

Comprehending the Weakness of Russia's Unions

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There is a paradox concerning labor in Russia. Russia's main trade union federation, the Federation of Independent Trade Unions of Russia (FNPR), is the largest social organization in Russia—in other words, the largest single component of civil society. And polls show that the demands that trade unions raise are popular: people's greatest concerns are typically unemployment and delayed wage payments.¹ Yet poll after poll also shows that the FNPR, and unions generally, are among the least respected public institutions in Russia. Put differently, unions—the social organizations that in theory should be most capable of achieving the goals of most people—are among the least trusted institutions in society, and as we shall see, have proven themselves largely incapable of mobilizing their members in support of those goals.

This is a concern not only for workers seeking decent wages and trying to keep their jobs, but also for broader goals such as building civil society and consolidating democracy. Historically and comparatively, labor has been a central variable in democratization, as a number of classical and contemporary works in political sociology have emphasized.² While others have argued that more class-neutral concepts such as the strength of civil society better explain the success or failure of democracy, trade unions are almost invariably at the top of the list of those institutions said to make up civil society.³ And this should hardly be surprising: in virtually every industrialized society trade unions are among the very largest, if not the largest, nongovernmental mass organizations.⁴

This article will focus on trade unions and will attempt to examine the weakness of Russia's unions and the obstacles that prevent them from becoming a more active part of civil society. It will look first at the sorts of resources that unions might hope to have to be effective. Then it will briefly examine grievances that working people in Russia have as a result of the transition, before turning to

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strikes as one indication of the extent to which workers have addressed those grievances. The article will then investigate the strengths and weaknesses of Russia's unions at the national and enterprise levels. Having demonstrated the weakness of Russian unions on those different levels, in the final section it will seek to explain that weakness by comparing the Russian case with trade unions in other postcommunist societies.

We might begin a discussion of Russian unionism by asking what sorts of resources unions need to be effective. In a discussion of contemporary European unions, Ross and Martin identify four types of resources most helpful to trade unions. First are "market/bargaining" resources, which come from concessions that unions get from employers through the actual or potential pressure they can bring to bear. "These concessions—higher wages, job security, decent working conditions, limitations on employer authority—are the heart of what unions promise to supporters."⁵ They also need "identity resources," such as discourses that justify union goals, place them in an ideological context, and encourage solidarity. Third, unions rely on "organizational resources," such as a legitimate leadership and secure funding. A crucial organizational resource is the potential for rank-and-file mobilization: "The ability to 'call out the troops,' or to threaten it credibly, is vital." Finally, unions require political resources, which tell political parties and governments that unions can support or sanction them in different ways. Of these different avenues, "the most significant union political resources in democracies are the votes of the unionists." To be sure, these union resources represent an ideal type, and few unions in the present global climate possess them in abundance. Nevertheless, an examination of such resources can be fruitful for understanding the relative power of unions in the Russian context.

Let us review briefly the main grievances from which workers might seek redress. From the perspective of workers in particular, the conditions in Russia have been distressing: Between 1991, when Russia embarked on a move from central planning to a market system, and 1999, the Russian economy experienced a downturn worse than the Great Depression. By official statistics, Russia's GDP declined by roughly 40 percent at its nadir; in terms of industrial output, Russia's factories produced about half of the goods they did prior to the collapse of communism.⁶ A large portion of the population received a monetary income below the officially defined "subsistence minimum," and many of those people were "working poor."⁷ Russia's workers have struggled with the chronic problem of wage arrears: By late 1998 approximately two-thirds of Russian workers reported overdue wages, with those affected reporting close to five months pay in arrears on average.⁸ Although the amount of wages held in arrears has subsequently declined, the value of wages that are paid has declined as well, since with the financial crisis of August 1998 real wages plunged to less than half of their level in 1991, the last year of the Soviet Union.⁹ While average wages have since recovered, as of April 2002 they remained significantly below the level before the 1998 financial meltdown.

According to the Russian government's Human Rights Commissioner's Report for 1999, "Russia is now among the bottom 20 percent of the world's

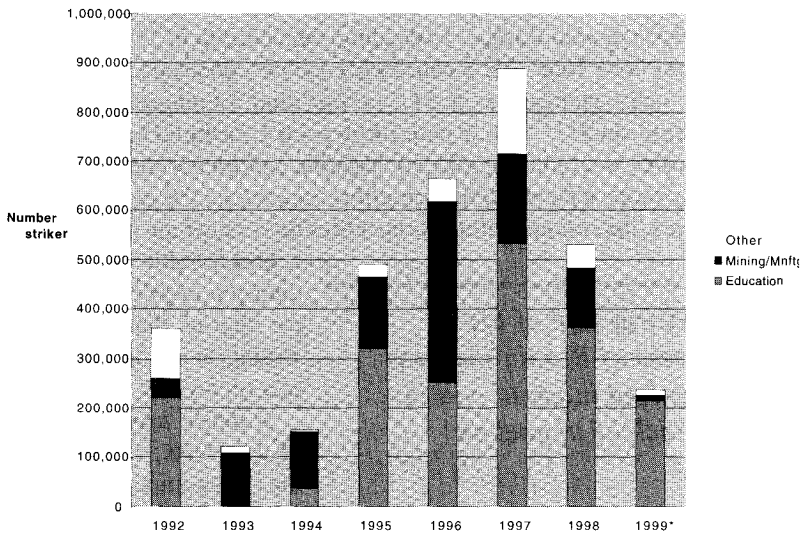
nations in terms of the 33 indicators the United Nations uses to determine the standard of living.” The report also notes “the payment of wages in the form of enterprise credit cards and vouchers is becoming a common practice, putting Russia in the same position as countries with the most primitive distribution systems.” The report charges that the chronic delays in the payment of wages are a violation of basic human rights. Further, “the working conditions of more than 43 percent of the laboring public are inconsistent with public health standards,” and “the rate of industrial accidents has risen sharply.”¹⁰ Suffice to say, Russia’s workers have had considerable grievances over the past decade.

What has the response of workers and unions been? Not surprisingly, one response has come in the form of strikes. According to official statistics, from 1992 to 1999 a total of 59,639 strikes were reported in Russia, for an average of 7,455 per year.¹¹ The overall number of strikes seems large, but considering the size of Russia’s working population, the proportion of Russia’s aggrieved workers that have struck is fairly small. Even by generous estimates the number of strikers and protesters represents only 1 or 2 percent of all Russian workers, and also an extraordinarily small percentage of workers owed wages.¹²

The puzzle deepens when we break down the figures by sector. The majority of the strikes were led by teachers. More precisely, from 1992 to 1999 fully 91 percent of all strikes in Russia, or 54 percent and 56 percent when measured by days not worked and workers involved respectively, took place in the education sector.¹³ As shown in figure 1, in most years, especially those with a large number of people out on strike, there have been more teachers on strike than workers on strike in mining and manufacturing combined.¹⁴ Given that coal miners almost certainly make up a large percentage of the strikers in the latter group, this means that, since the start of the painful “transition,” relatively few strikes have occurred in industry outside of coal mining.¹⁵ In other words, outside of a few branches, the ability of Russian unions to mobilize workers is limited at best.

The Weaknesses and Strengths of the FNPR

To make greater sense of the seeming incapacity of Russia’s unions, let us first consider unions at the national level. Russia’s trade unions are dominated by the Federation of Independent Trade Unions of Russia, the successor to the communist led union federation of the Soviet period. Alternative unions do exist—such as VKT (All-Russian Confederation of Labor), KTR (Confederation of Labor of Russia), *Sotsprof*, *Zashchita Truda*, as well as some branch unions that have left the federation’s umbrella—but they play a very limited role on the national level, though alternative unions are occasionally quite influential at the level of the enterprise, as we shall see.¹⁶ The FNPR’S chair, Mikhail Shmakov, was recently re-elected for the third time. This was his first re-election that met with any opposition, but despite heavy criticism of his campaign by the media (from across the political spectrum), in the end his sole remaining opponent gathered only eighty of 746 votes.¹⁷ Shmakov and his allies interpreted this showing as an endorsement of his union stewardship, but opponents pointed to the fact that so few of the top union leaders have changed over the years as a reason for their endorse-

FIGURE 1. Numbers of Workers Involved in Strikes, by Sector, 1992–99

Source: *Yearbook of Labour Statistics: 2001* (Geneva: International Labour Office, 2001).

ment of the status quo. Indeed, no more than 20 percent of the one hundred members of the federation's general council have changed over the last ten years.¹⁸ Although the FNPR is hardly the first union charged with ossification of its leadership, we should recall that during the last decade Russian unions have faced not simply the typical challenges of unions everywhere, but a political and economic transformation of historic proportions.

One apparent strength of Russia's unions is the relative size of their membership, which, despite a dramatic decline from the Soviet days of compulsory trade union membership, is, as one source puts it, "still high by comparison to most pluralist societies whether industrialized or developing."¹⁹ Indeed, while Shmakov puts the federation's membership at 38 million, down from 55–60 million in the first half of the 1990s, he can also claim that the FNPR remains "the biggest non-governmental association in the Russian Federation."²⁰ That alone, it would seem, makes it a force to reckon with.

