “Po zakonoproektu ob obespechenii vrachebnoi pomoshch’iu rabochikh promyshlennykh zavedenii,” pp. 102–9.

33. “K predstoiashchim zaniatiam kommissii,” p. 58. See also “Po zakonoproektu ob izmenenii karatel’nykh statei zakona, kasaiushchikhsia stachek i dosrochnykh rastorzhenii dogovorov o naime,” pp. 174–94.

34. “K predstoiashchim zaniatiam kommissii,” p. 59.

35. See, for example, “Zakonoproekt s-peterburgskogo obshchestva o prodolzhitel’nosti i raspredelenii rabocheho vremeni v promyshlennykh zavedeniakh,” *Rabochii vopros*, pp. 86–92.

assembly, freedom of the press, and inviolability of the person and the home for everyone. To implement the suggested labor reforms as well as to legalize unions would be to grant freedoms to the workers alone, "at a time when similar freedoms were being denied" to all the Russian people. Intentionally returning to their earlier concern over the link between political and economic reform, the industrialists strongly recommended that solution of the "labor problem in all of its aspects" be delayed until the new consultative assembly promised in the Imperial Rescript of February 18 could consider this and related issues.³⁶ Thus their position was quite clear: officially they maintained a belief that economic reform was acceptable if preceded by political reform worked out by a national consultative assembly, but unofficially they remained opposed to cooperation with the government in passing any reform they felt would damage their economic position.

With the lines so firmly drawn, it was no accident that the first general session of the commission on May 16 was characterized by a struggle between the government representatives and the industrialists. In his opening remarks Kokovtsov again stressed the government's firm intention to increase its efforts on behalf of the workers and to "establish economic harmony between capital and labor." He then expressed the hope that the industrialists could be "counted upon to effect a solution of the burning questions" with which the commission was concerned.³⁷ Similarly, the industrialists' response was unchanged. They reiterated their position that consideration of the government drafts should be delayed until the deliberative body promised by Nicholas could undertake this task.³⁸ When it became clear, however, that Kokovtsov and other government representatives on the commission were convinced that later deliberation by the consultative assembly would in no way diminish the value of the commission's work, the industrialists fell back upon their second tactic—delay through protracted debate over minor points in the government's draft proposals. Among the leaders of this effort were F. A. Krestovnikov of the Moscow Bourse Committee, a body which was one of the most consistent and vociferous critics of concessions to the workers; I. A. Rabinovich, director of the B. I. Reese Metal Hardware Company and a representative of all the industrialists from the area around Rostov-on-Don; and D. A. Neratov, the deputy representative of the St. Petersburg Society for the Assistance, Improvement, and Development of Factory-Mill Industry.³⁹

36. "K predstoiashchim zaniatiim kommissii," p. 63.

37. "Zhurnal vysochaishe uchrezhdennoi kommissii dlia obsuzhdeniia mer po uporiadoccheniiu bytia i polozheniia rabochikh v promyshlennykh predpriatiiakh imperii: Zasedanie 16 maia, 1905 g.," *Rabochii vopros*, p. 197.

38. *Ibid.*, p. 203.

39. The industrialists were overwhelmingly represented at both plenary sessions of

Many of the points raised were trifling matters, while some contained the seeds of potentially significant changes. In the second category was the question of defining the legal status for workers' unions. Although the industrialists maintained their opposition to the legalization of unions, they also argued that if the workers were granted this privilege, then the industrialists should be given a "similar" right to form syndicates and cartels.⁴⁰ On the other hand, the discussion of strikes and other work stoppages bordered on nit-picking. The industrialists conducted a lengthy debate over how to define a strike. They were especially eager to determine the exact point at which a strike could legally be said to exist. From here they passed to a full discussion of the responsibility of involuntary participants in a strike, concluding that all strikers had to share the responsibility if the interests of the owners were to be adequately protected.⁴¹ Since many of the questions the industrialists raised had already been answered in the draft proposals, they were quickly reduced to arguing for minor points of their economic or social philosophy rather than for specific changes in the draft laws. Clearly they were fighting a delaying action, hoping to prevent or at least considerably postpone enactment of the government's proposals and waiting for some good excuse to quit the proceedings altogether.

