3

Law and life collide: Free union and the wage-earning population

The process of divorce is so simple that there is a loss of neither money nor time. Under the current law, the act of dissolving a marriage can be completed in fifteen minutes.

P. Zagarin, writer on the family, 1927[1]

The broad mass of people do not regard registration of marriage as the basis of marital relations. De facto voluntary unions are becoming ever more widespread.

A. Stel'makhovich, chairman of the Moscow provincial court, 1926[2]

The Bolsheviks believed that the freedom to divorce – to dissolve a union no longer founded on love – was essential to the freedom of the individual. The right to divorce was particularly important to women, whose true feelings and abilities were so often stifled by the unbreakable bonds of marriage. This idea was widely shared by most of the progressive, prewar intelligentsia. Liberal jurists tried repeatedly to reform Russia's unbending divorce laws. Tolstoy immortalized the desperate plight of a young mother in her struggle to free herself of a loveless marriage in his famous novel, *Anna Karenina.* And both Vera Figner, the leader of the terrorist People's Will, and Alexandra Kollontai, among countless others, struggled to escape the control of husbands and families.[3]

[1] P. Zagarin, *Oktiabr' v semeinom bytu* (Rostov na Donu, 1927): 16.
[2] A. Stel'makhovich, *Dela ob alimentakh* (Moscow, 1926): 60.
[3] On the women rebels of the nineteenth century see Richard Stites, *The Women's Liberation Movement in Russia. Feminism, Nihilism, and Bolshevism, 1860–1930* (Princeton University Press, Princeton, N.J., 1978): 89–138; Barbara Engel, *Mothers and Daughters. Women of the*

Yet the issue of divorce had a class as well as a gender dimension. The young women rebels who fought for their rights to emotional fulfillment, education, and careers at the end of the nineteenth century came mainly from upper- and middle-class families. Whereas they spurned marriage in their search for independence, the mass of Soviet working-class women in the 1920s had very different attitudes, opportunities, and prospects. Many of these women were mothers, unskilled and illiterate. For them, marriage frequently represented a form of security and survival.[4] Their dependence on the male wage earner was more than legal; it was also social and economic.

The 1918 Family Code made divorce easily available: A marriage could be dissolved upon the simple request of either party, and no grounds were necessary. Uncontested divorces were registered in ZAGS (offices for the registration of birth, death, marriage, divorce, and other statistics), while disagreements regard-

Intelligentsia in Nineteenth Century Russia (Cambridge University Press, Cambridge, 1983); E. H. Carr, *The Romantic Exiles. A Nineteenth Century Portrait Gallery* (Beacon, Boston, 1961). On Alexandra Kollontai, see Barbara Clements, *Bolshevik Feminist: The Life of Aleksandra Kollontai* (Indiana University Press, Bloomington, 1979) and Beatrice Farnsworth, *Alexandra Kollontai. Socialism, Feminism, and the Bolshevik Revolution* (Stanford University Press, Stanford, Calif., 1980).

[4] For an excellent discussion of peasant and working-class women's attitudes toward the family in the years following the revolution, see Barbara Clements, "Working-Class and Peasant Women in the Russian Revolution, 1917–1923," *Signs*, 8, no. 2 (1982) and "The Effects of the Civil War on Women and Family Relations," in Diane Koenker, William Rosenberg, Ronald Suny, eds., *Party, State, and Society in the Russian Civil War. Explorations in Social History* (Indiana University Press, Bloomington, 1989). On women, see also, Beatrice Farnsworth, "Communist Feminism: Its Synthesis and Demise," in Carol Berkin, Clara Lovett, eds., *Women, War, and Revolution* (Holmes and Meier, New York, London, 1980): 195–259; Anne Bobroff, "The Bolsheviks and Working Women, 1905–1920," *Soviet Studies*, 26, no. 4 (1974): 540–567; Barbara Clements, "Bolshevik Women: The First Generation," Robert McNeal, "The Early Decrees of the Zhenotdel," and Alix Holt, "Marxism and Women's Oppression: The Bolshevik Theory and Practice in the 1920s," in Tova Yedlin, ed., *Women in Eastern Europe and the Soviet Union* (Praeger, New York, 1980); M. Donald, "Bolshevik Activity amongst the Working Women of Petrograd in 1917," *International Review of Social History*, 27, pt. 2 (1982): 129–160; Richard Stites, "Zhenotdel: Bolshevism and Russian Women, 1917–1930," *Russian History*, 3, no. 2 (1976): 174–193.

ing separation, alimony, custody, and child support were referred to the courts. Yet the conditions of NEP made it extremely difficult for women to exercise their new right to "free union." High unemployment, low wages, and lack of daycare not only reinforced women's dependence on the family, they created a sharp contradiction between the harsh reality of life and a legal vision of freedom long promulgated by reformers and socialists.