Yet the figures on trade union membership are not straightforward. First, they are based on the self-reported figures of trade unions that have an interest in overstating them.²¹ Much trade union membership remains a rather passive holdover from the Soviet era of compulsory membership, rather than reflecting any active commitment on the part of members. For example, one small-scale survey of Russian enterprises found a lot of passiveness regarding trade union membership, with a number of respondents not knowing whether they were members or not, and others simply being automatically enrolled when they began their jobs.²² This

tenuous link to membership, when combined with union over-reporting, would help explain why official membership figures are at odds with survey figures of union membership. For example, the International Labor Organization, relying on union figures, reported Russia's trade union membership in 1996 at 74.8 percent of the total labor force. Yet a nationwide sample conducted in 1995 found the number of union members to be 54.7 percent (and the numbers have almost certainly declined since).²³ This 20 percentage point differential between official and survey figures is a rather significant disparity, and even if the union figures are technically more accurate in the sense that they reflect the number of dues-paying members, the meaning of union membership is rather questionable when

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a considerable proportion of members won't take the simple step of rhetorically committing to union membership in a survey.²⁴

Another apparent strength of the FNPR, as successor to the communist-era trade unions, was its inheritance of an enormous amount of property from the communist period, including revenue-generat-

ing concerns such as vacation resorts and other real estate. These do provide considerable advantages, especially in comparison to the new trade unions that do not have access to such resources. Yet, as the newspaper *Izvestiya* put it, “Being one of the greatest landlords in Russia, the FNPR is not interested in confrontation with the state. The government may decide to privatize its property at any moment.”²⁵ The Russian government has used this dependence successfully in the past to keep the FNPR in line: the removal of such resources from union control was explicitly threatened after the union sided with the defenders of the Russian “White House” in October 1993, and in neighboring Belarus President Aleksandr Lukashenko continues to employ the threat of nationalizing union property in his battle with unions.²⁶ Yet this threat may not be as effective as it once was. While the properties continue to generate revenue for the union federation, critics charge that such assets have been squandered, either through privatization to cronies or simply because the unions lost control of their privatized shares of the properties and therefore the income that might be derived from them.²⁷

One surprising sign of the ineffectiveness of Russia's unions as an “organized interest” comes from their lack of impact on elections. Given the large membership, however it is measured, of Russia's unions, they would appear relatively powerful, especially in relation to other components of civil society and Russia's weak party system. When the main union federation FNPR made a major push to enter party politics in the December 1995 parliamentary elections, it did so by reaching across class lines to form the misnamed Union of Labor with industrialists. Not surprisingly, it was trounced in the polls, receiving only 1.59 percent of the party-

list vote.²⁸ The experience was largely repeated in the 1999 Duma elections, when the Union of Labor joined Luzhkov's centrist party, with little electoral success.²⁹ The poor showing can in part be explained by the choice of alliance partners—industrial managers and owners, the very group from which unions might be expected to protect workers, and we will return to the significance of this alliance shortly. But the fact that an organization that in 1999 claimed a membership of over 40 million could deliver so few of the votes of its members, or even apparently of its paid staff and activists, suggests a very weak link indeed between leaders and led.³⁰ Moreover, with little proven ability to mobilize its members in the form of strikes, and even less in the form of votes, the FNPR, despite its assets and large membership, is largely devoid of the sanctions that unions can employ to ensure their voices are heard by the government and employers. If a union can't deliver votes or strikes, why should anyone listen to it?

One forum in which the federation has mobilized members has been its annual or semiannual "days of protest." Yet even the largest of these events, in 1997 and 1998, were largely ineffectual. For the 27 March 1997 national "day of protest," even though a large portion of its members had not been paid in months, the FNPR leadership refused to put forth any political demands at all, merely calling for "a change in the course of reforms."³¹ The "day of protest" called by the FNPR and opposition parties in October 1998—just months after the August collapse of the ruble led to a dramatic loss in real wages—was even weaker than such protests in the past.³²

Moreover, the economic demands that are aimed at the government in the course of such protests are typically those that can be endorsed by both managers and employees. As Linda Cook has argued, Russian labor protests "often function as a kind of regional lobbying or demand-making on the center. The FNPR's national protests are commonly supported by regional authorities who help coordinate, provide security, and sometimes direct their personnel to participate—all in the hopes of getting more payments from the center."³³ Indeed, this rather limited ability to mobilize its membership is a major reason why the union has focused its efforts not on battling employers for improved work conditions, but on appealing in tandem with employers to the state for greater concessions and side payments to their industry and enterprise.³⁴

This tendency of unions to press the state rather than managers for concessions would help explain which sectors are the ones that do engage in strikes in Russia. As mentioned earlier, whereas few strikes take place in manufacturing, a large number of strikes occur in the public or "budget" sector, which includes teachers, health care workers and others paid (or until quite recently, often not paid) directly from the state budget. Coal miners have also been largely part of the state sector. According to some accounts, just as with the "days of protest," strikes in the coal industry and budget sector "usually have the tacit support of managers and local administrations seeking to extract resources from Moscow."³⁵ This pattern of strikes in Russia also suggests that, despite the tendency of unions to pressure the state rather than owners and managers, the Russian state has succeeded, through the process of privatization and abandonment of central plan-

ning, in no longer being perceived by workers as directly responsible for their well-being; or perhaps workers in the “privatized sector” simply are not sure against whom to strike.³⁶

Social Partnership, Russian-Style

Although, outside of a few sectors, unions have not succeeded in placing much pressure on the state, they have attempted to engage it through the process of “social partnership” or tripartism, modeled roughly on the corporatist arrangements of Western Europe.³⁷ There are a number of difficulties with trying to graft such a social institution, developed in a specific historical context, onto contemporary Russian society. First, corporatist arrangements arose in Western Europe under conditions of strong labor movements that provided powerful incentives for both the state and capital to seek a social compromise. As we have seen, Russian trade unions can provide few such incentives. Moreover, tripartism in the Russian context does not involve unions and industrialists looking to the state as a neutral mediator in settling their conflicts; rather, it provides a further avenue for unions to join with managers along sectoral lines in appealing to the state for more resources.³⁸ One of the more optimistic accounts of the development of social partnership in Russia finds that “the tripartite commission is frequently used by trade unions and employers as an additional channel for placing pressure on the authorities.”³⁹

Because unions typically place so little pressure on employers, the latter have little incentive to organize themselves into associations for the purpose of negotiating national or branch-level agreements.⁴⁰ Since there are typically no employers’ organizations for a given branch, branch unions fill this role, as do industrial ministries. In other words, unions and branch ministries, in the absence of an employers’ organization, work out and sign agreements, which have little meaning in terms of setting wages and work conditions, but typically aim at extracting more resources from the rest of the state.⁴¹

Moreover, the significance of tripartite agreements is questionable. Juridically the tripartite commission is a consultative organ, whose decisions are passed on to government bodies as recommendations. Its general agreements are typically declarative in form, and most of the concrete points contained in them remain unfulfilled.⁴² One striking shortcoming of tripartite negotiations is the level of the minimum wage in Russia. One would expect corporatist negotiations to establish, if anything, an effective minimum wage—for a given industry, and for society as a whole. And yet the minimum wage in Russia is notoriously low: while cross-national wage comparisons are difficult, one comparative study found that by November 2001 the minimum wage in Russia amounted to 6 cents an hour, not only low for Eastern Europe, but lower than Vietnam, where the minimum wage was 20 cents an hour.⁴³ By May 2002 the minimum wage was raised by 50 percent to 450 rubles a month (about \$14.50), but this was still a fraction of the state-defined physiological subsistence minimum.⁴⁴

Mikhail Kasyanov, first vice premier at the time, summed up the ineffectiveness of attempts at corporatist social partnerships by bluntly stating that “the government has not discussed this problem [of low wages] for nine years. The state

has, in fact, lost hold of the instruments to influence the level of earnings in the non-state sector." He added that "such a mechanism as social partnership was not used at all."⁴⁵

Russia's New Labor Code

The minimum wage is slated to be revised upward according to Russia's recently adopted labor code. Despite the FNPR's poor showing in elections, it has some friends in parliament, and the FNPR engaged in considerable lobbying over the proposed labor code.⁴⁶ That the labor code was revised substantially from the government's initial proposal indicates that the union federation is not without some strengths. However, the final changes, strongly backed by the FNPR, are illustrative of its relationship both with the government and with other unions.

The old labor code, although modified, was adopted in the Brezhnev era, and the government and employers have for years derided provisions they viewed as incompatible with a market economy, such as the trade unions' right to prevent firings without union approval.⁴⁷ According to Russian unions, the government's proposed law would not only have made dismissals easier, it would also have meant that the length of the workday and workweek could be extended to twelve hours and fifty-six hours, respectively (to meet production deadlines), that temporary contracts could be used with virtually no restrictions, and that union influence would be limited in areas of work discipline, shift working, holidays, norms, and pay cuts.

Unions and their allies in the Duma mobilized considerable opposition to the government's proposed labor code. And although the new code does include most of the government's original goals, the FNPR can claim to have obtained important concessions.⁴⁸ The obligation for employers to pay wages on time is strengthened, with specific penalties for those who fail to do so. The minimum wage is to be set at the government-defined subsistence minimum.

