

The State of the Russian Unions

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I. The Rise and Fall of the Soviet Trade Unions

Trade union organization first developed in Russia's industrial centers during the 1905 revolution on the basis of inter-factory and district associations of strike committees. The First All-Russian Trade Union Conference was held in Moscow in October 1905, but subsequent repression meant that trade unions were almost extinguished over the following decade.¹

Trade union organization again developed in parallel with factory committees with the resurgence of the revolutionary movement in 1917, although it was the factory committees, dominated by the Bolsheviks, which made the running, with the Menshevik-dominated trade unions lagging behind. The Third All-Russian Trade Union Conference in Petrograd on 21–8 June 1917 decided on the branch principle of trade union organization, with each union representing all the employees of a particular branch of the economy rather than particular professions, and established the All-Russian Central Council of Trade Unions.

Following the October Revolution, a long-drawn-out conflict arose over the appropriate role of the trade unions, with the Leninist position that the trade unions should become instruments of the workers' state eventually prevailing over those who sought to retain an independent representative role for the trade unions. As the new regime grappled with the threat of economic collapse and sought to consolidate its hold on power, the devolution of state functions onto the trade unions gathered pace, so that they were given responsibility not only for managing production and encouraging the growth of productivity, but also for a wide range of social welfare activities. Nevertheless, Lenin cautioned against the complete assimilation of the trade unions to the state apparatus and eventually assigned them a role, under the leadership of the Communist Party, as "the transmission belt from the Communist Party to the masses", acting in defence of workers' interests against corrupt and incompetent management, although the primary interest of the working class was to be served by the massive expansion of production. The productivist orientation of the trade unions was reiterated during Stalinist industrialization, when union officials were instructed to "turn their faces towards production", but in practice over the Stalinist period and beyond, the principal

¹ This article is based on a much more detailed study of Russian trade unions, Sarah Ashwin and Simon Clarke, *Trade Unions and Industrial Relations in Transition*, Basingstoke and New York: Palgrave, 2002.

functions of the trade unions were reduced to administering the growing apparatus of state paternalism — their principal role throughout the Soviet period.

As an integral part of the ruling apparatus, performing a variety of Party-state functions, the position of the trade unions was undermined under Gorbachev by the processes of *perestroika* and *glasnost* and their very existence was threatened by the collapse of the Soviet system. The trade unions were largely by-passed in Gorbachev's program of *perestroika*, as his thwarted attempts to introduce industrial democracy to the Soviet workplace focused on the Labor Collective Council, rather than the trade union, as the representative of the labor force in its dealings with management. The removal of the Party from interference in economic life in 1988 threatened to remove the most important prop supporting the trade unions' authority in the workplace, while the botched wage reforms introduced by Gorbachev, followed by the growing dislocation of the economy, provoked increasing unrest among workers and sporadic strikes from 1987, culminating in the great strike wave of July 1989 which swept across the coal-mining regions and in which the trade unions found themselves opposing their own members. In the growing conflicts within the Soviet leadership, the trade unions generally aligned themselves with the conservative opposition, but the divisions also penetrated the trade union movement.

The All-Union Central Council of Trade Unions (VTsSPS) asserted its "independence" from Party and state as early as 1987, distancing itself from *perestroika*, standing out against market reforms and pressing for very considerable social guarantees. However, VTsSPS could not prevail against the process of democratization and gradually introduced the direct election of trade union officers and gave more independence to primary organizations, finally breaking its subordination to the Party-state and giving more independence to the republican trade union organizations with its reconstitution as the General Confederation of Trades Unions (VKP) in October 1990. At the same time the Federation of Independent Trade Unions of Russia was established to represent the Russian trade union organizations, which had not previously had their own republican organization. At its founding in September 1990, FNPR claimed to have 54 million members affiliated through 19 branch and 75 regional organizations, covering 72 percent of the Russian labor force, with most of the rest belonging to branch unions which chose to remain outside FNPR.

Relations between FNPR and VKP were never easy, not least because of a conflict over the allocation of trade union property between the two bodies, but they rapidly deteriorated when FNPR allied itself with Yeltsin in his struggle with Gorbachev on the basis of a common interest in undermining the central Soviet powers and establishing Republican sovereignty. While VKP backed

Gorbachev in resisting the miners in 1991, FNPR threatened a general strike if Gorbachev did not back down, and later supported Yeltsin in the Russian Presidential elections. The August 1991 putsch accentuated the division between VKP and FNPR, with FNPR denouncing VKP's failure to distance itself from the plotters, although FNPR had also sat on its hands at the time. Following the collapse of the Soviet Union at the end of 1991, VKP retained substantial assets, which gave it the leverage that has enabled it to sustain itself as the international trade union federation for the newly independent states of the former Soviet Union.

II. Trade Unions in Democratic Russia

The waves of industrial unrest in the final years of the Soviet Union provided the basis for the emergence of new, "alternative", trade unions. The traditional unions at the workplace were identified with management and integrated into the management structure, so workers who came into conflict with their management also found themselves opposed by their trade union. The most active workers in this period were groups of skilled workers who had a culture of professional solidarity and whose key positions gave them some industrial muscle, which meant that most alternative unions were set up on a professional basis, rather than according to the traditional branch principle. In the miners' strikes of 1989 and 1991 the miners established strike committees to bypass their trade unions, and in 1991 the Independent Miners' Union was formed, based on those strike committees. Other alternative unions were set up around key professions, such as bus and train drivers, by uniting militant activists and their strike committees, while the stevedores, airline pilots, and air traffic controllers set up alternative unions by breaking away from the traditional union. Following the collapse of the Soviet Union, the alternative unions attracted the affiliation of groups of workers who were frustrated with the inactivity of the traditional unions, particularly in education and health care, where the non-payment of wages became endemic. By the middle of the 1990s there were four principal alternative trade union federations, the Confederation of Labor of Russia (KTR) and the All-Russian Confederation of Labor (VKT), which primarily represented occupational unions in mining and transport; Sotsprof, which provided an organizational umbrella for various disparate primary organizations; and the left-communist federation Zashchita. However, the alternative unions rapidly became mired in corruption scandals and were riven by personal and ideological conflicts which prevented them from posing a serious challenge to the traditional unions. Their membership tends to be very unstable, their financial base very insecure, and their influence and bargaining power is very limited. Nevertheless, they do provide a framework which can support workers who are organizing independently to fight for their interests.

Meanwhile, the collapse of the Soviet Union, the “transition to a market economy” and mass privatization demanded that the traditional unions adopt a new role for which they were unprepared — defending the interests of their members in the face of a government and employers who had abrogated their former responsibility for their well-being. It is therefore no surprise that the trade unions approached the challenges of the transition to a market economy on the basis of their existing form. The first priority of the trade union apparatus was to retain intact the power, privileges and property of the unions, which meant that they had to find a new basis for their authority. While they might proclaim themselves the representatives of their members’ interests, the absence of commitment to the unions by their members and the lack of any experience of collective organization meant that such a claim was a very fragile basis on which to seek retention of their position. The strategy which came naturally to the unions’ leadership, and which was most realistic in their situation, was to seek to survive as organizations by reconstituting and consolidating their relationship with those in power. This was not simply a matter of subordinating themselves to the new authorities, but much more of finding a new role for themselves by reconstituting their traditional functions on new foundations. The traditional trade unions have therefore been not passive victims but active participants in the constitution of the structures of post-Soviet power.