Popular use of the 1918 Family Code

One of the most important, although hardly the most radical provisions of the 1918 Code was the establishment of civil marriage. Designed to break the grip of the church, the provision stated expressly that civil marriage was the only legally binding form of marriage. After centuries of religious marriage, jurists considered civil marriage an indispensable weapon and attentively monitored the popularity of the new civil procedure. Goikhbarg, the author of the Code, proudly tallied the figures for the first registrations in ZAGS, although they were more symbolic of nascent Soviet power than statistically significant in their own right. In January 1918 in Moscow there were 8 civil marriages; in February, 9; March, 77; and April, 120. The figures steadily increased through the summer and fall, reaching a high of 1,497 civil marriages in November 1918. The Moscow registry offices reported a grand total, for the entire year, of 5,677 newlywed couples.[5]

The spread of registration was slowed during the civil war by the sheer difficulty in establishing and extending the network of ZAGS: many towns and more than two-thirds of the districts (*volosti*) lacked registry offices. Yet civil marriage still made significant progress. A study in Odessa province at the end of the civil war showed that although more than a quarter of the population still registered their marriages, births, and deaths in church, and another quarter registered in church as well as ZAGS, fully 50 percent used ZAGS alone. Studies in Smolensk

[5] A. Goikhbarg, "Eshche o Brakakh i Razvodakh," *Proletarskaia revoliutsiia i pravo,* 2–4 (1919): 83.

province and Moscow showed a similar pattern.[6] In 1921, the Commissariat for Internal Affairs (NKVD) took over the administration of ZAGS, and by 1923 had established a ZAGS in every *volost'*, amounting to 12,500 registries throughout Russia and the Ukraine. Yet compared to the 42,000 different parishes that had registered marriage, birth, and death under the old regime, the number of civil registries was still quite modest.[7]

By 1925 less than a third of the civil marriages registered in Moscow were accompanied by a church ceremony. And while Moscow was hardly representative of the country as a whole, the figures indicated a readiness, especially among city youth, to discard older religious traditions in favor of the simpler Soviet procedure. By the mid-1920s, jurists were confident of the ultimate success of civil marriage. The jurist Dmitri Kurskii assured the Central Executive Committee (VTsIK) in 1925 that "despite the peasant character of our country and the fact that we have remote corners where the law will only reach after a considerable period of time," Soviet family law was widely disseminated among the population. He confidently reported that the number of marriages registered in ZAGS had by 1922 surpassed the annual prewar figures of the church.[8]

Although Soviet citizens were slow to abandon church marriage completely, they availed themselves of the new divorce laws with striking alacrity. The crush of couples pushing through the doors of ZAGS in search of divorce easily overwhelmed the first blissful pairs of newlyweds straggling out. During the first four months of 1918 only 214 Muscovite couples registered their marriages, while 2,516 couples divorced. There were 98 divorces in January, 384 in February, 981 in March, and 1,053 in April. The number of divorces in these four months was almost twelve times the number of marriages. After April the number of divorces began to decline, dropping to 365 in December.

[6] Ibid., p. 140.

[7] Professor Mikhailovskii, "O Rozhdaemosti i Smertnosti Naseleniia Soiuza SSR," in *Trudy III Vsesoiuznogo s"ezda po okhrane materinstva i mladenchestva* (Moscow, 1926): 139. Hereafter cited as Trudy OMM.

[8] "Stenograficheskii Otchet Zasedanii 2 Sessii Vserossiiskogo Tsentral'nogo Ispolnitel'nogo Komiteta XII Sozyva 17 i 19 Oktiabriia 1925 goda po Proektu Kodeksa Zakonov o Brake, Sem'e i Opeke," in *Sbornik statei i materialov po brachnomu i semeinomu pravu* (Moscow, 1926): 110, 111.

Almost 7,000 divorces were granted in Moscow in 1918, outnumbering marriages by more than 1,000.[9]

Goikhbarg was neither surprised nor alarmed by the high divorce rate. The large numbers, he complacently explained, reflected the backlog of unhappy couples who were unable to divorce under tsarist law. Many of these divorce petitioners came from the upper classes and were not representative of the general population. "Among those getting divorced," he wrote, "one meets many extremely prosperous people (even former nobles)." Like Marx and Engels, Goikhbarg and his fellow jurists entertained a poor opinion of upper-class marriages and the first divorce statistics seemed to corroborate their view. These marriages – loveless matches based on property and preserved by hypocrisy – withered in an atmosphere of freedom. Goikhbarg actually applauded the "stormy tempo" of divorces, as a "process of purification." "In all probability," he wrote with lurid glee, "the pustulant abscess of abnormal family relations . . . has burst." He predicted that these "abnormal displays of marital life" would soon be replaced by new relations based on genuine love and respect.[10]

By 1922, the rise in divorce had leveled off, seeming to confirm Goikhbarg's contention that the high figures of 1918 represented an abnormal phenomenon. In 1921, there were 4,732 petitions for divorce in the Moscow city people's courts, but in 1922 the number dropped to 3,780. Although the ZAGS figures (for mutually agreed divorce) are not available for these years, the number of divorces, according to the court statistics, appeared steady. Yet the statistics for the following year belied Goikhbarg's complacency. The number of divorce cases in the Moscow courts began a steady rise from 5,377 in 1923, to 7,153 in 1924, and 8,233 in 1925.[11] These figures accounted only for

[9] A. Goikhbarg, "Eshche o Brakakh i Razvodakh," p. 83.

[10] Ibid.