All of Russia's unions—both the traditional and the alternative unions—mobilized against the government's draft, whereas Russia's employers, both the oligarchs and the RUIE (Russia's main industrial lobby), were in support of the government; some have interpreted this as a sign of the formation of distinct class interests in Russia.⁴⁹ According to Minister of Economic Development Mikhail Dmitriev, the reason it took a decade to revise the Soviet-era labor code is that mistrust of Russian employers by workers is so great that the Russian population "constantly suspects that Russian employers will undoubtedly harm or deceive workers."⁵⁰

As with all Russian legislation, the impact of the labor code depends on its enforcement, and enforcement of the old labor code was often poor. Indeed, regarding what the FNPR considered its biggest gain—raising the minimum wage to subsistence level—the government has made clear it is in no hurry to bring this about. According to Aleksandr Pochinok, minister of labor and social development, "the process will be long and will hardly be completed before 2009."⁵¹

Yet the most significant provision of the new labor code, especially for the development of Russia's trade unions, may turn out to be another one altogether.

Whereas all unions were opposed to the government's initial draft, traditional and alternative unions were soon divided in a bitter struggle over a compromise reached by the government and the FNPR, the compromise version eventually passed by the Duma. Alternative unions criticized that version as weak, as it allowed for longer working days and removed the union veto over dismissals; they were most concerned about a provision stating that management must negotiate only with a union that commands a majority of the workforce. Specifically, the provision states that in cases of enterprises with more than one union, the unions should form a single organ representing the trade unions in proportion to their membership. However, "if a single representative organ is not created within five calendar days after the start of collective negotiations, then representation of all employees will be carried out by the trade union organization representing more than half of the employees."⁵² The provision is clearly a threat to the smaller, alternative trade unions, a point noted in commentary on the draft labor code provided by the ILO, which argued that the majority trade union will have little incentive to include smaller rival unions in the negotiation process and will effectively have a veto over the matter.⁵³ With the exception of a few industrial branches whose unions have left the federation, FNPR unions are the dominant union at virtually every enterprise with union representation; FNPR would have a virtual monopoly over collective negotiations throughout the country. By some accounts, the prospect of FNPR union locals compromising with smaller alternative unions within an enterprise is almost nil: "the old and new unions have been openly at war with one another," and "it is almost impossible to find cases in which they have acted jointly to defend the interests of workers."⁵⁴

In seeking this provision, the union federation is being consistent, since "the FNPR's maneuvering on the labor code reflects what it has been doing since 1993: compromise [with the government] in order to solidify its position as the leading organization in the labor movement."⁵⁵ And in this compromise they were fully joined by the government. Minister Pochinok displayed his enmity for the more militant alternative unions in a discussion shortly after the Duma's second reading of the labor code. He argued (contrary to FNPR's claims that the fears of small unions were unfounded) that small unions were right to be worried about the new law, since if they couldn't command a majority, "they will simply lose members and lose influence." Overall, he argued, the law will lead to a decrease in the number of unions in Russia and the strengthening of those unions that survive.

And the best part of this, in my view, is that it won't be possible for five people to get together, create a union organization, in which one hundredth, one-thousandth of the labor collective terrorizes the enterprise. . . . And try under the existing legislation to do something with them. . . . This is an indication of what gaps there were in the old legislation. So I'm very glad that the labor code is dismantling certain legal norms of trade unions.⁵⁶

It is worth reflecting briefly on the potential impact of this provision of the labor code. First, with this expression of hostility by the government toward alternative unions, combined with the warm relations between the government and the FNPR, which have grown even better since their compromise on the labor code,

relations between the government and unions have come full circle: Alternative unions such as the Independent Miners' Union were close allies of the Yeltsin administration, and the FNPR at the time was seen as part of the communist opposition.⁵⁷ Second, the impact on smaller alternative unions, although perhaps exaggerated, could be significant not only for the unions themselves but also for labor relations generally. I will discuss the impact on small unions below, but to the extent that they have "terrorized" labor collectives, they have done so when the traditional unions failed to take action. Studies of union activity in Eastern Europe suggest that union competition on the enterprise level is one of the best predictors of union assertiveness, and the experience of those branches in Russia where unions do compete, as in the coal industry, suggests that union competition does indeed radicalize the existing traditional union.⁵⁸ Hence, inasmuch as Russia's unions are already quiescent, with a resulting negative impact on the standard of living of the working population, a further weakening of Russia's small alternative unions could have a

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significant and chilling effect.⁵⁹ For the government's part, the tendency, initiated under Yeltsin but increased under Putin, to treat the FNPR as the official and single representative of Russia's working population, is perhaps reflective of Putin's overall tendency to try to shape a civil society amenable to his wishes.

Last, although the FNPR's compromise on the labor code may have prevented passage of some of the more draconian measures in the government's proposal, it is not clear that unions gained much else. As Minister of Labor Pochinok characterized the labor code, perhaps boastfully, "[T]he new code will really remove unions from the economic sphere, they really will lose very serious possibilities, which they had before," since they "will no longer have economic levers."⁶⁰ *Rossiskaya Gazeta* reported that "the authors of the labor code regarded as its 'pearl' the fact that it moves labor relations from the sphere of conflict to the sphere of social partnership: 'What is good for the enterprise is good for the employee and the other way around.'"⁶¹ However, this is precisely the charge that critics make against Russia's unions—that they are unable to place much pressure at all on enterprise management, largely because they continue to see the interests of workers and managers as largely the same.

Unions in the Workplace

Let us turn then to unions at the enterprise level, which remain all-important for understanding the possibilities for unions as a political and social force in Russia. Unions in the communist period were considered part of management's team and were essentially social welfare agencies. Both of those legacies continue to

have an impact on traditional unions in Russia. Typically, a worker goes to the trade union not with a complaint about the boss but for a voucher to the plant's vacation resort, for a place in summer camp for his kids, or perhaps for a TV set being distributed by the plant's consumer network. Unions continue to serve as the distributors of social services and in-kind benefits formerly funded by the state and now, if they exist at all, provided by management.⁶² A 1995 survey found that more than twice as many people turn to the union with questions about social benefits as with questions about pay—and this in conditions of growing wage arrears.⁶³ In her in-depth study of one coal mine and its trade union, Ashwin reported that “days spent observing events in the trade union office revealed that union officers unquestionably spent most of their time dealing with *sotskul'tbyt* [social, cultural, and daily life concerns] and related issues.”⁶⁴

Russia's workplace unions face a paradox: Given the unions' long and continued history of being an arm of management for the provision of goods and services, workers do not look to them to defend their rights. But given the dire economic and social conditions in Russia, workers more than ever need what goods and services the unions can provide. Since it is managers who provide the resources for such services, union leaders are effectively prevented from taking a tough stance against management, which can easily cut off those resources, precipitating even greater loss of their standing with their members.

The tradition of unions' being allied with management also continues to shape union behavior. In fact, at the factory level, managers in many cases long remained trade union members, as they were in the communist era. According to one survey of industrial enterprises, in 1995, 62 percent of managers agreed that it was appropriate for managers and employees to belong to the same trade union, and 67.7 percent of trade union chairs agreed, as did 51.4 percent of employees. Yet three years later, in 1998, although the number of managers agreeing about joint union membership dropped substantially to 47.2 percent, the share of trade union chairs agreeing declined only to 60 percent, and the number of employees agreeing remained essentially unchanged (48.1 percent).⁶⁵ Nor does the leadership of FNPR necessarily oppose this practice. According to a recent manual for trade union activists, “In the difficult transition period to a civilized market economy . . . it is very important for labor collectives to keep a thoughtful, attentive director both in his position, and in the trade union.”⁶⁶

The survey cited above found that relatively few workers believe that unions best defend their interests. When asked who defends the interests of workers, in 1995, 32.3 percent of employees said that the director of the enterprise did, while another 19.5 percent chose their immediate supervisor, and only 10.2 percent answered that the trade union defended them. In 1998, the number of employees stating that the director defended their interests declined substantially to 12.1 percent, while the proportion answering that the trade union did so doubled to 21.3 percent. However, the proportion of respondents in 1998 saying that their immediate supervisor best defended their interest rose even more to 30.6 percent.⁶⁷

Moreover, union leaders tend to see their interests as being the same as those of managers, rather than in conflict with them. As one Russian sociologist phras-

es it, “[T]raditional unions unconditionally recognized the interests of the enterprise over the interests of the workers” and “the interests of the enterprise were quite often not differentiated from the interests of the administration.”⁶⁸ As with the FNPR on the national level, traditional unions at the firm seek above all to preserve their organizational structure and to do so through dialogue with managers rather than through contentious collective action; they typically aim to prevent such actions as strikes that might challenge their authority. Gordon and Klopov, close observers of Russia's unions, found some rather limited change in unions' behavior over the last decade: The traditional unions moved from being “pseudo-unions” of the communist period to “half-unions” today. In recent years “they have begun, although still very timidly, to move away from their initial tactics, wherein they acted almost exclusively in alliance with enterprise directors.”⁶⁹ Often such change is forced on them by the workforce. In one case, workers at a machine-building factory in Ivanovo struck while their trade union sat on the sideline. The chair of the regional trade union committee later argued that the union learned a lesson: “The workers took matters into their own hands and won the respect of management. They showed us that our old style of trade union work, which was to act as partners of management and enforcers of social peace, is simply not suitable in the new market economy.”⁷⁰