The destruction of the Party-state not only removed the external support for the authority of the trade unions, but also removed the support for their hierarchical internal structures. The abandonment of democratic centralism led to a radical decentralization of the trade unions, which were reconstituted according to a federative structure in which each level of the organization acted independently. This meant that the evolution of the trade unions in the wake of the collapse of the Soviet system has not been a coherent and integrated process, but one in which each part of the organization has tried to find its own way. At the federal level, the reconstituted Russian trade unions have sought an accommodation with the organs of Federal government, the Presidency, and the Legislature. At the regional level, the trade unions have sought a role by reconstituting and consolidating their relations with the regional and municipal authorities. At the enterprise level, the union has sought to retain and build on its relations with enterprise management, securing its position by fulfilling its traditional social and welfare functions, institutionalizing and developing its role in personnel management and even restoring some of its functions of encouraging the development of production, fostering the “culture of labor” and strengthening labor discipline.

Following the collapse of the Soviet system, the unions were very vulnerable to the fate that had befallen the Communist Party, of dissolution of their organization and nationalization of their

property, so they had to be very cautious in their opposition to the proposals for radical reform that were emerging from the Yeltsin camp. On the other hand, particularly after the imposition of “shock therapy” in January 1992, unrest among union members was reflected in pressure from below for FNPR to constitute itself as an effective opposition to the course of the government’s reform program. FNPR sought to reconcile the conflicting pressures to which it was subject by committing itself strategically to the development of “social partnership”, which provided a framework within which the unions could hope to preserve or reconstitute their traditional functions within a radically changed environment.

Federal and regional government were amenable to “social partnership” because they had an interest in establishing a framework for negotiating social peace and using union endorsement to corroborate their claims to represent the interests of the working population, but the weakness of the unions meant that they had no leverage on the government to modify the course of reform. The unions sought to increase their bargaining power by holding pickets, demonstrations, and days of action and calling or endorsing warning or full-scale strikes, but such attempted displays of strength more often than not backfired by attracting limited support. The unions’ political restraint has been reinforced by their vulnerability because they depend for their existence on rights and privileges which are embodied in legislation and administrative practices which the state has given and the state can just as easily take away.

III. Trade Unions and Politics

The weakness of the traditional unions is exemplified by FNPR’s political involvement at the Federal level. During the first two years of Russia’s existence as an independent state, FNPR moved from an initial position of “loyal opposition” to identification with the “defenders of the White House” in the confrontation between Yeltsin and parliament in October 1993, with potentially disastrous consequences when the government froze the FNPR’s bank accounts and cut off the telephones, banned the check-off of union dues, took away the unions’ responsibility for social insurance and health and safety, and threatened to confiscate their property. Only the rapid replacement of the founding President of FNPR by the more conciliatory leader of the Moscow trade unions, Mikhail Shmakov, enabled FNPR to survive the crisis and, much chastened, commit itself to achieve its aims through participation in the institutions of social partnership and lobbying in legislative bodies.

After the disastrous experiences of 1991–1993, the FNPR leadership has been wary of organizing collective actions and has generally only done so under pressure from the activists. Two reasons explain FNPR's caution in this respect. First, the risk that such actions will be considered as provocative by the government, with the consequent risk of retribution, a risk which is exacerbated to the extent that FNPR demonstrations present directly political demands and attract the participation of radical opposition parties and movements. FNPR has accordingly gone to great lengths to insist that its collective actions are in pursuit of purely economic demands and to discourage other forces from associating themselves with FNPR demonstrations. Second, such demonstrations may not attract a substantial turnout and so will demonstrate not the strength, but the weakness, of FNPR.

For these reasons, FNPR has put much more faith in legislative activity than in popular mobilization as the means to advance its institutional interests and its members' interests. Until Yeltsin's new Russian Constitution of 1993, unions had the right of legislative initiative, which meant that they could submit bills and amendments directly to the legislature. The unions had had 100 seats reserved for them in the Congress of People's Deputies of the USSR elected in 1989, but had enjoyed no such privilege in the election to the Russian Congress of People's Deputies in 1990. Nevertheless, FNPR had managed to organize a trade union fraction that backed up its right of legislative initiative. Under the new constitution, following the 1993 election, FNPR managed to assemble a fraction of deputies sympathetic to the unions' cause through which it was able to participate actively in legislative processes and eventually to secure the passage of a number of favorable laws, while amending and blocking other laws which were counter to its interests.

Although FNPR's Constitution defines it as an apolitical organization, it has never been able to resist involving itself in politics in attempting to achieve its aims. On the one hand, it has sought, with limited success, to support its lobbying by securing the election of union representatives to legislative bodies. On the other hand, it has dreamed of providing the nucleus of a center-left political movement that can aspire to political power. Between 1992 and 1995 it sought to pursue these twin objectives through an alliance with Arkadii Vol'skii's Union of Industrialists and Entrepreneurs, an organization of the old industrial *nomenklatura*, around a program for the regeneration of domestic industry on the basis of protectionism and state investment. However, Vol'skii's organization performed very poorly in the 1993 Duma election, in which FNPR did not participate, and the alliance between the two was humiliated in the 1995 Duma election. In the run-up to the 1999 Duma election FNPR established a very close relationship with the Mayor of

Moscow, Yurii Luzhkov, whose movement *Otechestvo* was expected to dominate the parliamentary and subsequent presidential elections, particularly when Luzhkov linked up with sacked Premier Primakov. But the dreams of a dominant center-left coalition were dashed by the poor showing of *Otechestvo* in the Duma election and the withdrawal of Luzhkov and Primakov from the Presidential race, leaving FNPR with little choice but to back the winner by endorsing Vladimir Putin's Presidential candidacy.

FNPR's hope that it would be rewarded for its support for Putin were soon dashed when the government introduced a "Unified Social Tax" (ESN) and proposed the radical amendment of the Labor Code inherited from the Soviet era, without prior consultation with the trade unions. These government proposals were important to FNPR, not only because they threatened the social and labor rights of its members, but also because they threatened the rights and income of FNPR and its constituent union organizations.

The Unified Social Tax replaced the separate contributions made by employers to various off-budget funds (the pension fund, the employment fund, the social insurance fund, and the medical insurance fund) at a reduced overall rate. FNPR campaigned against the Unified Social Tax on the grounds that the consolidation of the off-budget funds into the general budget would allow the government to divert resources from the former into other items of government spending, while the benefits currently provided by the funds would no longer be in accordance with workers' contributions, according to the insurance principle, but would now be at the government's discretion. Not the least serious concern of FNPR was that the new system would reduce the role of the unions in the allocation of funds and, in particular, the social insurance fund, which financed many of the benefits distributed to members by the union. FNPR campaigned vigorously against the ESN, but the issue did not capture the enthusiasm of the members, and the campaign was unsuccessful.