Kokovtsov soon recognized the aims behind these tactics. Even during the first day's meeting he frequently recalled the industrialists to a discussion of matters "relevant to the issues at hand" and begged them not to enter into

the commission. Whereas the government had twenty-two people present—six members appointed by the emperor (including Kokovtsov himself) and sixteen from the ministries (Interior, Finance, Justice, War, etc.)—the industrialists had one hundred twenty. For the sake of convenience, the latter can be divided into eight categories: those representing committees of trade and manufacture (twenty-four representatives); members of various bourse committees from all parts of the empire (forty); representatives of the Councils of Congresses—which included mining industrialists, oil industrialists, and flour and sugar manufacturers (thirty-one); and five other groups. These latter groups were the Permanent Imperial Consultative Bureau of Railway Industrialists (four representatives); the Permanent Consultative Bureau of Gold and Platinum Mining Industrialists (five); the League of Brewers (four); the St. Petersburg Society for the Assistance, Improvement, and Development of Factory-Mill Industry (eight); and the Commercial and Manufacturing Firms of the City of Batum (four). The government representatives were all trusted senior officials below the ministerial level in their respective departments. On the other hand, the composition of the industrial delegations tended to vary. As a rule, however, they included a major official in one of the most important firms of the respective area of industry as the chief representative. Also included in the delegations were a number of "deputies." These men were frequently technical experts such as engineers and accountants. Both Rabinovich and Neratov are listed in this category. See "Lichnyi sostav vysochaishe uchrezhdennoi kommissii," pp. 34–40.

40. "Zhurnal vysochaishe uchrezhdennoi kommissii: Zasedanie 16 maia, 1905 g.," pp. 207–8.

41. *Ibid.*, p. 217.

a "conversation derby" or "ignore the vital nature" of their current task.⁴² All his efforts were to little avail, however, and after a heated discussion of recent court decisions favoring striking workers, the first general session of the Kokovtsov Commission adjourned. This meeting had broken no new ground and had taken no practical action on the suggested reforms before it. In short, nothing had come of the first session of the long-awaited commission. Nor did it seem likely that anything would come from future sessions.

By the time the full plenum reassembled two days later, the industrial representatives had found a reason for abandoning the proceedings: the news of the destruction of the Russian Baltic fleet at Tsushima Strait on May 15. While most of Russia mourned the event as a national tragedy, the factory-owners saw in it an opportunity to refuse further participation in the commission's activities. Křestovnikov, acting as chief spokesman for the industrial group, declared that such a great misfortune as Tsushima, coming in conjunction with the other upheavals shaking the empire, made it impossible for them, as patriotic Russians, to continue with the work of the commission. Stressing their "anxiety," he urged a general delay of *all* work on the commission's proposals until a more favorable time. Even so, he argued, "If the great misfortune that has [recently] befallen Russia does not pacify the workers and bring them to a sense of reason . . . then the laws which we have devised and are laboring to bring to fruition will not pacify them in any case. Therefore we beg you to defer discussion of these questions until more peaceful times."⁴³

Kokovtsov was apparently not taken completely by surprise by this transparent stratagem. Rather, he attempted to shame the factory-owners into staying and completing their tasks in the commission. The industrialists were not alone in their feelings of shock and disappointment, he asserted, for he as well as the other government members of the commission were equally disturbed. But despite personal and patriotic feelings, everyone had to carry on with the important problem at hand. They had to "take into account life's realities and not just fold their hands and stop work." Two to three days' more work on the draft laws would go far toward solving the issues they dealt with, and might result in their complete resolution. Finally, not challenging their patriotic feelings of despair, Kokovtsov appealed to their sense of humanity. He asked them to think of "those who wait with strained attention for news of what we decide here. Those millions of workers cannot see into our souls and neither can they fully share the mood of despair that we are experiencing." It would be better, he concluded, to carry on the exchange of

42. *Ibid.*, pp. 213, 218.