The approach of the traditional unions would be vindicated if the tactic of maintaining social peace and working with management delivered tangible benefits, but there is little evidence that it has. A number of studies have found that unions had little if any influence on the setting of wages in industrial firms,⁷¹ or even on the quite severe problem of wage arrears.⁷² Regarding collective contracts, the Ministry of Labor reported that in the years 1997–99, 146,000 enterprises had collective contracts, but according to Gordon and Klopov that represented only 15–20 percent of the enterprises where such contracts would be appropriate. By the end of the 1990s, collective contracts were in place in only 34 percent of state and municipal enterprises, organizations, and institutions, and only 8 percent of private enterprises.⁷³ In one survey of Russian enterprises, 30–40 percent of union leaders believed that such contracts do not serve to guarantee the interests of their collective, while more than half of the employees surveyed did not even know whether or not their enterprise had a collective contract. Moreover, the authors of the survey conclude that “there are no known precedents” whereby the violation of a collective contract was sufficient to bring the offending enterprise management to justice.⁷⁴

The limited import of collective contracts is not surprising given that labor law generally has been routinely flouted with impunity. The Human Rights Report for 1999 describes widespread violations of labor law, including “more frequent incidents of unlawful dismissals, mandatory leaves without pay, and other violations of the Labor Code of the Russian Federation.”⁷⁵ With such widespread violations of the law, unions and workers in the mid-1990s turned increasingly to a legal strategy. Reflecting the rise in wage arrears, the number of wage complaints handled by public courts rose from nineteen thousand in 1993 to 1.3 million in 1998—an almost seventy-fold increase.⁷⁶ Yet such a legal strategy

diverts scarce union resources into the courtroom rather than into organizing. Moreover, such cases can take a long time to resolve, and even when decided in the union's favor there is still the problem of enforcement. While close to twenty thousand illegally dismissed workers are reinstated in their jobs each year by court order, some factory directors claim to have piles of those court orders sitting on their desk.⁷⁷

Because of the ineffectiveness of trade unions in addressing the grievances of their members, the protests that do erupt often do so spontaneously and display a tremendous amount of anger and frustration.⁷⁸ Examples include the miners' "rail wars" of 1998, when they blockaded the Transiberian and other major railways; the hostage-taking of managers; the seizure of factories by work collectives contesting privatization; the hunger strikes and even the self-immolation of those not getting paid. All of this suggests that despite the lack of organized collective action on a wide scale, Russian workplaces are riddled with conflict.⁷⁹

The traditional unions themselves often came out against such acts of protest, as did most coal unions in the first days of the miners' "rail wars," and their absence from the negotiations over the acts of protest further testified to their failure to represent their members.⁸⁰ Partly because of union reticence, and partly because Russia's laws make staging legal strikes quite difficult, many of these enterprise-level strikes were wildcat actions.⁸¹

From the mid to the late 1990s, much strike action in Russia was connected with the persistent and growing problem of wage arrears.⁸² More recently many enterprise-level actions have switched their focus from wage arrears to the issue of ownership.⁸³ The entire process of privatization remains widely unpopular in Russia, because of widespread corruption and the enrichment of a few oligarchs, but also because of the ideological commitment of many Russians to such communist-era notions as the "labor collective" and workers' control.⁸⁴ As a result, particularly when plants are threatened with closure, workers in a number of cases have entered into the struggle over control of the enterprise. Emblematic of these conflicts has been the struggle over the Vyborg Pulp and Paper Mill outside St. Petersburg. Privatization of the plant by a British firm, leading to fears of layoffs, was contested by the plant's workers, who organized the seizure of the plant, which in turn led to a bloody confrontation between workers and Interior Ministry troops. Similar actions were repeated elsewhere, and the case was seen as an important one since it vividly displayed "the more general tendency of embittered labor relations of late 1990's."⁸⁵

Alternative unions or strike committees elected for the purpose, and not the traditional unions, almost always led these actions.⁸⁶ The strike committees that rose up during conflicts had practically no relations with trade unions in their enterprise, with strikers arguing that the traditional unions had not been able to defend anyone from firings or wage delays. Yet whereas small alternative unions were fairly easy to establish, they faced strong opposition from both management and existing unions. They also lacked any of the resources of the traditional unions, and even in cases like Vyborg alternative unions had to seek assistance from the branch and regional union hierarchies. Once a conflict ends, the alter-

native unions and strike committees tend to fall apart as quickly as they appeared. In short, although traditional unions lack a willingness to fight, alternative unions lack organization.⁸⁷ And in the absence of some organizational connection between these disparate conflicts, it is unlikely that such gains that workers might win could reach beyond the local level.⁸⁸

If nothing else, the extreme nature of many of the collective protests, combined with the fact that existing trade unions either observe the action from the sidelines or actively seek to prevent them, demonstrates yet again the weak link between Russia's unions and their membership. Still another indication comes from survey data: as Zaslavsky summed it up, "In polls ranking public organizations by the level of popular mistrust they generate, Russian trade unions have come to occupy the highest position."⁸⁹ As I show in table 1, trust for unions as reflected in surveys is indeed low, but there has been significant positive movement during the years 1994–2000.⁹⁰

One would expect that, given class differences, workers would be more likely to evince support for unions than the general population. And yet in these same surveys of the Russian population, union support is weaker among workers than it is among total survey respondents (see table 1). Not surprisingly, workers are more likely to offer an opinion about unions, and at least in most years they are more likely to say that unions "merit partial trust." Yet, depending on the year, between 1 and 11 percent more workers than all survey respondents state that

TABLE 1. Responses to Surveys of Public Opinion of the Trustworthiness of Russian Labor Unions, 1994–2000 (in percentages)

	Merit no trust	Merit partial trust	Merit full trust	Don't know/ no answer
1994 all	45	17	8	30
1994 workers	48	17	9	26
1995 all	43	22	6	29
1995 workers	44	37	4	15
1996 all	41	21	8	30
1996 workers	43	27	10	20
1997 all	33	26	11	30
1997 workers	42	24	8	26
1998 all	36	22	11	31
1998 workers	47	20	10	23
1999 all	37	28	10	25
1999 workers	39	37	14	10
2000 all	31	27	10	32
2000 workers	37	28	9	26

Source: Leonid Gordon and Eduard Klopov, *Poteri i obreteniya v Rossii devyanostykh: Istoriko-sotsiologicheskie ocherki ekonomicheskogo polozheniya narodnogo bol'shinstva*, vol. 1 (Moskva: Editorial YRSS, 2000), citing VTsIOM data.

unions “merit no trust at all.” Nor does the relative distrust of unions by workers appear to attenuate over time.

Meanwhile, those categorized as workers were more likely than others to say that they are prepared to participate in acts of protest (see figure 2), actions that, as we have seen, traditional unions are typically unwilling to take, except at the most general level and with the support of management.⁹¹ Indeed, surveys, particularly in the last half of the 1990s, showed a majority of the population supporting such actions as strikers blocking major rail lines.⁹² Surveys in the mid-1990s found between 20 and 30 percent stating a positive attitude toward the idea of strikes in their enterprise, with 10–15 percent asserting their preparedness to

“The union’s ties to its membership appear extremely weak: the evidence suggests that the FNPR is simply unable to mobilize its vast membership either to strike or to vote.”

participate personally in a strike. Extrapolating from the survey data, Gordon and Klopov argued that this would amount to between 5 and 8 million people, or 10–20 percent more than actually strike.⁹³ In a survey of industrial enterprises, the proportion of employees who agreed that a strike “is the only means of struggle” doubled from

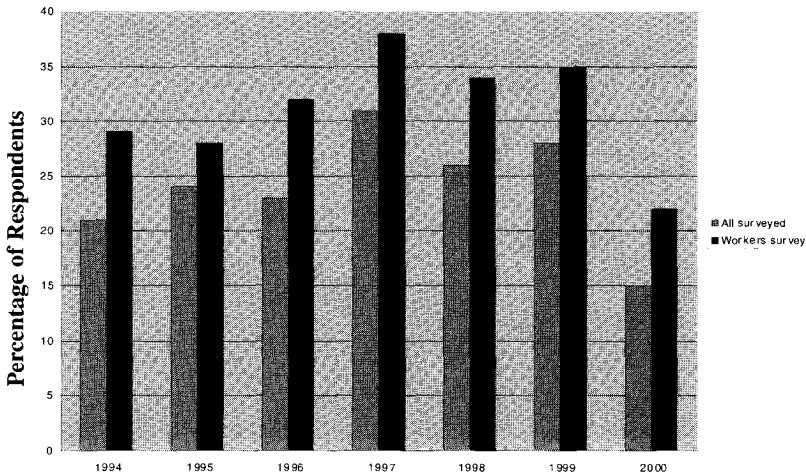
11.3 percent in 1995 to 22.2 percent in 1998, yet the proportion of enterprise union leaders who agreed with the statement remained roughly the same for both years, at 13 percent.⁹⁴ Although stating one’s willingness to strike and actually striking are very different actions, this declared willingness to strike implies that more assertive trade unions have a ready audience. Put differently, the evidence suggests that it is not the passiveness of the Russian population that prevents mobilization, but rather the recalcitrance or inability of representative organizations, specifically trade unions, to take action.