The campaign against the introduction of the Unified Social Tax coincided with the campaign over the revision of the Labor Code. While the question of the Unified Social Tax appeared to be a technical issue, remote from the interests and knowledge of most trade union members, the reform of the Labor Code threatened to affect each and every one of them. The government had been attempting, in collaboration with the IMF and the World Bank, to force through a radical liberalization of the Labor Code ever since 1991, but only the election of a more compliant Duma in December 1999 offered the government any prospect of success. The government's draft Labor Code extended the grounds for dismissal, weakened the legal limitation of the working day, and allowed for the more extensive use of fixed-term contracts, but the unions were also concerned

about changes threatening their own rights and privileges, especially the removal of the requirement of trade union approval for many management decisions, replaced only by a right to consultation, and the removal of the requirement that the employer provide the union with premises and facilities. While FNPR wanted the new Labor Code to consolidate its established position, the alternative trade unions were concerned that the new Code should endorse trade union pluralism, which would enable them to secure recognition and bargaining rights against the established trade union. The alternative unions organized militant demonstrations against the government's Labor Code, while FNPR organized a co-ordinated campaign to lobby parliamentary deputies. The government withdrew its proposals at the last minute to allow a conciliation commission established by the Duma, which included representatives from the employer and trade union sides of the Tripartite Commission, to develop a compromise proposal. The variant finally agreed retained most of the articles from the government's draft weakening the position of workers, but considerably strengthened the position of FNPR at the expense of the alternative unions by giving bargaining rights to the majority union and by severely limiting the ability of unions to organize strikes on an occupational basis. FNPR endorsed the agreed draft, while the alternative unions denounced it, and the new Labor Code was enacted in December 2001.

FNPR regarded the campaign against the government's draft of the Labor Code as having demonstrated the merits of its conciliatory approach, with which it has persisted throughout the Putin presidency. However, FNPR was the victim of almost constant scheming, reputedly orchestrated by the presidential administration, that sought to weaken its role. Through 2001 there were rumours that the presidential administration would seek to replace FNPR Chairman Shmakov at the FNPR Congress in November, though these machinations came to nothing. More threatening were the attempts, again sponsored by the presidential administration in 2001, to remove the strongest and richest unions from FNPR by establishing a new trade union federation to represent workers in Russia's richest corporations, an initiative which collapsed when ICFTU and ICEM both sent strong protest letters to Putin and the presidential administration withdrew its support for the initiative.

IV. Trade Union Structure and Functions

The traditional trade unions have retained the branch structure of the Soviet unions, although the principle of democratic centralism has been replaced by the federal principle of organization. Almost all the traditional Soviet branch trade unions affiliated to FNPR, although in some cases, as

a result of policy differences or disputes over property, branch unions have suspended their affiliation to FNPR, as was the case with the metallurgists' union, GMPR, between 1992 and 2000, although in most cases the GMPR at regional level retained its affiliation to the FNPR regional organization. The railroad workers, with two and a quarter million members, only affiliated to FNPR at Federal level in May 2001, having hitherto worked with FNPR under a co-operation agreement, although all of their regional organizations had been affiliated to the FNPR regional federations.

As in the Soviet period, the organizational structure of FNPR mirrors that of the parallel state structures. Primary trade union organizations are workplace-based and affiliate to the relevant regional branch trade union committee, which in turn is affiliated horizontally to the regional organization of FNPR and vertically to the central committee of the branch union. The FNPR General Council is composed of representatives of the branch unions and of the FNPR regional trade union organizations. FNPR has also established organizations corresponding to the seven Federal Districts created by Putin. There are also sectoral trade union associations that provide a framework for the collaboration of trade unions in cognate branches, covering the basic branches of industry and construction, the non-productive sphere, military industries, the transport industry, the engineering industry, non-state forms of ownership, fishing, and river and sea transport. Corresponding to the decentralization of the administration of public services, there has been a tendency to form local union organizations at the municipal level, primarily involving the public sector unions.

The FNPR sovereign body is its Congress, which must be held at least every four years. Between Congresses the decision-making bodies are the General Council, which normally meets quarterly, and the Executive Committee, which comprises the FNPR leadership and equal representation of branch and regional trade union organizations, which meets about six times a year. Despite the formal abandonment of democratic centralism, FNPR continues to be dominated by its apparatus, although the center no longer has any effective sanctions to keep its affiliated organizations in line.

Differences of branch interest which were suppressed in the Soviet period by the rigidly hierarchical character of the unions and centralized control of the economy have become a potential source of disunity. In particular, FNPR's leaders have to try to balance the interests of the public sector unions and those in the military-industrial complex, whose members have been the principal victims of the reform process, with the interests of the unions, such as the metallurgists, oil and gas, electricity and chemical workers, whose members have been the relative beneficiaries of the integration of Russia into the global capitalist economy. These differences of branch interest have been reflected in the

different political orientations of the various branch unions, ranging from the metallurgists, who were a mainstay of the liberal Yabloko, to the giant agro-industrial workers' union, which remains close to the Communist Party. However, these differences are rarely fought out in the governing bodies of FNPR. In general, those branch unions that do not like elements of the FNPR program tend to keep quiet in meetings, grumble in the corridors, and ignore them in practice.

The branch principle of organization was appropriate in the conditions of the administrative-command economy, where trade union structures mirrored management structures at all levels, but was ill-adapted to articulating and expressing the diverse interests of a membership spread across a wide range of occupations and industries. The branch principle of trade union organization has come under pressure from two directions. First, the aspirations of particular professional groupings to improve their relative position within the branch was a major reason for the rise of the new alternative unions, the most successful of which organized strategically important workers, such as underground miners, pilots, air traffic controllers, stevedores and road and rail transport drivers, who had a strong bargaining position which the branch unions did not and could not exploit. Second, the formation of holding companies which control enterprises across a number of branches and regions has undermined the territorial-branch principle of union organization which underlies the practice of "social partnership", as the companies do not fall unambiguously within the jurisdiction of any of the branch or regional agreements. This has led to the formation of a new generation of company unions in such organizations as Gazprom, Lukoil, and Noril'sk Nickel', some of which came together in an abortive attempt, sponsored by the presidential administration, to establish a new trade union federation in 2001.

Table 1: Membership of FNPR Trade Unions

(in millions)

Date	Membership	Density, %
I Congress: September 1990	54	70
II Congress: October 1993	60	86
III Congress: December 1996	45	69
June 1999	37	58
November 1999	34.6	54
January 2002	36.9	51
January 2005	29.7	46

Source: FNPR Reports, various years.

Membership of the FNPR trade unions has fallen by about half since the late 1980s, with considerable variation among branches and regions (Table 1). Note, however, that reported membership figures are inflated by the inclusion of students in professional and vocational institutions and pensioners, who do not pay dues (or pay at a reduced rate). The membership of the alternative unions, which do not publish credible membership figures, is and always has been very small.

During the early 1990s a wave of resignations from union membership, particularly among managerial and professional personnel and skilled workers, and the withdrawal of GMPR in 1992 took about 1.5 million members from FNPR, but by 2001 resignations amounted to a loss of only about one percent of the membership each year and were more than compensated by the recruitment of new members. The jump in membership in 2001 reflects the affiliation of the railroad union to FNPR.

Most of the membership decline has resulted from the decline in employment in traditional enterprises and organizations, the dissolution of trade union branches, particularly in smaller establishments, and the rise of the new private sector, where union penetration is minimal. In some cases, trade union branches have been dissolved on the initiative of the employer, who absorbs the trade union functions into the management apparatus, but most employers have been happy to keep the trade union as a useful buffer between management and the labor force, carrying out

management functions at the employees' expense. Most trade union branches which have dissolved did so because they had become moribund, and nobody would serve as officers or committee members, particularly in branches, such as trade and construction, in which privatization led to the dismemberment of large organizations into a large number of small companies.