[11] "Doklad: Predsedatelia M.S.N.S. Tov. Smirnova na Plenume Moskovskogo Soveta RK i KD. 3 oktiabria 1922 goda," *Proletarskii sud,* 1 (1922): 11; "Rabota Suda Moskovskoi Gubernii v 1923 gody. Doklad Predsedatelia Gubsuda I. A. Smirnova, 6 Iunia 1924," *Proletarskii sud,* 1–2 (1924): 8; I. A. Smirnov, "Sovremennye Zadachi Suda v Derevne," *Proletarskii sud,* 3 (1924): 2; A. Stel'makhovich, *Dela ob alimentakh,* p. 8. These yearly statistics are projections based on figures provided for the first quartile of 1921, the first half of 1922,

Table 3. *Soviet marriage and divorce rates, 1911–1926*

	European USSR		
Year	Marriages (per 1,000 people)	Divorces (per 1,000 people)	Divorces (per 1,000 marriages)
1911–1913	8.2	0.0002	2.2
1924	11.5	1.3	113.0
1925	10.0	1.5	150.0
1926	11.0	1.6	145.4

Source: L. Lubnyi-Gertsyk, "Estestvennoe Dvizhenie Naseleniia SSSR za 1926," *Statisticheskoe Obozrenie,* 8 (1928): 85. On prerevolutionary divorce, *Estestvennoe dvizhenie naseleniia RSFSR za 1926 god* (Moscow, 1928): LII.

divorces contested in court. Added to the larger figure of divorces registered in ZAGS, the statistics clearly no longer represented a backlog of unhappy, upper-class marriages.

The rise in divorce in Moscow was paralleled by a nationwide increase. Both the marriage rate and the divorce rate grew steadily throughout the European part of the USSR in the 1920s. By 1926, the marriage rate in the European USSR was almost 35 percent higher than the prewar figures. The Central Statistics Bureau (TsSU) noted "an extraordinary growth of divorce." According to the TsSU, the high marriage rate was a direct result of the growing divorce rate and the number of remarriages.[12] In the European SSSR, there were 113 divorces for every 1,000 marriages in 1924, 150 in 1925, and 145.4 in 1926 (see Table 3). There was approximately 1 divorce for every 7 marriages in 1926, or 186,329 divorces for 1,244,030 marriages.[13]

The Soviet Union had the highest marriage and divorce rate

and the first three quartiles of 1924 and 1925. The divorce figure for 1925 is an average of Smirnov's 6,938 and Stel'makhovich's 7,639.

[12] *Estestvennoe dvizhenie naseleniia RSFSR za 1926 god* (Moscow, 1928): LII, XLVIII.

[13] L. Lubnyi-Gertsyk, "Estestvennoe Dvizhenie Naseleniia SSSR za 1926," *Statisticheskoe obozrenie,* 8 (1928): 86.

Table 4. *Marriage and divorce rates in the USSR and Europe, 1925–1926*

Country	Year	Per 1,000 people		Divorces per 1,000 marriages
		Marriages	Divorces	
Eur. USSR	1926	11.0	1.6	145.4
Germany	1925	7.7	0.56	72.7
France	1926	8.5	0.46	54.1
England and Wales	1925	7.6	0.06	7.9
Belgium	1926	9.2	0.31	33.7
Sweden	1925	6.2	0.28	45.1

Source: L. Lubnyi-Gertsyk, "Estestvennoe Dvizhenie Naseleniia SSSR za 1926," *Statisticheskoe Obozrenie,* 8 (1928): 89.

Table 5. *Divorce in the towns and countryside, 1925*

	Divorces	
	Per 1,000 people	Per 1,000 marriages
Town settlements	2.8	245.4
Rural areas	1.2	125.4

Source: Estestvennoe dvizhenie naseleniia RSFSR za 1926 god (Moscow, 1928): LIV.

of any European country in the mid-1920s: almost 3 times as high as Germany; 3.56 times as high as France; and 26 times that of England and Wales (see Table 4). The only Western country with a comparable marriage and divorce rate was the United States, with 10.2 marriages and 1.52 divorces per 1,000 people.

While the divorce rate for the Soviet Union was higher than that of any other country, the divorce rate in the cities and towns far surpassed even the national average. The divorce rate in the towns was more than twice as high as the rural areas and more than 1.5 times as high as the national average (Table 5).

The divorce rate was directly tied to the degree of urbanization. Cities (population over 50,000) had the highest divorce and

Table 6. *Marriage and divorce in cities, towns, and rural areas, 1926*

Area	Average population	Number of marriages	Number of divorces	Per 1,000 people	
				Marriage	Divorce
USSR	125,051,927	1,350,062	198,076	10.8	1.6
Cities[a]	11,759,377	153,511	42,128	13.1	3.6
Towns	10,545,400	116,123	21,910	11.0	2.1
Rural	102,747,150	1,080,428	134,038	10.5	1.3
Eur. SU	113,366,512	1,244,030	186,329	11.0	1.6
Cities	10,859,884	142,350	39,555	13.1	3.6
Towns	9,786,783	108,374	20,653	11.1	2.1
Rural	92,719,845	993,306	126,121	10.7	1.4
RSFSR	90,571,005	947,277	134,507	10.5	1.5
Cities	8,921,920	115,544	31,958	13.0	3.6
Towns	7,213,105	76,344	13,820	10.6	1.9
Rural	74,435,980	755,389	88,729	10.1	1.2

[a]Population over 50,000.
Source: Lubnyi-Gertsyk, p. 86.

marriage rates: 13.1 marriages per 1,000 people and 3.6 divorces, or approximately 1 divorce for every 3.5 marriages (see Table 6). The more urbanized *raions* (districts) also had higher divorce rates. The Central Industrial Region, which included the city of Moscow, had the greatest number of divorces per 1,000 people, while the Central Black Earth region had the lowest with 1.9 and 1.1, respectively. Moscow's divorce rate in 1926 was highest of all: 6.1 divorces per 1,000 people, followed by Tver with 4.8, Iaroslavl 4.0, and Leningrad 3.6. Moscow had 477.1 divorces for every 1,000 marriages, Tver 359, Iaroslavl 279, and Leningrad 265.[14] In Moscow there was one divorce for every two marriages! The statistics showed that the new divorce law had a profound impact on popular practices as the centuries-old tradition of indissoluble marriage collapsed with the stroke of a legislative pen. Even in the rural areas, where the household constituted the primary unit of production, the divorce rate exceeded that of any European country.