Explaining Labor’s Weakness in Russia

We return to the paradox with which we began: trade unions are the largest single component of Russia’s civil society, and the goals they proclaim are among the most popular. And yet those same unions are among the least respected institutions in society. In terms of the union resources identified by Ross and Martin, Russia’s main union federation, the FNPR, wields some significant resources: it not only has survived the first decade after communism but has solidified its position within Russia’s labor movement. It has retained a sizeable membership, however defined, as well as tangible assets, and thus the union’s funding appears secure. The FNPR displays at least some political resources through its lobbying in parliament, and with those it helped defeat some of the most draconian provisions of the government’s proposed labor code. There has also been some upward movement among survey respondents to trust in unions over the last decade.

Yet the evidence that the FNPR lacks the sorts of resources most basic to trade

FIGURE 2. Percentage of Survey Respondents Prepared to Protest Fall in Living Standards 1994–2000

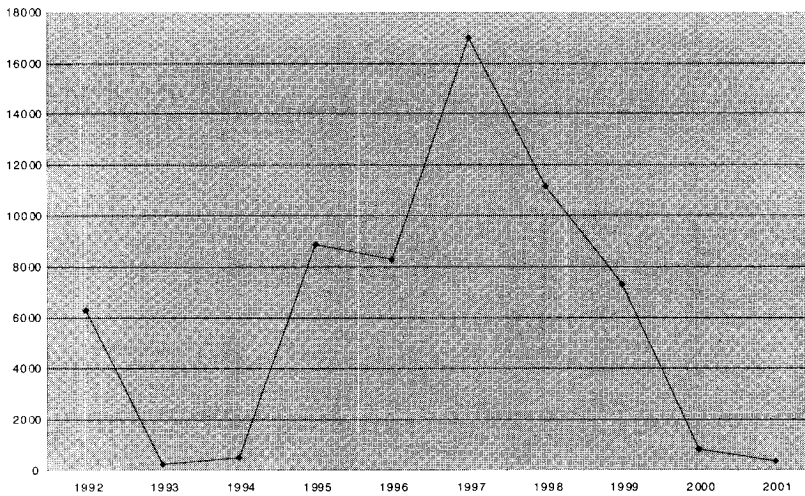


Source: Leonid Gordon and Eduard Klopov, *Poteri i obreteniya v Rossii devyanostykh: Istoriko-sotsiologicheskie ocherki ekonomicheskogo polozheniya narodnogo bol'shinstva*, vol. 1 (Moskva: Editorial YRSS, 2000), citing VTsIOM data.

unions is rather stunning.⁹⁵ There is little to suggest that the unions can provide anything like “market/bargaining resources,” whether in the form of decent wages, work conditions, or limits to employer authority—the very essence of what unions promise to their members.⁹⁶ Moreover, the union’s ties to its membership appear extremely weak: the evidence suggests that the FNPR is simply unable to mobilize its vast membership either to strike or to vote. Nor is this problem confined to relations to the FNPR hierarchy in Moscow: survey and other evidence finds very weak links between workers and traditional unions at enterprise level. In short, while the FNPR has displayed organizational continuity over a tumultuous decade and has approached a near-monopoly on worker representation, its connection with the vast membership it claims to represent is quite limited.

What explains the weakness of Russia’s unions? A number of different explanations have been proposed.⁹⁷ Recent changes in Russia’s economic situation and, more important, comparison with the situation in Eastern Europe, can help us sort out some of the explanations and thus the prospects for change. Let us consider each in turn.

One explanation for the relative lack of collective action on the part of Russian workers has been the general economic situation: it is difficult to strike if factories are making little to begin with. That sort of explanation is consistent with the economic theory of strikes—that strikes take place not when labor is weak, but when it is strong, such as in conditions of low unemployment.⁹⁸ Fol-

FIGURE 3: Number of Strikes in Russia, 1992–2001

Source: *Yearbook of Labour Statistics: 2001* (Geneva: International Labour Office, 2001).

lowing this reasoning, we would expect to see some increase in labor activity with the beginning of economic recovery in Russia. Yet just the opposite is the case; with a decline in wage arrears and a rise in industrial production and some improvement in real wages, the number of strikes in Russia has declined rather dramatically. As shown in figure 3, while there were seventeen thousand strikes in 1997, eleven thousand in 1998, and seven thousand in 1999, the number of strikes dropped to eight hundred in 2000 and less than three hundred in the first nine months of 2001. (However, measures of strike volume, such as the number of days not worked, show a much less dramatic drop-off in strike activity.)⁹⁹

If the “crisis” in the Russian economy is indeed over, does this mean that the main grievances of workers have disappeared? As we have seen, Russian workers have been burdened with grievances for some time, and the end of the Russian depression will not remove most of these anytime soon. As economic change continues, workers are likely to face increasingly open unemployment, as opposed to unemployment hidden in the form of wage arrears and underemployment. If anything, the Russian case underscores the observation that grievances do not easily lead to collective action.

Some explanations see union weakness as a reflection of Russia’s troubled transition, which is nevertheless making a certain evolutionary progress toward “normality.”¹⁰⁰ Others argue that capitalist class relations have still not fully taken shape within the enterprise, that the basic lines of conflict still tend to be between the enterprise and its external environment, and that workers remain dependent on paternalistic enterprises.¹⁰¹ Still others have argued that workers in the Rus-

sian context find it difficult to assign blame for such problems as wage arrears,¹⁰² or they are hindered from acting collectively by labor market segmentation, as more highly skilled workers exit failing enterprises for the informal economy or new private firms.¹⁰³

Each of these explanations has considerable plausibility in the Russian context. Each of them, some more explicitly than others, also puts considerable weight on the notion of legacies from the communist period in explaining the position of Russian workers. Indeed, perhaps nowhere is the impact of the communist legacy more evident than when considering the issue of labor and trade unions. After all, the old regime claimed to rule on behalf of the working class, and communist-led trade unions became the largest organizations in society with the end of those regimes. However, the notion of legacy, at least in the ways that the argument has typically been applied to Russia, implies that the impact of the past will attenuate over time, as the transition progresses, as capitalist class relations solidify, and as old habits and institutions are transformed or die out.

And yet when we look across postcommunist societies, we find that when measured by a variety of quantitative and qualitative indicators, unions are quite weak throughout the postcommunist space.¹⁰⁴ This is true despite wide variations in a number of other relative factors that could reasonably be considered to affect labor relations: levels of economic growth and unemployment, political opportunities, union configurations, candidacy for EU membership, hardness of budget constraints, firmness of property rights, and so on. The phenomenon calls into question explanations for union weakness developed specifically in the Russian context. For example, in the case of East and Central Europe, several countries have achieved sustained economic growth, capitalist class relations appear much clearer, and the opportunity for workers and managers to appeal to the state is considerably less, yet unions remain quite weak. Turnover, and hence exit, are lower than in the Russian case. And the difficulty of assigning blame, although plausible when the problem is wage arrears, is rather less convincing when the problems are the more familiar ones of unemployment and low wages. Certainly the impact of institutional and ideological legacies from the communist period does help explain the phenomenon; such legacies are about the only things these countries still have in common. And yet, for a variety of historical reasons, communist legacies would appear to be less deep in Eastern Europe than in the former Soviet Union.

Rather than dealing with the continued impact of legacies per se, labor unions throughout postcommunist societies were faced with the introduction of capitalism and an opening to the global "post-Fordist" economy from an initial position of weakness stemming from communist-era legacies; even as those legacies appear to attenuate, unions display little increased strength as social and political actors.¹⁰⁵ They may yet reconstitute themselves in the future as strong labor movements, but there is little evidence at present to suggest that this will happen. In this, unions are similar to other components of postcommunist civil societies, which remain quite weak comparatively.¹⁰⁶ The experience of Eastern Europe is the biggest reason for doubting that Russia's unions, like the transition itself, will

evolve in a linear fashion, even if a long and troubled one. If anything, as the economy becomes less state-centered and more private, and as the strategies and the mentalities of working people become more individualized and less collectively oriented, the possibility for a strengthened workers' movement in Russia may decline even further.

NOTES

1. For example, a September 1998 poll by the Institute of the Sociology of Parliamentarianism found that to the question of what problems in your personal life anger you the most, 60 percent answered wage arrears and 55 percent answered low wages. *Izvestiya*, 23 September 1998.

2. Ruth Berins Collier, *Paths Toward Democracy: The Working Class and Elites in Western Europe and South America* (Cambridge: Cambridge University Press, 1999); Dietrich Rueschemeyer, Evlyne Huber Stephens, and John D. Stephens, *Capitalist Development and Democracy* (Chicago: University of Chicago Press, 1992); Gregory Luebbert, "Social Foundations of Political Order in Interwar Europe," *World Politics* 39, no. 4 (1987); T. H. Marshall, *Citizenship and Social Class* (Cambridge: Cambridge University Press, 1950); Reinhard Bendix, *Nation-Building and Citizenship* (New York: John Wiley and Sons, 1964).

3. Ertman, for example, criticizes the emphasis placed on the working class, yet in the examples of "associational life" that he suggests are the central variables explaining democratization, labor unions figure quite prominently. Thomas Ertman, "Democracy and Dictatorship in Interwar Western Europe Revisited," *World Politics* 50 (1998): 475–505.