Union membership is very unevenly developed. In enterprises and organizations with a union, membership is typically over 80 percent and often approaches 100 percent, particularly in the public sector, but neither the traditional nor the alternative trade unions have made much attempt to organize workers in the new private sector, so trade union density is very low in such branches as trade and catering or banking and finance, while it is very high in the public sector and traditional large industrial enterprises.

The relative independence of the trade union at the federal, regional, and enterprise levels has meant that the trade union has developed different practices and priorities at each level, which, in turn, has led to some tension within the union hierarchy as the different levels make conflicting demands on each other as each level seeks to subordinate the others to the pursuit of its own interests. Moreover, although the unions depend on the relevant authorities at each level, union officers at every level are keenly aware of the need for the unions to become more independent to assert their institutional interests and their members' interests. However, each sees the key to establishing its independence as lying not in its own hands, but in the hands of the other levels, bemoaning the dependence of the others without taking responsibility for its own situation. Thus, the FNPR leadership sees the dependence of the regional union organizations on the regional administration and of enterprise unions on the enterprise directors as the main barrier to their being able to assert their own independence as representative of their members, "the working class", or even "the Russian people". At the other end of the scale, enterprise union presidents bemoan the dependence of the regional and national organizations on government which prevents them from giving enterprise unions the support that they need to defend their members and their families.

The dislocation of the union structure is very apparent in union finances. Membership dues are set at one percent of net salary, paid by check-off and remitted to the primary trade union organization. The primary organization is in principle required to remit a fixed proportion of the dues to the regional branch committee, which in turn remits funds to the higher levels of the union structure. However, the higher levels have very limited sanctions to impose on lower levels which fail to remit membership dues, while primary organizations are very reluctant to remit funds for which they get little in return. So, most membership dues remain with the primary organizations which, in large and

relatively prosperous enterprises, can be extremely well-resourced, while regional and federal levels of the trade union organization rely primarily on the income derived from the considerable property that remains in union hands.

V. The Legal Framework of Trade Union Activity

The Soviet Union prided itself on the fact that the legal rights and protections accorded to labor were the most advanced in the world, with the terms and conditions of employment being minutely regulated by the law and the prescriptions of the central plans, which had legal status. The Soviet Labor Code was an instrument for the centralized regulation of labor relations and their monitoring by union and Party structures, and certainly did not provide a framework for the collective representation of workers' interests or the negotiated resolution of collective conflicts, providing only for individual labor disputes and individual court hearings, while any attempts on the part of workers to organize independently to pursue their rights and interests were ruthlessly repressed.

The Soviet legal framework remained largely intact following the collapse of the Soviet Union partly because the liberalizing inclinations of the government were checked by the strength of parliamentary opposition, and partly because this framework was deeply embedded in the practice and expectations of employers, unionists, and workers. Even the new alternative unions which emerged after 1987 continued to work within the traditional framework, seeking to achieve their aims not by building membership-based organizations, but by employing lawyers and appealing individual cases to the courts, taking disputes out of the workplace and into the labyrinthine procedures of the Russian legal system. Between 1996 and 2001 the legal framework of labor and industrial relations was subjected to comprehensive amendment, but the changes to the legislation preserved much of the protective framework and many of the rights and privileges of the unions inherited from the Soviet Union.

Until the Soviet Trade Union Law of 1990, introduced after the first wave of strikes in the Soviet Union, no defined legal procedure existed for the establishment of a trade union, the first of the new alternative trade unions having registered as social associations under the 1930s law which provided for the setting up of voluntary organizations such as sports clubs. The 1990 Law still did not envisage the existence of alternative trade unions, and was therefore interpreted as applying equally to all unions, however small, with no provision for determining bargaining and recognition rights in the event of a dispute. Such ambiguity suited the new alternative trade unions, which could claim parity with the former state trade unions, but was very disruptive of attempts to develop an industrial

relations framework. The revision of the trade union law proved very contentious, as the alternative unions saw the attempts of the traditional unions to set stiff conditions for recognition as an attempt to freeze them out. Various attempts to revise the law were thwarted as the new union leaders used their access to the presidential apparatus to block and veto various drafts of the law, which was eventually amended in 1995, providing quite extensive protection for the rights of trade unions and their officers. The Law also reaffirmed the right of unions to participate in the management of various state bodies, to draw on state funds for various activities, and to monitor the implementation of various legislative and administrative acts.

The defining principle of the new trade union law was that of voluntarism, within a framework of “social partnership”, with the trade unions left to determine their own internal relations and not required to register with the government to secure their legal status, although the law also provides for the suspension or liquidation of a union by decision of a court under certain vaguely defined circumstances. Although the Law is pluralistic, the right to participate in union activity at the federal level is confined to “All-Russian trade unions”, which excluded all but FNPR and the alternative KTR and VKT federations from participating in the Russian Tripartite Commission or signing branch tariff agreements.

Collective bargaining is regulated by the Law on Collective Bargaining and Agreements, originally introduced in 1992, which was extensively revised in 1995 and further amended by the revision of the Labor Code in 2001. Employers are required to conduct collective bargaining with union bodies if the latter initiate such bargaining and under the 2001 Labor Code are required to conclude a collective agreement within three months. Under the new Labor Code, employees will be represented by the primary organization that represents the majority of the labor force, which gives a considerable advantage to the traditional FNPR unions. The new Labor Code only recognizes a collective agreement concluded at the level of the organization or an organizational subdivision, which also seriously disadvantages the alternative unions since it removes the former right of representatives of a particular group of employees to conclude a collective agreement independently in the name of those employees. This made it possible for the workers in a specific profession, typically represented by one of the alternative trade unions, to negotiate separately to secure their own particular interests. As noted above, under the 2001 Labor Code only All-Russian unions can sign general and branch agreements, which effectively excludes many of the new unions. The Labor Code also prescribes that the union represents all employees and not merely its own members; stipulates that a single collective agreement should apply to all employees of an organization; and

prescribes that collective agreements are concluded by the trade union organization and no longer have to be confirmed by a meeting of the employees. This also considerably strengthens the hand of the traditional trade unions in relation both to the alternative unions and to their own members.

A new Law on Procedures for the Resolution of Collective Labor Disputes came into effect in 1995, replacing the 1991 Soviet Law, which had in turn replaced Gorbachev's 1989 Law on Strikes that had been introduced as a panic measure following the 1989 miners' strike. Collective labor disputes only arise due to disputes around the conclusion or implementation of a collective agreement. Disputes with the employer where workers unite in support of their individual labor rights are defined as individual labor disputes of each individual employee with the employer and can only be resolved on an individual basis. This means that collective action, such as a strike, cannot be taken in connection with issues such as the non-payment of wages, unless the collective agreement specifically provides for the timely payment of wages. Even in a collective dispute, the procedures for dispute resolution are strictly prescribed and are very restrictive, making it extremely difficult to organize a legal strike, which requires a prior process of conciliation and arbitration and the consent of a majority of the labor force in every establishment affected by the strike decision, although a strike only becomes illegal when it has been judged to be such by the appropriate court. Although everybody is guaranteed the right to strike and is protected from disciplinary sanctions for participating in a strike, a work stoppage only qualifies as a strike if conducted "with the aim of resolving a collective labor dispute". Thus a solidarity strike, a stoppage of work with political demands, or a stoppage of work with demands which do not relate to the collective terms and conditions of work, is not a strike and participants can be punished for absenteeism under the Labor Code. One result of this very restrictive legislation is that the recorded incidence of strikes in Russia is extremely low (Table 2).