[14] *Estestvennoe dvizhenie naseleniia RSFSR za 1926 god,* p. LIV.

The law was not solely responsible for the large number of divorces; it simply abetted a more profound process of social breakdown and transformation. Years of war, civil war, and famine had undermined family and community ties. Peasant migrants to the cities abandoned older customs and traditions. Women joined with soldiers, strangers, and temporary providers in casual, short-term unions. De facto "wives" flooded the courts seeking alimony and child support from the men who abandoned them. And for many, the new communist morality encouraged and justified looser forms of behavior. One social observer bemoaned the times:

> The old rotten foundations of the family and marriage have collapsed and are heading toward a complete annihilation with every passing day. But there are no guiding principles for the creation of new, beautiful, healthy relations. There is unimaginable bacchanalia. Freedom of love is understood by the best people as freedom of depravity.[15]

By facilitating what some considered "free love," the law promoted what others considered "depravity," blurring the line between freedom and chaos. The statistics testified to the popularity of divorce, but offered little insight into its social consequences. Once the "rotten foundations of the family and marriage" collapsed, what happened to the family? One jurist proclaimed "the revolutionary freedom of divorce" to be "the best regulator of marital relations." Yet he added that, "after this, the struggle for existence remains, and here the chances of women, particularly with children, are still less favorable than for men."[16] Although the 1918 Code extended the right to divorce to men and women alike, the opportunity to benefit from this right was largely determined by the circumstances of class and gender.

First fired, last hired: Women's economic dependence

Until 1921, women constituted a growing percentage of the Russian industrial workforce. In 1901, 26% of all production

[15] S. Ravich, "Bor'ba s Prostitutsiei v Petrograde," *Kommunistka*, 1–2 (1920): 23.

[16] A. Stel'makhovich, *Dela ob alimentakh*, p. 3.

workers were women; by 1914 the number had increased to 32%; by 1917, 40%; and by the end of the civil war in 1920, 46%. By 1921, 1,360,310 (45%) of the country's 3,010,000 union members were women. Women predominated in many branches of the economy: They made up 75% of the workforce in People's Feeding (Narpit), 74% in sewing, 63% of medical workers, and almost 60% in the textile factories. Even in industries traditionally dominated by men, women constituted a significant share of the labor force, holding one-quarter of the jobs in the metal industry and one-fifth in the mines.[17]

After the civil war, 4 million men, demobilized from the Red Army, returned to the workforce, and veterans with higher skills replaced thousands of women in the factories.[18] Entire branches of industry closed in a shift to strict cost accounting under NEP. There were mass layoffs in August and September of 1921, and by the end of October, 13,209 women no longer had jobs (accounting for 60% of the unemployed.) There were sharp cutbacks in the social service sector where women workers predominated: Thousands of medical personnel, state employees, daycare staffers, teachers, as well as workers in Narpit, the consumer goods agencies, and communications suddenly found themselves without work.[19] Almost 280,000 women left the labor force.

Women clearly bore the brunt of the unemployment created by the transition to NEP. In an investigation of twelve provinces, the Commissariat of Labor estimated that by the end of 1921, 62% of the unemployed registered with the labor exchange (*Birzha Truda*) were women.[20] The Petrograd Labor Exchange announced in the beginning of 1922 that 67% of the 27,000 unemployed registered in the city were women.[21] One critic of NEP angrily described the reappearance of labor competition, a fea-

[17] A. Anikst, "Bezrabotnitsa i Zhenskii Trud v Rossii," *Kommunistka*, 2 (1922): 37.

[18] P. M. Chirkov, "Sovetskii opyt resheniia zhenskogo voprosa v period stroitel'stva sotsializma (1917–1937)," Dissertation for Doctor of Historical Science, Moscow State University (Moscow, 1979): 172.

[19] Anikst, p. 38.

[20] Ibid. The twelve provinces are: Vladimir, Viatka, Kostroma, Moscow, Nizhegorod, Penza, Samara, Smolensk, Ufa, the Urals, and Iaroslavl.

[21] V. L. "Vliianie Novoi Ekonomicheskoi Politiki na Byt Trudiashchikhsia Zhenschin," *Kommunistka*, 3–5 (1922): 15.

ture of capitalism often criticized in Marx and Engels's writings on women. He wrote, "The reconstruction of enterprises on the basis of cost accounting and the development of privately owned enterprises has inevitably created the disgusting phenomenon of capitalist thriftiness, giving rise to the competition between male and female labor."[22] The small industries that sprang up under private management could not rehire all the workers who had lost their jobs. Men and women competed for jobs in a tight labor market, and women invariably lost. Organizers at a meeting of the Petrograd Trade Union Soviet (Petrogubprofsoveta) in 1922 noted that women had been hit hard by the mass layoffs of staff. Conditions for women were "extraordinarily difficult."[23] Between 1921 and 1927, the numbers of unemployed women leaped from 60,975 to 369,800, a sixfold increase (see Table 7).