4. The only obvious rival would be the Catholic Church in societies where that religion dominates.

5. George Ross and Andrew Martin, "European Unions Face the Millennium," in *The Brave New World of European Labor*, ed. Andrew Martin and George Ross (New York: Berghahn, 1999), 3.

6. Although official figures may fail to capture informal economic activity, other measures put the decline at only slightly lower levels. See Branko Milanovic, *Income, Inequality, and Poverty during the Transition from Planned to Market Economy* (Washington, DC: World Bank, 1998).

7. In 2000 the proportion of the population below the subsistence minimum was close to 40 percent, though by the third quarter of 2001 that number had dropped to 27 percent. Itar-Tass, 2 February 2002. Beyond the official statistics, a poll carried out by the National Institute for Social and Regional Problems revealed that seven Russians out of ten considered themselves poor, only 14 percent said that they could pay for necessary medical treatment, and just 8 percent took a holiday in 1999. President Vladimir Putin conceded that Russia occupied seventy-first place in world rankings for its people's standard of living. *Agence France Presse*, 28 February 2000. On the large number of "working poor" in Russia and other post-communist societies, see Milanovic, *Income, Inequality, and Poverty*.

8. These figures come from the Russian Longitudinal Monitoring Survey, as analyzed in John Earle and Klara Sabirianova, "Equilibrium Wage Arrears: A Theoretical and Empirical Analysis of Institutional Lock-In," unpublished paper, Stockholm Institute of Transition Economics and East European Economies, Stockholm, 2000. Often workers would not get paid in rubles, but would get paid in kind—in products the enterprises had obtained by barter, or consumer goods that the plant produced, including matches, bras, coffins, and in one case, manure. *Izvestiya*, 26 November 1999, as reported in "Russia Campaign: Strikes and Protests," 18 May 2000, <http://www.icem.org/campaigns/no_pay_cc/protests_0001a.html>.

9. "The 1999 Report of RF Human Rights Commissioner," *Rossiyskaya Gazeta*, 4 April 2000. According to another measure, in March 1999, Russia's average hourly labor

costs, including benefits, were 56 cents an hour—less than one-half of the labor costs in Guatemala. *New York Times*, 18 March 1999.

10. On the rise of accidents and unsafe work conditions, see A. M. Katsva, "Kollektivnye Deistviya v konste 90-kh godov: Radikalizatsiya metodov stachechnoi bor'by," in *Trudovie otnosheniya i kollektivnye deistviya v sovremenoi Rossii*, ed. A. M. Katsva et al. (Moskva: Editorial URSS, 1999).

11. *Yearbook of Labour Statistics: 2000* (Geneva: International Labour Office, 2000). Some argue that such official statistics only record officially recognized strikes and thus understate the real figure. Petr Bizyukov, "Al'ternativnye Profsoyuzy na Puti Osvoeniya Sotsial'nogo Prostranstva," *Sostiologicheskiye Issledovaniya* 5 (2000): 34 n. 1. However, survey data suggests that the official statistics are close to the mark. Debra Javeline, *Protest and the Politics of Blame: The Russian Response to Unpaid Wages* (Ann Arbor: University of Michigan Press, forthcoming).

12. Javeline, *Protest and the Politics of Blame*.

13. *Yearbook of Labour Statistics*. The much larger proportion of the number of strikes by teachers, as opposed to days not worked or workers involved, is largely explained by the relatively small size of the teachers' "collectives." See Katsva, "Kollektivnye Deistviya."

14. Given that there are fewer teachers than mining and manufacturing workers, from 1992 to 1999 an average of 217 per thousand teachers were on strike each year, while the comparable figure for mining and manufacturing was sixty-one. *Yearbook of Labour Statistics*.

15. On the exceptional nature of Russia's coal miners, see Stephen Crowley, *Hot Coal, Cold Steel* (Ann Arbor: University of Michigan Press, 1997).

16. Alternative unions occupy only two out of thirty seats on the Russian Tripartite Commission. Those seats are occupied by VTK and KTR, each claiming a membership of 1.2 million. Vadim Borisov, "Sotsial'noe partnersvo v Rossii: Spetsifika ili podmena ponyatii," *Sostiologicheskiye Issledovaniya* 5 (2000): 57.

17. *Nezavisimaya Gazeta*, 10 October 2001; *Kommersant*, 30 November 2001, as translated by the *Current Digest of the Post-Soviet Press*.

18. *Nezavisimaya Gazeta*, 17 October 2001.

19. Calvin Chen and Rudra Sil, "The Transformation of Industrial Relations in Russia and China: Diverging Convergences?" paper presented at the Annual Meeting of the American Political Science Association, San Francisco, 12 September 2001.

20. "Press Conference with Independent Trade Unions Federation Chairman Mikhail Shmakov," Official Kremlin International News Broadcast, Federal News Service, 3 December 2001; Leonid Gordon and Eduard Klopov, *Poteri i obreteniya v Rossii devyanostykh: Istoriko-sotsiologicheskie ocherki ekonomicheskogo polozheniya narodnogo bol'shinstva*, vol. 1 (Moskva: Editorial YRSS, 2000), 218.

21. Marina Karelina, "Tendentsii Izmeneniya Chislennosti Professional'nykh Soyuzov," *Sostiologicheskiye Issledovaniya* 5 (2000): 41–43.

22. *Ibid.*, 48.

23. *World Labor Report, 1997–1998* (Geneva: International Labour Office, 1997); Ronald Ingelhart et al., *World Values Surveys and European Values Surveys, 1995–1997* (computer file), Inter-University Consortium for Political and Social Research version (Ann Arbor, MI: Institute for Social Research, 2000). For a similar disparity between union figures and survey data, see Gordon and Klopov, *Poteri i obreteniya*, 203.

24. The newspaper *Kommersant* cited a recent survey that put FNPR membership at 7 million. *Kommersant*, 30 November 2001.

25. *Izvestiya*, 9 April 1998; *Izvestiya*, 24 August 1999.

26. "Belarus Government Prepares to Nationalize Trade Union Property," *Novie Izvestiya*, 12 April 2001, as translated by the *Current Digest of the Post-Soviet Press*.

27. *Nezavisimaya Gazeta* claims that the property FNPR inherited was worth 6–7 billion dollars, but on what basis this valuation is made is unclear. In the early 1990s an agreement was reached with regional union federations over distribution of the property, with

21 percent going to the national federation and 79 percent going to regional organizations. The newspaper cites a report by a deputy to Shmakov that states that the FNPR lost control of a large number of privatized assets, including almost one in four enterprises created from tourist assets (out of a total of 730). *Nezavisimaya Gazeta*, 17 October 2001.

28. Boris Kagarlitsky, "Russian Trade Unions and the 1995 Elections," *Labour Focus on Eastern Europe* 52 (autumn 1995): 64–69. This was less than the votes received by Viktor Anpilov's *Komunisty—Trudovaya Rossiya—za Sovetskii Soyuz*. Simon Clarke, "Labour in Post-Soviet Russia," paper presented to the ICCEES World Congress, Tampere, Finland, August 2000.

29. *Ibid.*

30. *Izvestiya*, 23 October 2001.

31. *Kommersant-Daily*, 29 March 1997; *Moscow News*, 30 March–6 April 1997.

32. The FNPR did manage to up the rhetoric from "a change in the course of reforms" to "Yeltsin resign," but with Yeltsin's popularity rating in low single digits, in so doing they were not exactly going out on a limb. *Nezavisimaya Gazeta*, 8 October 1998; *Segodnya*, 9 October 1998.

33. Linda J. Cook, "Trade Unions, Management, and the State in Contemporary Russia," in *Business and the State in Contemporary Russia*, ed. Peter Rutland (Boulder, CO: Westview, 2001), 165; Sarah Ashwin, *Russian Workers: The Anatomy of Patience* (Manchester, UK: Manchester University Press, 1999), 86. See the discussion of these "mass acts" and their slogans in A. M. Katsva, "Kollektivnye Deistviya."

34. Cook, "Trade Unions"; Clarke, "Labour." As Zaslavsky puts it, this phenomenon "coincides with the Soviet propaganda cliché asserting a presumed commonality of interests between workers and managers under socialism." Victor Zaslavsky, "The Russian Working Class in Times of Transition," in *Russia in the New Century: Stability or Disorder?* ed. Victoria Bonnell and George Breslauer (Boulder, CO: Westview, 2001), 215.

35. Clarke, "Labour," 1. Interestingly, Article 409 of the new labor code forbids employers from organizing or participating in strikes. "Trudovoi Kodeks Rossiiskoi Federatsii," *prinyat Gosydarstvennoi Dumoi*, 21 December 2001, <<http://www.fnpr.ru/tk/tk-final.txt>>.

36. This is the central argument in Javeline, *Protest and the Politics of Blame*. On this point see also Paul T. Christensen, "Why Russia Lacks a Labor Movement," *Transitions*, December 1997; Stephen Crowley, "Liberal Transformation: Labor and the Russian State," in *Building the Russian State*, ed. Valerie Sperling (Boulder, CO: Westview, 2000).