Table 2:

Official strike statistics in Russia, 1990-2005

Year	Number of enterprises in which strikes occurred	Number of workers involved		Number of working days lost to strikes		Average number of working days lost per strike participant
		Thousand	Average per enterprise	Thousand	Average per enterprise	
1990	260	99.5	383	207.7	799	2.1
1991	1 755	237.7	135	2 314.2	1 319	9.7
1992	6 273	357.6	57	1 893.3	302	5.3
1993	264	120.2	455	236.8	897	2.0
1994	514	155.3	302	755.1	1 469	4.9
1995	8 856	489.4	55	1 367.0	154	2.8
1996	8 278	663.9	80	4 009.4	484	6.0
1997	17 007	887.3	52	6 000.5	353	6.8
1998	11 162	530.8	48	2 881.5	258	5.4
1999	7 285	238.4	33	1 827.2	251	7.7
2000	817	31.0	38	236.4	289	7.6
2001	291	13.0	45	47.1	162	3.6
2002	80	3.9	48	29.1	364	7.5
2003	67	5.7	86	29.5	440	5.1
2004	5 993	195.5	33	210.9	36	1.1
2005	2 575	84.6	33	85.9	33	1.1

The strike wave in the mid-1990s mostly involved health and education workers and coal-miners striking over the non-payment of wages, often with the tacit support of the employers who hoped thereby to extract additional funds from the government. The upsurge in strikes in 2004-2005 is largely accounted for by one-day strikes of teachers and health-workers on October 21, 2004 and October 12, 2005 protesting their low pay.

The revision of the Labor Code was one of the most contentious areas of legal reform, as noted above. The 2001 Labor Code retains largely intact the traditional restrictions on working hours, overtime, night work, work in harmful conditions, the regulation of rest breaks and holiday entitlements (the minimum holiday is increased from 24 to 28 working days). It retains the privileges of women, the disabled and young people as well as the restrictions on their work. The Code still prescribes enhanced rates of pay and benefits for overtime, working on holidays and days-

off and for work in harmful conditions. It retains largely intact an extensive range of concessions and restrictions for particular categories of employee and relating to particular circumstances. However, some aspects of the employment relation have been transferred from legislation to the collective agreement. The new Labor Code generally gives much more discretion to the employer, who no longer requires the union's agreement on such things as the determination of working hours and shift patterns, overtime work, the redeployment of labor, the revision of norms or the definition of disciplinary rules, although in some cases the union's opinion should still be taken into account and failure to reach agreement can be the pretext for a collective labor dispute. The most dramatic enhancement to the terms and conditions of labor offered by the 2001 revision of the Labor Code was the specification that the minimum wage (and the lowest grade on any wage scale) cannot be lower than the subsistence minimum for an able-bodied adult, a long-standing union demand. However, the implementation of this provision was deferred, and the determination of the minimum wage has continued to be a focus of conflict between the unions and the government.

Overall, the revision of labor legislation in post-Soviet Russia has involved some liberalization of the regulation of the employment relationship, has reinforced the individualistic and legalistic settlement of labor disputes, and has considerably strengthened the position of FNPR in relation to the alternative trade unions.

VI. The Practice of Social Partnership

The 1990 Founding Congress of FNPR adopted a resolution defining the basic tactics of the unions as negotiating general, tariff and collective agreements, to be backed up by demonstrations, meetings, strikes, May Day celebrations, and spring and autumn days of united action to support the unions' demands in negotiations and to enforce the subsequent fulfilment of the agreements.

With a changing balance between confrontation and collaboration, this commitment to "social partnership" has been the basis of FNPR strategy ever since the signing of the first agreement with the Russian government in February 1991 and the first trade union "day of unity" in March 1991. Although "social dialogue" has been actively promoted in Russia by the ILO, Russian unions view social partnership as a continuation of their traditional relationship with the state. From this perspective, "social partnership" has built on the traditional bureaucratic structures of participation of trade unions in management: the collective agreement at the enterprise level; collaboration of branch trade unions with the structures of economic management in relation to such issues as "socialist competition", "rationalisation and innovation", norm-setting, wage and bonus scales,

health and safety, certification, training and retraining, and the recruitment and retention of labor; the collaboration of regional union organizations with local government in considering issues of housing, social and welfare policy; and the involvement of the national union federation in the consideration of labor and social legislation and the formulation of the government's wages, social, and labor policies. In the new post-Soviet context "social partnership" with government and employers promised to provide the unions a new prop, enabling them to retain or reconstitute their traditional functions on a new foundation, the state replacing the Party as the guarantor of their authority, the guarantees being embodied in formal legislation and in negotiated agreements which, the unions insist, should be legally binding.

FNPR has promoted the ideology and practice of social partnership as an instrument of social peace. FNPR President Shmakov made his position clear in his report to the meeting of the General Council attended by Putin on 16 February 2000, "the trade unions consider a strike to be a 'failure' of social partnership. *Either social partnership or class struggle!*" (*Vesti FNPR*, 1-2, 2000: 10, original emphasis). However, FNPR has also emphasized that social partnership requires the state to recognize the unions (and employers) as equal partners in negotiating social and labor issues and has regularly charged that the government has failed to take its responsibilities seriously.

"Social partnership" provided a useful instrument for the federal and regional governments in their attempts to maintain social peace in a period of rapid and destabilizing economic and social change and to prevent unions from providing the nucleus of an effective oppositional force. While employers in traditional enterprises in the "productive sphere" had routinely signed collective agreements in the past, it proved much more difficult to extend "social partnership" to the new private sector and to encourage employers to participate in the institutions of social partnership at regional, sectoral, and federal levels. Thus, in Russia the institutions of social partnership were constructed from the top down, even before a distinct class of employers had come into being, to provide a framework within which unions, often with the support of employers, could press their demands on the state.

The structure of social partnership is similarly constructed from the top down, with an order of precedence running from the General Agreement between government, employers, and unions; through branch tariff agreements between sectoral unions, government, and employers; regional agreements with the regional administration and regional branch tariff agreements with the regional employers' representatives and the relevant branch of the regional administration; to collective agreements between the union and employer at the enterprise level. Over the past decade there has

also been an increasing number of sub-regional agreements signed with municipal authorities who are responsible for delivering public services.

The Russian Tripartite Commission stands at the apex of a system of general, branch, regional, and sub-regional tripartite (or bipartite) agreements and enterprise collective agreements, whose constitution was determined by the 1992 and 1995 Laws on Collective Agreements. The Tripartite Commission draws up an annual General Agreement between the government and union and employer representatives and monitors its implementation, as well as settling collective labor disputes and disagreements arising from the conclusion and implementation of branch (tariff) agreements. Regional tripartite commissions perform a similar role at the regional level. These bodies should participate in the resolution of labor disputes by giving advice, recommending mediators and experts, nominating arbitrators and so on, although at regional level some of these functions were taken over by conciliation commissions, initially established under the Ministry of Labor.

Although the FNPR apparatus and the federal government had a common interest in establishing a framework of social partnership, the relationship has never been stable. On the one hand, there have always been forces in the presidential apparatus that have favored a confrontation with the former official trade unions. On the other hand, the FNPR leadership has repeatedly come under pressure from activists in its constituent branch and regional union organizations to present a more concerted opposition to the government in pressing their members' interests.