43. "Stenograficheskii otchet o zasedanii komissii . . . , 18 maia, 1905 g.," *Rabochii vopros*, p. 236.

ideas in the commission rather than to earn the reproach of the people for having abandoned their interests.⁴⁴

Despite Kokovtsov's admonitions, the industrial representatives withdrew from the commission's deliberations. The bright hope of February—the hope that the government, in conjunction with the industrialists and drawing on the advice of labor and zemstvo representatives, could effect far-reaching changes in Russia's labor laws—came to an abrupt end. The government's new course of cooperative action, as recommended by Kokovtsov, had failed to elicit the necessary support of the industrialists. The commission's labors, however, were not ended. A “rump” of the commission, composed entirely of its bureaucratic personnel, met again at the beginning of June and divided itself into sub-committees, which were charged with completing work on the various drafts.⁴⁵

Since a full plenum of the commission never again assembled, and since there was no further broadly based discussion of Russia's labor laws, the legislation that ultimately emerged from the labors of the Kokovtsov Commission could hardly be called representative of the commission's early intentions. For example, an emasculated version of the commission's work on the strike issue appeared in an imperial decree of December 3, 1905, which delineated punishments to be imposed for strike activity in industries of “vital social and governmental importance.”⁴⁶

This was followed by a decree of the Senate in February 1906, which further defined the length of prison sentences for various kinds of strike activity. It also freed owners from any obligation to compensate workers for time missed as the result of a strike—a major demand of the industrialists throughout 1905.⁴⁷ At the same time the Senate's decree was not wholly weighted in favor of Russia's industrialists. Indeed, it stated categorically that a worker could not be fired for failure to work during a strike if his absence was the result of force or coercion against him. It also stipulated that factory-owners could not sue workers for losses incurred during strikes.⁴⁸

Finally, decrees of March 4, 1906, attempted to carry a step further one of the promises of the October Manifesto—the legalization of strikes and the

44. *Ibid.*, p. 241.

45. For a more detailed discussion of the commission's subsequent efforts in the years from 1905 to 1908 see K. Pazhitnov, “‘Novyi kurs’ politiki po rabochemu voprosu: Proekty rabochago zakonodatel'stva s 1905 po 1908 g.,” *Vestnik Evropy*, March 1909, pp. 218–50.

46. “Imennoi vysochaishii ukaz o vremennykh pravilakh o nakazuemosti uchastiia v zabastovkakh v predpriatiiakh, imeiushchikh obshchestvennoe ili gosudarstvennoe znachenie, a ravno v uchrezhdeniiakh pravitel'stvennykh, i ob obespechenii sud'by tekhn sluzhashchikh, koi ne prinimaia uchastiia v zabastovkakh, postradali ot uchinennogo nad nimi nasiliia,” *Rabochii vopros*, pp. 274–79.

47. “Senat o zabastovkakh,” *Rabochii vopros*, p. 280.

48. *Ibid.*

related problem of workers' unions. The government now granted legal status to strikes for economic purposes in nonvital areas of the economy.⁴⁹ At the same time it officially recognized the right to form trade unions. The decree clearly stipulated, however, that union activities were to be confined strictly to the economic as opposed to the political sphere.⁵⁰

The remainder of the commission's sweeping ideas for reforming labor legislation met with diverse fates. The only substantial result was a law on health and accident insurance passed in 1912, but even this was not adopted until the pressures of labor unrest—particularly the strikes and disorders at the Lena gold fields—forced the government to act. Moreover, liberals criticized the insurance law because it applied only to a narrow circle of workers.⁵¹ The other proposals made by the commission in 1905 never saw the light of day.

The reasons for this poor record—and for the failure of the Kokovtsov Commission itself—were varied. Most important was the obvious disparity between the government's aims, as articulated by Kokovtsov and reflected in the commission's drafts, and those enunciated by the representatives of Russian industry. Under the pressure of the revolutionary events of early 1905 some leaders in the government were anxious to take quick action to restore both the confidence of the workers in their tsar and his government and the faith of Russia's allies in her political and social stability. The urgent need for such action was constantly stressed throughout the period of the commission's activity. It should be noted, however, that for some members of the commission reform was not a matter of expediency *alone* but was also a question of making reforms which were long overdue.⁵²

The industrialists, on the other hand, saw the entire reform effort—including the Kokovtsov Commission and its draft proposals—as nothing less than an attempt by the government to make scapegoats of *them*. In their view the government wanted only to placate the workers at their expense and thereby mollify revolutionary discontent. The government's failure to deal frankly with these fears only served to deepen them and to strengthen the industrialists' determination to resist all efforts at labor reform.