37. Tripartism refers to centralized and formal negotiations between representatives of labor, employers, and the state. For an earlier critical assessment of Russian tripartism, see Walter Connor, *Tattered Banners: Labor, Conflict and Corporatism in Postcommunist Russia* (Boulder, CO: Westview, 1996).

38. Gordon and Klopov note that trade union representatives to the tripartite commission often criticize the government side about its socioeconomic policy for seeking to limit the list of questions under discussion and for trying to get the commission to support positions already adopted unilaterally by the government. They do not mention union criticism of the employers. Gordon and Klopov, *Poteri i obreteniya*.

39. *Ibid.*, 244, 241.

40. Unions themselves at times directly push employers to form associations. However, especially at the regional level, employers often use the negotiations to form a regional lobby to negotiate over economic issues with the regional administration, with unions playing a more minor role in the discussions. Borisov, "Sotsial'noe partnerstvo," 60–61.

41. Gordon and Klopov, *Poteri i obreteniya*, 244–45. Clarke notes, "The development of tripartite structures has correspondingly accelerated the fragmentation of the trade union movement as branch unions have been oriented more to the particular interests of their branch (and regional organisations to the interests of their regions or the dominant branches in their regions) than to the common interests of their members as workers." Clarke, "Labour," 4. On the dearth of employers' associations with whom labor might negotiate, see Viktor Komarovskiy and Ye. Sadovaya, "Ob'edineniya rabotodatelei v sisteme sot-

sialnogo partnerstva: opit razbitikh stran i Rossii," *Mirovaya Ekonomika i Mezhdunarodnie Otnosheniya* 5 (1997).

42. Borisov, "Sotsial'noe partnerstvo," 57; Gordon and Klopov, *Poteri i obreteniya*, 244. They add hopefully that nevertheless the "form" of social partnership is present, perhaps to be filled with meaningful content in the future.

43. See the discussion of *Worldwide Benefit and Employment Guidelines 2001/2002*, prepared by W. M. Mercer Consulting, <http://www.wmmercer.com/global/english/resource/resource_news_topic_110501.htm>.

44. Itar-Tass, 1 May 2002.

45. Ibid. According to one union negotiator, the government has refused to put almost any figures or norms into the agreements. Borisov, "Sotsial'noe partnerstvo," 57 n. 3.

46. Clarke, "Labour."

47. "Under the labor code, firms were required to offer redundant workers alternative employment if possible, to secure trade union approval for redundancies, to notify the [State Employment Service], and to provide up to three months severance pay." These provisions provided incentives for employers to avoid layoffs or to push workers to quit voluntarily. Vladimir Gimpelson and Douglas Lippoldt, *The Russian Labour Market: Between Transition and Turmoil* (Lanham, MD: Rowman and Littlefield, 2001), 11; Bizyukov, "Al'ternativnie profsoyuzi," 53.

48. Chen and Sil, "Transformation," 16.

49. Ibid., 17.

50. "Stenogramma osnovnykh vystuplenii na seminare 'Reforma trugodovo zakonodatel'stva: Novyi Trudovoi Kodeks,'" Moskovskii Tsentr Karnegi, 11 November 2001, <<http://carnegie.ru/russian/pr/2001/inf01-122-steno.htm>>.

51. Ibid. One of the very last provisions of the labor code states that when the higher minimum wage will go into effect is "to be determined by federal law."

52. In cases where no union has a majority, union representation is to be selected at a meeting of the labor collective by a process of secret voting, when a single union will be selected as the bargaining agent. However, this provision may also hurt FNPR unions, since with its declining membership it may in many cases be forced through this additional hurdle before being able to begin negotiating for a collective contract. "Trudovoi Kodeks."

53. MOT, "Otvét na zaproc VTK i KTR v zvyzi c proektom Trudogo Kodeksa Rossiskoi Federatsii," accessed 8 January 2002, <<http://www.vkt.org.ru/news.htm>>.

54. Bizyukov, "Al'ternativnie profsoyuzi," 30. However, Gordon and Klopov point out that rival coal unions have cooperated at mine-level, and that a study in Taganrog found a "division of labor" between traditional and alternative unions, where the former handled "distributive functions" and the latter placed pressure on management. Such alternative unions in Taganrog were few, though. Gordon and Klopov, *Poteri i obreteniya*.

55. Chen and Sil, "Transformation," 17. They add that the FNPR's strategy of moderation "may not have resulted in immediate short-term gains," but it has "enabled the FNPR to maintain its position *within* organized labor." Ibid., 13 (original emphasis). Kagarlitsky puts it more sharply still: "The crux of the deal was very simple: The FNPR would give its consent to limiting the rights of hired employees, and in return the law would effectively consolidate its monopoly position." *Moscow Times*, 18 December 2001.

56. "Stenogramma osnovnykh vystuplenii."

57. According to *Kommersant*, Shmakov's candidacy was "endorsed" by Putin, who in his speech to the FNPR conference praised the union for its constructive approach to the new labor code. *Kommersant*, 30 November 2001.

58. Gregorz Ekiert and Jan Kubik, *Rebellious Civil Society: Popular Protest and Democratic Consolidation in Poland, 1989-1993* (Ann Arbor: University of Michigan Press, 1999); Graeme Robertson, "The Madding Crowd: Politics and Protest in New Democracies," paper presented at the Annual Meeting of the American Political Science Association, San Francisco, September 2001.

59. Javeline argues quite compellingly that although Russian workers have not erupted

in the expected “social explosion,” their very quiescence in the current conditions has rather directly contributed to “increased rates of alcoholism, suicide, malnutrition, depression, and mortality.” Debra Javeline, “Labor Challenges and the Problem of Quiescence,” in *Russia’s Policy Challenges in the 21st Century*, ed. Stephen Wegren (Armonk, NY: M. E. Sharpe, forthcoming).

60. Pochinok’s statements were concluded by the comment that “nevertheless the role of trade unions will grow,” though he did not specify how, after losing such influence, this would be so. In the words of a BBC report, “Analysts say that, compared to some West European countries, Russia now has very flexible labour laws, closer to those in Britain than Sweden or France.” BBC, “Capitalist Labour Laws Come to Russia,” 1 February 2002, from Johnson’s Russia List.

61. *Rossisskaya Gazeta*, 20 December 2001.

62. Even President Putin joined the denunciation of unions along these lines. In what was billed as his “State of the Nation” address, besides accusing the unions of “bureaucratization,” he argued, “In the new conditions the trade unions should not be taking upon themselves state functions in the social sphere. What the people of Russia need is not just another middleman for distributing social benefits, but professional monitoring to see that labor contracts are just and their conditions properly observed.” Putin’s remarks, while on target, are certainly ironic: some ten years after Russian trade unions declared themselves “independent,” they are being lectured by the head of state on how to defend workers’ interests. “Russian President’s Address to Federal Assembly,” *BBC Monitoring*, 8 July 2000.

63. T. Chetvernina, P. Smirnov, and N. Dunaeva, “Mesto profsoyuzna na predpriyatii,” *Voprosi Ekonomiki* 6 (1995); J. E. M. Thirkell, K. Petkov, and S. A. Vickerstaff, *The Transformation of Labour Relations: Restructuring and Privatization in Eastern Europe and Russia* (Oxford: Oxford University Press, 1998), 106.

64. Ashwin, *Russian Workers*, 90. She also found that even this “militant” trade union had difficulty separating its interests from those of management.

65. T. Ya. Chetvernina et al., *Sotsial’no-trudovye otnosheniya na predpriyatiyakh: Konflikt interesov ili poick soglasiya?* (Moskva: Institut Ekonomiki RAN, 1998). Although the exact nature of the sample is unclear, the persistence over time appears significant, and similar findings have been reported by other surveys. For example, in a survey of trade union members and activists, only one-sixth believed that managers should belong to unions of entrepreneurs rather than trade unions. The remainder believed that, in the authors’ words, “in Russia the time has not come for an organized demarcation with the administration,” because “close joint work is needed between the administration and the trade union” to solve a variety of problems such as the payment of wages. S. Shalaev et al., *Novoe v motivatsii profsoyuznogo chlenstva* (Moscow: Nauchnyi tsentr profsoyuzov, 2000), 20.

66. They advise further that managers who abuse the rights of workers can then be kicked out of the trade union for violating organizational discipline! Shalaev et al., *Novoe v motivatsii profsoyuznogo chlenstva*, 20–21.

67. Chetvernina et al., *Sotsial’no-trudovye*. In the 1998 survey an additional 24.1 percent stated that no one defended the interests of workers.

68. Bizyukov, “Al’ternativnye Profsoyuzy,” 31. For similar statements, see Karelina, “Tendentsii Izmeneniya”; Irina Kozina, “Profsoyuzy v kollektivnykh trudovykh konfliktakh,” *Sotsiologicheskoye Issledovaniya* 5 (2000): 49–56.