The first problem FNPR faced in its attempt to insert itself into the system of social partnership was to establish its authority as representative of the employed population. The challenge to FNPR's claims came from two directions. First, the alternative unions claimed that the FNPR unions were only pseudo-unions and demanded that FNPR should suffer the fate of the Communist Party, with the nationalization of its property, the removal of its legal privileges, and a re-registration of union membership. Second, the government itself challenged the legitimacy of FNPR in insisting that the government, not the unions, represented the interests of the mass of the population. The first two years of the Tripartite Commission were dominated by squabbles between the alternative and FNPR unions over their rights of representation and between FNPR and the government over the content and implementation of the General Agreement. The first Tripartite Commission gave five out of 14 seats to the tiny alternative trade unions, but as the conflict between Yeltsin and the Supreme Soviet developed, the presidential administration was anxious to prevent the traditional unions from mobilizing to support the Supreme Soviet and in 1993 substantially increased the representation of

the traditional at the expense of the alternative unions. Thereafter the traditional unions have continued to dominate the representation of employees at the national level and the alternative unions have played a peripheral role, and have been almost entirely excluded at the regional level. However, the government has never taken the institutions of social partnership as seriously as has FNPR and, although General Agreements have been regularly signed, they have no executive status, being little more than statements of wishful thinking whose substantive declarations have, as often as not, been ignored by the government. Long periods have passed without any meetings of the Tripartite Commission, and the government has repeatedly introduced social and labor legislation without any consultation with the unions or reference to the Commission.

Sectoral bargaining at the federal level leads to the signing of branch tariff agreements, which are potentially much more significant for union members than is the General Agreement because they include more concrete terms and conditions of employment specific to the branch. However, employers and the government are very cautious about conceding significant increases in wages or improvement in the terms and conditions of employment beyond those specified by the law. Almost all tariff agreements include a section on wages, which establishes a minimum wage for the branch, usually above the derisory legal minimum wage, but very few agreements make any reference to pay scales, and even fewer specify the level of wages, leaving this to the collective agreement.

The coverage of branch tariff agreements is restricted by the limited coverage of employers' associations. According to the Law on Collective Agreements, the terms of branch tariff agreements are binding only on those employers who have delegated their rights to a signatory employers' association. Limited coverage means that tariff agreements provide a point of reference for workplace collective bargaining rather than a binding commitment on most employers. Moreover, some of the concessions included in the agreement are only recommendations, and other items have to be specified in the collective agreement, so enterprise union committees are encouraged to use the tariff agreement as a guide in drawing up the enterprise collective agreement, often incorporating some or all of the points of the tariff agreement into the latter. The effective application and enforcement of the tariff agreement is therefore a matter of the diligence of the enterprise union committee.

In a context in which the financing and administration of most public services and the implementation of federal programs have largely been devolved to the regional level, and each region has its own social and economic specificity, the development of social partnership at the regional level has assumed increasing importance. Given that unions have found their influence so

limited at federal level, this development has been strongly encouraged by FNPR. The first regional social partnership agreements were signed at the beginning of the 1990s and by the middle of the decade covered virtually every Russian region. The timing of the introduction of social partnership in different regions depended partly on the interest of the trade unions in such a development, but more on the willingness of the regional authorities to involve themselves in the process – things which in turn depended on the region's political situation. Alongside regional agreements, regional tripartite commissions were established to provide a bureaucratic framework for social partnership and conflict resolution, with schedules for conclusion and monitoring of agreements, rules of conduct in case of non-agreement, implementation plans, and so on. Social partnership agreements have also spread to town and district level.

The first regional agreements were bipartite, between the regional government and trade unions, but employer representatives were gradually brought into the process so that by the middle of the 1990s most regional agreements were tripartite, although the representative status of the organizations claiming to represent the employers was often extremely limited. Thus, in effect regional agreements have continued essentially to be agreements between unions and regional governments. The regional unions have a clearer representative status, but sectoral divisions mean that the unions have great difficulty in presenting a united front. In particular, the most active unions at regional levels are the public sector unions, who have an interest in increasing regional taxation in order to expand the budgets which pay their members' salaries, while the industrial unions have a contrary interest in reducing the tax burden and diverting tax revenues to industrial subsidies to preserve their members' jobs and living standards.

The strongest of the three parties in regional social partnership is undoubtedly the regional government. Generally, social partnership is a resource which the regional authorities can use to strengthen their control over their territories. At the most basic level, social partnership provides a mechanism for maintaining social peace. Although regional authorities are generally not in awe of the unions, they are worried by spontaneous outbursts and enlist the support of employers and unions in containing local conflicts. Employer co-operation is probably more important in controlling the latter than is union assistance, since spontaneous protest is usually the result of problems such as non-payment of wages. Engaging the employers in social partnership is one way of attempting to keep their behavior within reasonable bounds.

The dominance of the regional authorities among the social partners is highlighted by the fact that their economic, social, welfare and employment policies and aspirations form the core of the

regional agreements. Unions can influence these at the margins, but they are rarely able to secure anything but minor concessions on these issues. The involvement of the employers, meanwhile, is little more than a formality.

The importance of social partnership for FNPR and the regional federations does not lie so much in the substantive gains which the trade unions might achieve as in the recognition of their legitimacy which is accorded to them by the state through their incorporation into the institutions of social partnership as the recognized representative of employees. From this point of view social partnership has an important ideological role, not only for the unions but also for federal, and especially regional, government. The weakness of Russia's party system means that the executive appeals directly to the population, over the heads of the legislature and political organizations, on the basis of its populist claims to represent the interests of the people. Tripartite agreements in this framework represent a social contract not between unions and employers, but between the government and the people, with the unions serving as the government-anointed representatives of the people, a familiar role which they are very happy to perform. This is why the General and regional agreements embrace a wide range of issues which do not apparently have any direct relevance to the regulation of labor relations, but do concern the well-being of the population as a whole.

The collaboration between unions and government "in the service of the people" has more than a purely ideological significance. It is institutionalized in a more or less extensive framework of collaboration, more highly developed at the regional than at the federal level and in some regions more than others, through which union representatives participate in the consideration of state policy and collaborate in the exercise of state functions, from the administration of the social insurance fund and the monitoring of health and safety, through the implementation of employment and training programs, to the organization of sporting and cultural events and the celebration of festivals. Branch and regional union organizations even collaborate on occasion in the traditional way with their corresponding governmental partners in the intra-governmental bargaining for resources, the participation of the union legitimating the claims of the regional administration or ministerial body to speak not on its own behalf but on behalf of those who depend on it for their livelihood and well-being. Social partnership thus provides the rhetorical framework which has legitimated the reconstitution of many of the traditional forms of exercise of state power and the trade unions' retention or recovery of many of their traditional functions.

As the economy began to recover after 1998 the incidence of strikes declined sharply, and political opposition was marginalized or incorporated into the “party of power”. The government accordingly paid less and less attention to the views of the unions, as we have already seen in the case of the introduction of the ESN and the reform of the Labor Code, and labor issues moved so far down the political agenda that the Ministry of Labor was abolished in 2004, with its main functions being absorbed into the Ministry of Health. As a result of the liquidation of the Ministry of Labor, no government body was responsible for the Tripartite Commission, which did not function for six months, during which period a stream of social legislation was rushed through parliament, including the notorious law on the monetization of social benefits, which the unions had strongly criticized and whose introduction led to mass protests of pensioners throughout the country. The Commission only resumed its activity after the three main trade union federations, led by FNPR, held a day of action on June 10, 2004 demanding its restoration.