In 1927, the Women's Department of the Party (Zhenotdel) organized a large congress of working-class and peasant women in Moscow. The Zhenotdel was organized in August 1919, partially in response to pressure from women Party activists to provide separate, officially sanctioned and supported women's groups on the local level. Factory workers, peasants, housewives, and servants composed the rank and file of the Zhenotdel, and were elected as delegates to serve apprenticeships in various branches of the government. Although the Zhenotdel was often derided by Party men as the "*bab-kom*" or "*tsentro-baba,*" it had an important impact on thousands of women who became involved in its activities.[24] Delegates attending the Women's Congress (Second All-Russian Congress of Women Workers and Peasants) came from every corner of the country, arriving by rail, by cart, and on foot, to testify to conditions for women in their cities, towns, and villages. Numerous women complained bitterly about the problem of unemployment, one of the major concerns of the Congress. Ziuzina, a delegate from Akmolinsk province in

[22] Anikst, p. 38.

[23] GAORSSLO, fond 6262, op. 5, delo 9, p. 2.

[24] Carol Hayden, "The Zhenotdel and the Bolshevik Party," *Russian History,* 3, II (1976): 155–157; and "Feminism and Bolshevism: The Zhenotdel and the Politics of Women's Emancipation in Russia," Unpublished Ph.D Dissertation, University of California, Berkeley, 1979.

Table 7. *Female unemployment, 1921–1929*

Date	Number	Percent of all unemployed
December 1921	60,975	62.0
July 1922	108,300	59.2
October 1922	142,600	58.3
January 1923	190,300	52.5
July 1923	154,578	41.4
October 1923	315,400	50.2
April 1924	383,200	45.9
July 1924	[b]	35.4
January 1925[a]	[b]	32.6
" "	167,200	39.2
April 1925	[b]	35.4
" "	217,100	39.2
January 1926	431,100	45.3
" "	[b]	44.4
January 1927	[b]	44.4
October 1927	369,800	45.5
January 1929	[b]	43.9
July 1929	[b]	49.9

[a]Where sources differ, both figures are included.
[b]No figure available.
Source: A. Anikst, "Bezrabotitsa i Zhenskii Trud v Rossii," *Kommunistka,* 2 (1922): 38; V. Usoltsev, "Zhenskii Trud v SSSR," *Voprosy truda,* 3 (1928): 56; G. Pavliuchenko, "Bezrabotitsa Sredi Zhenshchin," *Kommunistka,* 5 (1925): 39; G. Serebrennikov, "Zhenskii Trud v SSSR za 15 Let," *Voprosy truda,* 11–12 (1932): 61.

the Kazakh republic, noted that women who were fired after several years of work simply could not find other jobs.[25]

Moreover, the unemployment figures, generally understated, concealed a large, hidden pool of women in search of work. Up to 1925, the statistics included only the "officially" unemployed: workers who lost their jobs and registered with the labor exchanges. Peasants, housewives, and other job seekers looking for waged work for the first time were not eligible to register as unemployed, and thus did not show up in the official statistics.

[25] *Vsesoiuznyi s"ezd rabotnits i krest'ianok. Stenograficheskii Otchet. 10–16 oktiabria 1927 goda* (Moscow, 1927): 220. Hereafter cited as *S"ezd rabotnits i krest'ianok.*

A. V. Artiukhina, the head of the Zhenotdel in 1927, stated in her keynote speech to the Women's Congress that 84% of the women who needed jobs – wives of workers and peasant migrants – had never worked for wages. In the face of unemployment, the unions zealously protected the rights of their members and did little to advance the interests of new groups in search of work. Petrovskaia, a delegate from the Ukraine, explained that women were caught up in a vicious circle: They could not work because they were not union members and they could not join the unions without a job.

Another delegate described the problem in detail: "Women who are without work for three to four years are not able to get work," she flatly declared. "Why? Because wherever they apply everyone says, 'We cannot help you because you are not a union member, you have no social insurance.' The unemployed woman is hungry. She walks through the streets crying. She arrives at a factory and asks, 'Comrade women, help me somehow, I am without work, without a scrap of bread.'"[26]

The number of unemployed women fluctuated widely throughout the 1920s, reflecting periodic purges of the unemployment rolls, large influxes of migrants from the countryside, and expansions and contractions in industry. The sharp decrease in the number of unemployed women between 1924 and 1925 was, in part, a result of a purge of the unemployment rolls. Investigations in the early 1920s revealed that many employed workers took advantage of large-scale corruption in the labor exchanges to register as unemployed and collect insurance benefits. A sweeping purge of the rolls in July 1924 in Moscow significantly reduced the numbers of registered unemployed,[27] and the number of unemployed women dropped from 383,200 in April 1924 to 167,200 by January 1925. After 1925, the labor exchange lost its right to control job allocation and hiring to the managers of enterprises, and many unemployed stopped registering with the exchanges.

As the economy began to recover in the mid-1920s, workers

[26] Ibid., p. 237.

[27] William Chase, *Workers, Society, and the Soviet State. Labor and Life in Moscow, 1918–1929* (University of Illinois Press, Chicago, 1987): 140; V. Usol'tsev, "Zhenskii Trud v SSSR," *Voprosy Truda,* 3 (1928): 56.