The position of the industrialists, based so squarely on petty self-interest,

49. *Polnoe sobranie zakonov Rossiiskoi imperii*, 3rd series, vol. 25, no. 26,987.

50. *Ibid.*, vol. 26, no. 27,479.

51. Turin, *From Peter the Great to Lenin*, p. 124.

52. Kokovtsov, *Iz moego proshlago*, 1:55. Even if expediency remained the major reason for introducing such a wide-ranging program, it should be remembered that the German government, which was the model for Europe in the area of labor legislation in the nineteenth century, introduced its reformist laws purely out of expediency and for much baser political reasons. See Mitchell and Stearns, *Workers and Protest*, p. 158, and Dawson, *Bismarck and State Socialism*, p. 120. See also Hedwig Wachenheim, *Die deutsche Arbeiterbewegung, 1844 bis 1914* (Cologne, 1967).

was hardly praiseworthy. They often purposely missed the point of the commission's drafts, and haggled endlessly over minor issues. They clearly believed that the reforms not only would undercut their favored position in the economic and labor policies of the government, but would also deprive them of their dominant control over the workers, which had proved so profitable in the past. Thus their vociferous and public opposition to the projected reforms was hardly surprising, and their delaying tactics and final withdrawal from the commission at the first possible pretext simply reflected their determination to do all they could to block reform.

Although Kokovtsov's memoirs are silent on this score, there are indications that the continuing intractability of the factory-owners on the question of labor reform met with sympathy among some highly placed bureaucrats and court functionaries, who in the past had supported favoritism to industry—as well as among those opposed to *any* “radical” changes.⁵³ Moreover, corruption and bribetaking by officials of all ranks apparently also played a role in blocking labor reform.⁵⁴ It was not unusual for advantageous sinecures in the management structure of industries and joint-stock companies and on the boards of directors of banks, as well as founders' shares of stock, to be awarded to prominent officials, who then became silent (but, of course, well-paid) participants in these industries, often while retaining their government posts and titles.⁵⁵ Thus the official and unofficial pressures against the realization of the Kokovtsov Commission's original programs were probably quite substantial, especially as the events of 1905 receded into the background.

Finally Kokovtsov himself was partly responsible for the sidetracking of labor reform. As Russia's financial situation worsened under the twin burdens of war debts and the disruption caused by the revolution, Kokovtsov threw himself into efforts to save the empire from bankruptcy. This left the question of labor reform without leadership at the highest level and at the mercy of pressures coming from those bureaucrats and industrialists who opposed it. Moreover, Kokovtsov was out of office from October 1905 to April 1906, a period when Witte and his cabinet were too distracted with other matters to give much priority to labor reform. When Kokovtsov returned to the office of minister of finance in April 1906, the urgency of labor reform was not as intensely felt as it had been a year earlier. After 1906 he believed that the improvement of Russia's labor laws came second—or even third—in importance

53. “25 let nazad (Iz dnevnikov L. Tikhomirova),” *Krasnyi arkhiv*, 39 (1930): 66.

54. S. Ia. Borovoy, “Ob ekonomicheskikh svyaziakh burzhuaznoi verkhuski i tsarizma v period imperializma,” *Istoriia SSSR*, 1970, no. 2, p. 109.

55. I. Kh. Ozerov, *Kak raskhodiatsia v Rossii narodnyia den'gi (po neizdannym dokumentam)* (Moscow, 1907), p. 53. See also V. I. Bovykin, *Zarozhdenie finansovogo kapitala v Rossii* (Moscow, 1967), p. 290.

behind the problem of adapting the financial system to meet the needs of the new Duma and the task of solving Russia's continuing budgetary difficulties.⁵⁶

For these various reasons the tsarist government lost a golden opportunity to initiate reforms which would have put Russia in the front ranks of industrial powers according humane, just, and equitable treatment to their workers. At the same time Kokovtsov's reform program might have gone far toward winning the support and loyalty of a class whose enmity the government could ill afford in the future.

56. Kokovtsov, *Iz moego proshlago*, 1:179 ff.