The Putin administration has persisted in its attempt to marginalize union representation as part of its effort to neutralize any oppositional tendencies in civil society. This process culminated in the creation of the “Public Chamber” as a body for the resolution of social issues in 2005. This replaces the principles of tripartite representation recognized by the ILO with principles promoted by the international financial institutions according to which a whole range of nongovernmental organizations should be recognized as social partners, eroding the special status and functions of unions. Instead of dialogue with representatives of employees and employers, “social partnership” will now be conducted through dialogue with representatives of civil society. Moreover, this “civil society” is firmly under the control of the government since its representatives are selected by the trusted appointees of the President. The first 42 members of the Public Chamber are appointed by the President of the Russian Federation, and they in turn select a further 42 representatives of all-Russian social organizations and 42 representatives of regional and inter-regional social organizations. Speaking at the first meeting of the Public Chamber on 22nd January 2006, President Putin declared: “Today we have reached an important organizational stage, with the creation of this radically new structure, called upon to promote the development of civil society”. The creation of the Public Chamber immediately followed the introduction of new procedures for the registration of NGOs, which had been promoted by President Putin and supported by the main parliamentary fractions (United Russia, the Communist Party, Fatherland, and Zhirinovsky’s Liberal Democratic Party), an initiative which has been widely criticized as an attempt to bring civil society under strict

government control. This initiative will likely be repeated at the regional level, with the Regional Tripartite Commissions being pushed into the background by Regional Social Chambers.

VII. Workplace Trade Union Organization

The reforms of perestroika, the disintegration of the Soviet system, and the collapse of the Party-state did not lead to any rapid or fundamental change in the role and functions of the union within the enterprise. The “transition to a market economy” and mass privatization equally transformed the environment in which enterprises had to function, but did not lead to any immediate or rapid changes in the internal organization of enterprises and organizations. Adaptation to the limits of the market or budgetary funding was achieved primarily by the reduction of wages and employment, curtailing investment and spending on maintenance and health and safety, the disposal of enterprise social assets, and increasingly by unpaid leave, short-time working, and the non-payment of wages, rather than by any radical changes in technology or the organization of production. The characteristic Soviet forms of industrial relations persisted, but deteriorating living and working conditions provided new sources of conflict and a new challenge for unions.

The primary traditional function of the workplace union was to serve as the branch of enterprise administration responsible for carrying out the social and welfare functions of an authoritarian-paternalist management. Unions were also supposedly responsible for maintaining labor discipline and promoting the increase of labor productivity and, under the supervision of the Party, monitoring the performance of management and ensuring that management did not achieve its objectives at the expense of the rights and interests of the labor force, but in both of these respects the union was singularly ineffective. With the demise of the Communist Party the workplace union lost any guarantees of independence that it might once have had and was further subordinated to enterprise management, which represented itself as the only defender of the interests of the “labor collective” in the chaotic transition to the market economy. On this basis the trade union mobilized the support of the labor force for the incumbent management in the event of conflicts over the ownership of the enterprise and continued to distribute the meagre social and welfare benefits at its disposal. On occasion the trade union might support a challenge to the existing enterprise director, usually coming from an oppositional faction of senior management, sometimes with the support of outside interests, whether those of prospective new owners or the local government. But it was and continues to be almost unheard of for the primary organization of a traditional trade union to oppose senior management in the name of the workers. This is not simply a matter of the corruption of

union officers, but more of the structural dependence of the union on senior management, which provides the union with facilities and resources to distribute among its members, and members' distrust of the union, based on decades of experience of the disciplinary role of the union. Higher level union bodies constantly bemoan the passivity and ineffectiveness of their primary organizations and provide extensive training and manuals to encourage them to play a more active role in order to strengthen the base of the union movement, but even this pressure to change has been contradictory because the commitment of higher union bodies, at regional and federal levels, to "social partnership" implies their commitment to the maintenance of social peace and so their insistence that primary organizations should pursue their objectives through the bureaucratic channels of negotiation, conciliation, and arbitration and should not support any more militant actions on the part of union members.

Although the primary function of the workplace unions is claimed to be "the defence of the interests of their members", their principal activity continues to be the administration of the social and welfare benefits provided by the employer and rendering "material assistance" to union members to help to finance such things as weddings and funerals, sickness, and disability. This activity consumes the bulk of the funds of the primary union organization and corresponds to the expectations of union members, who expect such benefits as the return for their payment of union dues.

The primary representative role of the trade union is in the negotiation of the collective agreement, which is regarded by FNPR as the primary obligation and principal test of the effectiveness of its primary organizations. This pressure on primary organizations to negotiate advantageous collective agreements partly reflects the failure of the higher union bodies to negotiate substantive advances at the higher levels, in the General Agreement, branch tariff agreements, and regional agreements, which at best make recommendations for the negotiation of collective agreements by primary organizations. However, in practice, the union tends to take a very passive role in the negotiation of the collective agreement, whose terms are almost always dictated by management and are little more than an expression of management policy. The union rarely presses demands on the management, and it is rarer still for the union to take action to support its demands or to achieve any such demands against management resistance. Similarly, it is very rare indeed for the union even to attempt to initiate any action to secure the enforcement of the collective agreement in the event of failure of management to fulfil its obligations.

Workplace union organizations depend almost completely on the goodwill of management so that if the senior management does not want to have a union, dissolving it is usually a simple matter. Similarly, if the management of a new private or foreign-invested enterprise does not want a union organization established, it is easy to resist its formation. This informs the approach of the traditional unions to organizing, which is not based on the recruitment of members in a workplace to provide the core of a new union branch, but which is based on an approach to management to explain the benefits to management of having a union organization. Not surprisingly, the union penetration of the new private sector is minimal, so that union organization is still largely confined to the public sector and former state enterprises.

As noted above, according to Russian labor legislation, conflicts over the terms and conditions of employment are defined as individual labor disputes unless they relate to the non-fulfilment of the collective agreement, and the appropriate formal channel for the resolution of such conflicts is the Labor Disputes Commission (KTS), with the right of appeal to the courts. Most conflicts that arise are individual disputes relating to such issues as the miscalculation of wages and bonuses, holiday entitlements, and pension rights, which can usually be resolved by informal negotiation with the relevant managers, or illegal transfer or dismissal, which may require the use of more formal channels. However, many issues which affect the labor force as a whole, particularly delays in the payment of wages or the failure to pay the legally prescribed rates for overtime working, stoppages, or administrative leave, are also defined as individual labor disputes if they are not included in the collective agreement.

During the 1990s conflicts sometimes arose over issues beyond the terms and conditions of labor, particularly in relation to the corruption or incompetence of management, the restructuring of an enterprise, or changes of ownership. These issues may have implications for the wages and working conditions of employees, but they often also involved conflicts within management or between management and outside bodies, particularly shareholders or the local authorities, in which the trade union could mobilize the labor force to support one or another faction. This was the basis of some of the most militant collective actions of the late 1990s, including armed factory occupations.

The overwhelming majority of recorded strikes have been in the state or state-subsidized sectors of coal-mining, health, and education, where they have been co-ordinated actions to extract funds from the state in response to the non-payment of wages, with the more or less active support of the employers. The substantial increase in the incidence of strikes in the mid-1990s is explained by the increase in the number of such “directors’ strikes”. The sharp decline in the number of strikes at the

end of the decade is partly explained by the decline in the non-payment of wages and growing fear of dismissal, but also by the increasing recourse of the authorities to the traditional Soviet method of suppressing overt conflict by dismissing directors who were held responsible for the outbreak of a strike.