Table 8. *Women in factory production, 1923–1929*

Date	Number	Percent of all workers
1923	416,900	28.4
1926	643,628	28.4
1927	713,822	28.5
1928	725,926	28.7
1929	804,030	28.8

Source: B. Marsheva, "Zhenskii Trud v 1931 godu," *Voprosy truda,* 1 (1931): 2.

experienced the odd phenomenon of a simultaneous rise in both employment and unemployment. Growing numbers of unemployed found new places in industry, but the economy still could not keep pace with the steady stream of migrants pouring into the cities in search of work.[28] Yet the recovery affected men and women differently. Although the number of women in factory production almost doubled between 1923 and 1929, women's share of the industrial labor force remained fairly constant at 28% (see Table 8). Thus although the number of jobs was rapidly growing and greater numbers of women were finding work, women were still not successful in expanding their share of the labor force. And women were not as quick to recover from the unemployment of the early NEP years as men. As late as 1929, they constituted fully 50% of the unemployed, but only 29% of the employed, despite the new, burgeoning job opportunities. And despite a significant improvement in the economy in the mid-1920s, women's share of unemployment actually increased from 40% in 1925 to 50% in 1929. Men were absorbed much more quickly into the expanding economy. Women, the first fired at the beginning of NEP, were the last hired at its end.

Many of the advocates of NEP rued the growth of female unemployment, but defended the policy of cutbacks, cost accounting, and rationalization that produced it. In their view, these measures were necessary to the speedy recovery of the economy and the reintegration of the returning Red Army vet-

[28] E. H. Carr, *Socialism in One Country, 1924–1926,* Vol. 1 (Macmillan, New York, 1958): 365.

erans.[29] Yet as the economy began to recover, it became clear that women were still suffering from a disproportionate amount of unemployment due less to the financial imperatives of NEP than persistent patterns of discrimination in the workplace. Given a choice, many managers clearly preferred to lay off women rather than men. Ironically, the more progressive features of Soviet labor legislation, such as paid maternity leave, the ban on nightwork for women, and work restrictions for pregnant women and nursing mothers, often prompted managers to fire women and replace them with men.[30] Women were considered more costly to employ. One writer indignantly declared, "Who does not know about those abuses that go on under the name of reduction in staff, where women, not just equally qualified, but more so, are dismissed because a woman costs an enterprise much more than a man."[31]

Delegates to the Women's Congress castigated the factory managers for their thoughtless, sexist practices. Ziuzina argued that managers fired women without any consideration for their family responsibilities. "Often they terminate those who have three or four children and no husbands or relations," she said. Another delegate angrily declared that factory managers discriminated against married women. "Even if she wants to work, they fire her anyway. They say, 'You have a husband – go home to your kitchen.'"[32] Despite the Commissariat of Labor's express instructions to consider men and women equally in event of a layoff, managers in male-dominated industries pursued an aggressive policy aimed at eliminating women and replacing them with men.[33] In a number of unions, the growing threat of unemployment led to a concerted drive against the female members.[34]

Delegates to the Thirteenth Party Congress in 1924 attempted

[29] See William Chase on the "productionist" position, p. 163; G. Serebrennikov, an economist in the 1920s, justified the dismissal of women in the early years of NEP on the basis of their low skill levels, but became more critical of these practices in the later twenties. See Serebrennikov, p. 61.

[30] P. M. Chirkov, "Sovetskii opyt resheniia zhenskogo voprosa v period stroitel'stva sotsializma (1917–1937)," p. 172.

[31] G. Pavliuchenko, "Bezrabotitsa Sredi Zhenshchin," *Kommunistka,* 5 (1925): 39.

[32] *S"ezd rabotnits i krest'ianok,* p. 225.

[33] Chase, p. 149. [34] Carr, p. 387.

to halt the continuing expulsions of women from industry. Recognizing the awful predicament of the woman worker, the Congress noted: "In spite of the general improvement in the condition of the working class, the position of women workers, the majority of whom are in the least skilled, lowest paid section of the proletariat, still remains difficult." The delegates vowed to stop the layoffs of women, to raise their skills, and to involve them in those branches of production where women were traditionally excluded or underrepresented. Noting that women's employment was not merely a matter of economics, the Congress stressed "that the preservation of women workers in production has a political significance."[35] The party thus rejected a strictly "productionist" line oriented toward rapid economic recovery and maximization of profits, and reaffirmed its commitment to the humanist values embodied in its program for women's emancipation.

In line with the Party's resolutions, the Commissariats of Labor, Social Security, and Economic Planning, and the unions sent out a series of decrees aimed at stopping the discrimination against women. Factory managers were instructed that men and women with the same skills were to be terminated in equal proportions in a reduction of staff. Pregnant and nursing women on leave were not to be dismissed, and mothers with children under a year old had priority in remaining at work. Women who lost their jobs were permitted to keep their children in the workers' daycare centers. Single women were not to be thrown out of their lodgings.[36]

Yet the resolutions and decrees appeared to have little effect on the sexist practices of factory managers and the continuing discrimination against women workers. Managers, under pressure to raise profits and maximize efficiency, paid little heed to the Party's more humanist preachings. Their continuing intransigence soon forced a retreat from the high standards of protective labor legislation established on behalf of women after the revolution. After sharp debate, delegates to the Sixth Trade Union Congress in November 1924 voted to repeal the ban on nightwork for women and permit them to enter industries previ-

[35] *Trinadtsatyi s"ezd RKP (b). Mai 1924. Stenograficheskii otchet* (Moscow, 1963): 678, 680.