69. Gordon and Klopov, *Poteri i obreteniya*, 216.

70. Fred Weir, *Christian Science Monitor*, 6 September 2001.

71. Gimpelson and Lippoldt found that “employers dominated the wage-setting process” and that unions “offered only weak bargaining power for rank-and-file employees,” and in their case studies of four enterprises “local trade union activity was rather pro forma and ineffective.” *The Russian Labour Market*, 13, 84–85. Commander and McHale reported a random and representative sample of Russian firms from 1994 that “indicate[d] quite unambiguously the general absence not only of industrial action but also of the weak

bargaining strength of workers. On the issue of wage setting, over two-thirds of respondents cited worker demands as unimportant." Simon Commander and J. McHale, "Unemployment and the Labor Market in Transition: A Review of Experience in East Europe and Russia," in *Economic Transition in Russia and the New States of Eurasia*, ed. Bartolmiej Kaminiski (Armonk, NY: M. E. Sharpe, 1996), 304. Guy Standing reported in an extensive survey of Russian enterprises that the presence or absence of unions appeared to have little to no impact on wage levels in Russian workplaces. *Russian Unemployment and Enterprise Restructuring* (New York: St. Martin's, 1996), 210–11.

72. Padma Desai and Todd Idson, *Work without Wages: Russia's Nonpayment Crisis* (Cambridge: MIT Press, 2000), ch. 12. They also find little evidence that strikes are effective in addressing wage arrears, but this may be the result of their data, which is not broken down by sector, since payoffs to end strikes are usually very selective.

73. Gordon and Klopov, *Poteri i obreteniya*, 232. In smaller firms, where many hopes for future economic growth are placed, the problem is not only the lack of collective contracts, but also the lack of unions. According to the chair of the Sverdlovsk regional union committee, there are more than fifty thousand small and medium enterprises in the region, but unions have been created in only 850 of them. Karelina, "Tendensii izmeneniya," 44.

74. Chetvernina et al., *Sotsial'no-trudovye*, 37

75. "The 1999 Report of RF Human Rights Commissioner," *Rossiyskaya Gazeta*, 4 April 2000.

76. Ibid. In 1997, 6 percent of the total Russian workforce sought redress for the nonpayment of wages through the courts. The FNPR claims to have won 96 percent of the suits it brought in 1997 and 1998. *Izvestiya*, 6 January 1999; Christensen, "Why Russia Lacks a Labor Movement"; S. Shalaev et al., *Novoe v motivatsii*.

77. Human Rights Report; *Russia and Commonwealth Business Law Report*, 18 November 1998. Bizyukov sees court action as the decisive work of alternative trade unions, whereas Kozina sees the legal strategy as a reflection of union weakness and inability to lead strikes. Bizyukov, "Al'ternativnye Profsoyuzy"; Kozina, "Profsoyuzy v kollektivnykh."

78. Kozina, "Profsoyuzy v kollektivnykh," 50.

79. Katsva, "Kollektivnyye deistviya."

80. Bizyukov, "Al'ternativnye Profsoyuzy."

81. For further discussion of the strike law, see Crowley, "Liberal Transformation," 163–64. The new labor code does little to remove the obstacles to legal strikes under the previous legislation and would make workers and unions liable for economic damages stemming from illegal strikes.

82. Desai and Idson (*Work without Wages*) find a positive correlation between the level of wage arrears and strikes, as Katsva does between arrears and protest action ("Kollektivnyye deistviya"), but see Javeline, *Protest and the Politics of Blame*.

83. Christensen, "After Communism."

84. On the continued unpopularity of privatization, see Christensen, "After Communism." Ashwin places much emphasis on the notion of the "labor collective" as a source of unity between workers and managers and as an explanation for workers' "patience" (Ashwin, *Russian Workers*). Yet it would seem that the continued viability of the idea of the collective entails certain obligations on the part of management and therefore limits to workers' patience.

85. Gordon and Klopov, *Poteri i obreteniya*, 226–27; *Segodnya*, 29 December 1999; *Nevzavisimaya Gazeta*, 27 October 1999.

86. At times these committees have simply been named "committee for leading protest actions." Bizyukov, "Al'ternativnye Profsoyuzy."

87. Bizyukov, "Al'ternativnye Profsoyuzy." However, given that these alternative unions do not typically seek to negotiate collective agreements, but rather to defend workers by means of protests, court actions, and strikes, it is not clear that the new labor code and its restrictions on the participation of smaller unions in contract negotiations will have a deci-

sive impact on their continued existence. On the other hand, the smaller unions will never solve the dilemma of lack of organization if they are unable to consistently deliver tangible benefits, which traditionally come from collective negotiations.

88. Clarke argues that such actions are “not anti-capitalist mobilisations, but are driven by the search for a true social partner, the good capitalist who pays wages,” and hence they differ in neither content nor form from the FNPR’s attempts at social partnership (“Labour,” 14, 16). Although the first statement may well be true, and although these workers are certainly lacking an alternative ideology or discourse, with the prospect of an alternative to capitalism nowhere on the horizon, and in conditions of extreme impoverishment of many workers, it is surely a mistake to fault workers for seeking to have their wages paid and to see such actions as similar to those of the more compliant trade unions that protest little, if at all.

89. Zaslavsky, “The Working Class,” citing VTsIOM surveys, 215. See, for example, the survey conducted by the Agency of Regional Political Studies in 1999–2000: while the majority of respondents did not trust a single institution, labor unions were less popular than any other organization. *Nezavisimaya Gazeta*, 5 May 2000.

90. Gordon and Klopov, *Poteri i obreteniya*, 218.

91. Ibid. Interestingly, a survey conducted by the All-Russian Center for the Study of Public Opinion in February and March 1998 found that respondents placed trade unions at the very bottom of institutions that “have influence” (with only 4 percent of those surveyed saying unions had influence), but when respondents were asked “who ought to have influence,” unions came in second place (below the intelligentsia), with 64 percent saying unions ought to have influence. *Obschaya Gazeta*, 23–29 July 1998, as translated in *The Current Digest of the Post-Soviet Press* 50, no. 29 (1998).

92. Cook, “Trade Unions.”

93. Gordon and Klopov, *Poteri i obreteniya*. The numbers of those stating a willingness to strike were higher among workers in industry, construction, transport, and communications, and one would expect the survey numbers from the mid-1990s to have increased by the late 1990s, when overall support for strikes in surveys rose.

94. Chetvernina et al, *Sotsial'no-trudovye*.

95. Given constraints of space, we have not explicitly discussed “identity resources,” such as ideologies, discourses, and symbols that justify union goals and encourage solidarity. The problem of worker identity and the lack of alternative ideologies in the post-communist setting is a rather obvious and yet profound problem facing labor in these societies and lies beneath many of the other obstacles discussed here. For a fuller discussion see the introductory and concluding chapters to Crowley and David Ost, eds., *Workers after Workers' States: Labor and Politics in Postcommunist Eastern Europe* (Lanham, MD: Rowman and Littlefield, 2001).

96. Ross and Martin, “European Unions.”

97. These are examined more fully in Crowley, “The Social Explosion That Wasn't: Labor Quiescence in Postcommunist Russia,” in *Workers after Workers' States*.

98. J. Kennan, “The Economics of Strikes,” in *Handbook of Labor Economics*, vol. 2, ed. Orley Ashtenfelter and Richard Layard (Amsterdam: Elsevier Science, 1986), 1091–137; David Soskice, “Strike Waves and Wage Explosions, 1968–1970: An Economic Interpretation,” in *The Resurgence of Class Conflict in Western Europe Since 1968*, ed. Colin Crouch and A. Pizzorno (New York: Holmes and Meier, 1978).

99. The figures are rounded. “Obschestvo: B Soviete Federatsii nashli credstvo ot zarabotok,” *Kommersant-Daily*, 19 December 2001.

100. Thus Gordon and Klopov’s argument that Russia’s traditional unions have progressed from “pseudo-unions” to “half-unions” over the last decade suggests a linear if drawn-out transition, and likewise Zaslavsky finds optimism in that Russia’s “market economy has not yet started to function ‘normally,’ but is moving in this direction.” “The Working Class,” 225.

101. Clarke, "Labour"; Cook, "Trade Unions"; Ashwin, *Russian Workers*; Crowley, *Hot Coal, Cold Steel*.

102. Javeline, *Protest and the Politics*.

103. Gimpelson and Lippoldt, *Russian Labour Market*.

104. This section draws from a number of sources, most of which are found in Crowley, "Explaining Labor Quiescence in Post-Communist Europe: Historical Legacies and Comparative Perspective," Central and Eastern Europe Working Paper Series, Minda de Gunzburg Center for European Studies, Harvard University, May 2002; and Crowley and Ost, eds., *Workers after Workers' States*.

105. In this case, at least, legacies act less like a burden that becomes lighter over time than like a switching mechanism that closes off some opportunities and opens up others. This would suggest further that there is still some utility to be wrung from the much-applied concept of path dependence. On the application of path dependence in that way see Paul Pierson, "Increasing Returns, Path Dependence, and the Study of Politics," *American Political Science Review* 94, no. 2 (June 2000). For an interesting and critical discussion of the notion of legacy, see Grzegorz Ekiert and Stephen Hanson, *Capitalism and Democracy in Central and Eastern Europe: Assessing the Legacy of Communist Rule* (forthcoming).

106. Marc Morje Howard, *The Weakness of Civil Society in Post-Communist Europe* (Cambridge: Cambridge University Press, 2002); Marc Morje Howard, "The Weakness of Postcommunist Civil Society," *Journal of Democracy* 13, no. 1 (Jan. 2002).