More militant collective actions rarely involve the traditional union, only a minority receiving any assistance from the union even after they have begun. The most common cause of conflict during the 1990s was the non-payment of wages, which first arose in 1992 and which reached a peak in 1996, but once conflict arises it tends to become endemic, and other issues are added to the initial cause of the dispute. Conflicts usually arise spontaneously and involve one shop or section, or just a small group of like-minded workers, who may simply walk out or may establish a strike committee and put forward demands backed up with threats of a strike or hunger-strike, the latter being more typical of small groups of workers. Where a whole shop or section is involved, the action most likely has at least the tacit support of the shop or section chief and may involve the shop trade union president, although the union is often by-passed. The initiators may try to generalize the conflict to the entire enterprise through the union committee. If the union committee chooses or is compelled to take up the issue, it will seek to pursue the dispute through formal channels with the establishment of a conciliation commission, followed by reference to arbitration and the initiation of legal action, sometimes backed up with the threat of a strike, which can drag the dispute out for months or even years. During this period there may well be further spontaneous strikes and work stoppages involving some or all of the labor collective. If the employer applies to the court to declare the strike illegal, he will usually eventually succeed, but few strikes lead to such an application and they are usually resolved by promises from management and some concessions to those involved in the action or, more recently, their dismissal.

Where the workers fail to get the support of the workplace union organization or higher level union bodies in a spontaneous action, they are very likely either to replace the existing union leadership and disaffiliate from the traditional union structure or set up a parallel branch of an alternative union. However, the dependence of the union on the enterprise administration and the limited expectations of union members make it very difficult to sustain a militant union organization. In the first half of the 1990s, enterprise directors tended to end conflicts by paying-off militant workers, which provided a material incentive for militancy, but in the latter half of the decade they showed themselves increasingly willing to confront such militancy, to the extent of using force against strikers and hunger strikers. Moreover, a militant union organization usually has its roots in a small

section of the labor force which has some bargaining power, typically a core production shop or key skilled workers, which makes it relatively easy for management, often supported by the enterprise union committee, to isolate the militant trade union organization, claiming that it is trying “to pull the blanket over itself” by, for example, securing the payment of unpaid wages at the expense of other workers. The isolation of the militant section of the labor force presents serious barriers to collective mobilization, so militant unions generally rely heavily on court action and on symbolic protests, such as hunger strikes, picketing, and demonstrations, occasionally resorting to acts of “labor terrorism” in the 1990s, including occupations and hostage-taking, in their desperation. The 2001 revisions to the Labor Code agreed between the government and FNPR make sectional opposition to the traditional trade union more difficult to develop or survive, since the new Labor Code provides representative rights to the union representing the majority of the labor force and requires a majority vote of the whole labor force or a representative conference of the whole establishment for a legal strike to take place.

For a militant union to survive, the labor force must be kept in a constant state of mobilization, which is exhausting for the leaders and generally unproductive for the members. If the organization is not able to secure tangible benefits for its members, such as the regular payment of wages or pay increases, it must fall back on the traditional activities of the union, the provision of material assistance and social and welfare benefits, if it is to retain its members’ allegiance. This forces it into an accommodation with management so that the typical fate of militant union organizations is either to fade away or to collaborate increasingly closely with management and adopt the traditional forms of union activity. This is why the alternative trade unions, which presented a militant alternative to the traditional unions at the beginning of the 1990s, have gradually lost their distinctiveness and have come to collaborate more closely with the traditional unions from enterprise to federal levels. Nevertheless, there is a small number of enterprises in which an active and energetic union organization has been able to capture the imagination and enthusiasm of the members to weld them into a strong collective force. These are generally organizations which do not depend on a demagogic union president but on an active union committee which engages members in their workplaces. These organizations do not necessarily reject the traditional functions of the union, but use them as a basis on which to develop solidarity. These activists and their organizations are the best hope and model for the future of Russian trade unionism.

VIII. Russian Trade Unions in the International Trade Union Movement

The Soviet unions provided the backbone of the Prague-based World Federation of Trade Unions (WFTU), established after the Second World War as the principal international organization of the world trade unions, from which the non-communist western unions withdrew in 1949 to establish the International Confederation of Free Trade Unions (ICFTU). After 1949 WFTU became an instrument of Soviet foreign policy, although bilateral contacts between Soviet and western unions still took place. The Soviet Union rejoined the ILO in 1954, ratifying a significant number of ILO Conventions and participating actively in its bodies. The international department of VTsSPS was one of its largest departments.

Following the collapse of the Soviet Union, VKP suspended its membership in the WFTU and in April 1992 left the organization altogether, to reconstitute itself as the international trade union center for the former Soviet trade unions. FNPR was only ever indirectly affiliated to WFTU, through its affiliation to VKP, although some of the branch unions retained membership in WFTU's Trade Union Internationals (TUIs), and the Russian Agro-Industrial Workers' Union remained a WFTU affiliate even after the withdrawal of VKP, its President continuing to serve as a Deputy President of WFTU.

Following a visit to Russia at the beginning of 1992, the ICFTU decided at its 15th World Congress to support the "free trade union movement" in the former Soviet Union and appointed a representative in Moscow, who collaborated with both FNPR and the alternative trade unions. However, there were divisions between the national centers affiliated to ICFTU as to the strategy to be adopted in Russia. While many of the Western European trade union centers already had well-established bilateral links with the FNPR trade unions, the AFL-CIO and the non-communist trade union federations of Southern Europe were strongly opposed to supporting the development of the former Communist trade unions. The AFL-CIO, in particular, provided very considerable support to the alternative trade unions through its Free Trade Union Institute (FTUI), with massive funding provided by the National Endowment for Democracy and the U.S. State Department, but refused to have any contact with the FNPR unions until its line changed in 1997, when a FNPR delegation was invited to attend the AFL-CIO Congress. A number of FNPR branch trade unions and alternative trade union organizations were admitted to membership in the International Trade Secretariats (ITS, now GUFs), several of which appointed Moscow representatives. By the end of the 1990s, 15 of FNPR's 42 branch unions were affiliated to various ITS, comprising almost a quarter of the total membership of the latter.

Collaboration with ICFTU intensified in the second half of the 1990s, following FNPR's participation in the 1996 ICFTU Congress. In 1997 the ICFTU and ILO supported an international campaign against the non-payment of wages in Russia. This campaign was noteworthy for the collaboration between FNPR and the alternative trade union federations, VKT and KTR, and as the first occasion on which FTUI collaborated with FNPR. The softening of opposition to collaboration with FNPR, particularly on the part of the AFL-CIO, was the prelude to the affiliation of FNPR, together with VKT and KTR, to the ICFTU, which was accepted in November 2000. FNPR retained its affiliation to VKP even after affiliating to ICFTU, but relations between the two organizations had never been good.

The developing contacts of FNPR with the international trade union movement and its more active participation in the ILO enabled the FNPR leadership not only to learn the language of international trade unionism, but also to learn much about the realities of trade union practice. The principal substantive component of the international co-operation of FNPR has been an extensive program of advice, training, and bilateral exchanges that has been provided by ILO, ICFTU and its affiliates, including substantial programs funded by the European Union and the Friedrich Ebert Foundation.