[36] Chirkov, pp. 173–174.

ously deemed hazardous to their health. In the harshly realistic words of a woman delegate from Rostov-on-the-Don, "It is better if the professional organizations offer the woman worker less protection so that she can have the chance to earn herself a crust of bread and not be forced to sell herself on the boulevard."[37] Even the Zhenotdel, the staunchest defender of women's interests, agreed on the need to repeal the ban on nightwork so that employers would have less excuse to lay off women workers.[38]

By 1925, industry had recovered sufficiently to experience a shortage of skilled labor. Yet the problem of female unemployment persisted unabated. The percentage of women among the unemployed actually rose after 1925 as factory managers gave preference to unemployed men. Even male peasant migrants were preferred to working-class women.

Ultimately, every level of the industrial and state apparatus bore some responsibility for discrimination against women workers. At the highest levels, the priority relentlessly placed on cost cutting and profit maximization at the expense of political values severely damaged women's opportunities. Factory managers perceived few alternatives to firing women if they were to keep costs to a minimum. As V. V. Shmidt, the commissar of labor, admitted, it was "economically unprofitable" to employ women.[39] The Party attempted to remedy some of the worst abuses by reaffirming its commitment to equality in the workplace. But despite its good intentions, both factory managers and union leaders continued to discriminate against women in their patterns of hiring, firing, and advancement. The resolutions at the highest levels had little effect on practice in local enterprises. The retreat from protective labor legislation demonstrated the Party's inability to end discrimination by decree. Apparently, the only effective method of eliminating discrimination against women was to abolish the protective labor legislation that recognized their special needs as mothers. One of the women delegates to the Sixth Trade Union Congress in 1924 spoke out fiercely against "the impairment" of women's "legal

[37] *Shestoi Vsesoiuznyi s"ezd professional'nykh soiuzov. Stenograficheskii otchet* (Moscow, 1925): 223.

[38] Carol Hayden, "The Zhenotdel and the Bolshevik Party," p. 169.

[39] *Shestoi Vsesoiuznyi s"ezd professional'nykh soiuzov. Stenograficheskii otchet,* p. 184.

achievements." Quickly grasping the essential problem, she noted that the constant push to increase labor productivity was at odds with the needs of women workers.[40]

Under these difficult economic circumstances, divorce entailed potentially tragic consequences for the housewife or the unskilled worker. For if her husband divorced or abandoned her, she was often unable to support herself or her children. Dziuba, a delegate to the Women's Congress from the Ukraine, emphasized the special difficulties of the housewife after divorce. "Comrade workers and peasants," she appealed, "I ask you to consider that the wife of the worker, your sister, has been overlooked. If a woman worker leaves her husband, she only loses a husband, she works independently. But when the wife of a worker leaves her husband she is considered a nonlaboring (*netrudnyi*) element, left homeless in the street (*besprizornoi*). There is nowhere for her to turn, all is closed, and everyone turns away from her."[41] Without an independent wage, women were in no position to exercise their right to "free union." Vera Lebedeva, the head of the Department for the Protection of Maternity and Infancy (OMM), grimly summed up the future of many divorced women:

> The weakness of the marital tie and divorce create masses of single women who carry the burden of child care alone. Imagine yourself such a woman, without support from your husband, with a child on your hands, laid off due to a reduction in staff, and thrown out of the dormitory . . . with no possibility to continue supporting yourself.

"Where do these thousands go?" Lebedeva asked. 'There is one exit – the street."[42]

On the street

The contrast between the socialist ideal of free union and the conditions of the time was nowhere so starkly depicted as in the spectacle of women selling themselves on the streets. Many observers noted the increase of prostitution during NEP. Women solicited men in the railroad stations, in the main squares, and in

[40] Ibid., p. 621. [41] *S"ezd rabotnits i krest'ianok*, p. 452.
[42] V. L., "Vliianie Novoi Ekonomicheskoi Politiki na Byt Trudiashchikhsia Zhenschin," *Kommunistka*, pp. 15, 16.

the public toilets. "Nestled in front doors, in passenger and freight cars, in alleys, in baths, in other places,"[43] women sold sex for as little as 6 kopeks, for 5 rubles, for 10 rubles for the night. Homeless girls slept in train cars: the female *besprizorniki.* Abandoned women, peasant widows, mothers with small children, all desperate to earn money, turned to prostitution. Krupskaia wrote, "Poverty compels women to sell themselves. They are not prostitutes who make an enterprise out of this, but mothers of families." Poverty forced women into "sex for a crust of bread"; it was "the grave of human relations."[44]

Numerous contemporary studies highlighted the connection between prostitution and unemployment during NEP. A. Irving, a sociologist who published a study of prostitutes in 1925, noted that 80 percent of the 539 prostitutes he interviewed entered prostitution after 1921. Criticizing the effect of NEP on women, he wrote, "The extraordinarily high percentage of prostitutes with 'Nep-ovski' length of service, in contrast to the insignificant number of prostitutes in service since the first years of the revolution, demonstrates that NEP is by no means an advantage." Irving concluded that "NEP and its temptations and the unemployment of women workers are the main factors in prostitution."[45] Professor N. Duboshinskii found in his 1924 study of 601 Moscow prostitutes that 51% of the women had become prostitutes out of need. Surveying 340 women, he discovered that 84% had tried to leave prostitution but were unable to find a job. Duboshinskii concluded, "Hunger is the most powerful factor in prostitution."[46] Yet another study observed that while 44% of prostitutes had some work skills, only 15% were skilled enough to become self-employed. Most of these women were dressmakers, an occupation where wages were low, employment irregular and uncertain.[47] The remaining 85% were dependent on the unfriendly labor market for their employment. And even

[43] A. Uchevatov, "Iz Byta Prostitutki Nashikh Dnei," *Pravo i zhizn',* 1 (1928): 52.

[44] N. Krupskaia, "Voina i Detorozhdenie," *Kommunistka,* 1–2 (1920): 18.

[45] A. Irving, "Vozrastnoi i Natsional'nyi Sostav Prostitutok," *Rabochii sud,* 5–6 (1925): 209.

[46] N. O. Duboshinskii, "Sotsial'nyi Sostav Prostitutsii," *Rabochii sud,* 3–4 (1925): 127–128.

[47] D. P. Rodin, "Iz Dannykh Sovremennoi Prostitutsii," *Pravo i zhizn',* 5 (1927): 67.

employed women were occasionally forced into prostitution given their concentration in low-paid, unskilled jobs. A 1923 study found that many factory women used prostitution to supplement their wages.[48]

The majority of prostitutes in the 1920s came from working-class backgrounds. Duboshinskii's study of Moscow prostitutes showed that 60% were working-class. Of the remainder, 9% were from the aristocracy or the bourgeoisie, 5% from the intelligentsia, and 26% were self-employed in handicrafts, dressmaking, and sewing. Of the working-class women, 37% were former servants, 20% had worked in Narpit, 15% were factory workers, 14%, saleswomen, and 9%, medical personnel. The former occupation of the remaining 26% of the total was unknown. The statistics emphasized the impact of NEP: Almost 45% of the working-class women had entered prostitution from industries that experienced sharp cutbacks, such as Narpit, the factories, and medical services.[49]

Case histories revealed that many women became prostitutes because they were unable to find other work. Kh., aged 38, was described as a "sick, wandering, exhausted person with running eyes." Crying as she spoke of her life, she explained that she began work in a tobacco factory at age 11. She hawked goods on the streets from 1917 to 1923 and later worked briefly as a charwoman. Unemployed thereafter, she was arrested for angrily defending the pitiful remnants of her dignity: She threw a stone at a man on the street who called her a whore. V., a 29-year-old master dressmaker with two years of middle school, told a wrenching tale of her fruitless search for steady work. She worked in a textile factory up to the Revolution, when she was laid off. In 1920 she took another job but was sacked within the year. Another layoff followed a short stint as a hospital nurse. She sold her belongings piece by piece, and was eventually arrested for making *samogon* (home brew). When she come out of prison, she began working as a prostitute. V. was described as "a devastated, slovenly woman, in dirty rags scarcely covering her body, with no shoes." In a defeated voice, she explained that she had lost all hope of ever getting a job.

[48] L. A. and L. M. Vasilevskie, *Prostitutsia i novaia Rossia* (1923): 4.
[49] Duboshinskii, pp. 125–126.

A number of women were homeless and prostituted themselves to buy food. P., aged 26, had lost her home when she split up with her husband. Sleeping in railroad cars and hanging around with *besprizorniki,* she prostituted herself to survive. S., a homeless 17-year-old, had wandered about, begging and stealing for years. At first, men had taken advantage of her by promising to take her home and feed her. Then she "learned how" and became a prostitute. She had sex with five or six men a night. Another homeless young woman described living in a train car, coupling with two or three men a night for 50 kopeks to 2 rubles. Many of the men were homeless too. Sometimes she got a beating instead of the money.[50]

While the female *besprizorniki* undoubtedly accounted for many of the prostitutes, one study published in 1925 found that fully 44% of Moscow prostitutes lived with parents, siblings, or other relations. Almost 40% lived in one room and slept in the same bed with a family member.[51] These women were not cut off from their families, but on the contrary, lived with them in close quarters, and in all likelihood, contributed their painfully gained earnings to the family budget. S., an 18-year-old prostitute, was typical in this regard. She lived with her parents and five brothers and sisters in one room. Her father, an elderly invalid, received a pension of 30 rubles a month. She began working as a prostitute at age 14 when she was abandoned by a worker who promised to marry her. Another young woman became a prostitute to support her younger brother and elderly mother. Neither family ever knew how the girls earned the bread that fed them.[52]

Many women worked as prostitutes to support their dependent children. One woman, abandoned by her husband after twenty years of marriage, explained, "I went to the street in tears. I had to support my daughter and protect her from this fate." She had sex with about four men a week, enduring their "poor treatment, beatings, and perverse demands." A., aged 26, was separated from her husband and supporting her baby daughter. She earned about 100 rubles a month as a prostitute

[50] Rodin, p. 68; Uchevatov, p. 53.

[51] Oleg Ol'ginskii, "Prostitutsiia i Zhilishchnyi Vopros," *Rabochii sud,* 5–6 (1925): 205.

[52] Rodin, pp. 67, 69.

and was saving her money to buy a sewing machine. K., aged 28, was divorced with an 8-month-old daughter. Ts., 30, was divorced with two small children and an elderly mother to support. One woman had been a housewife until her husband's death forced her to go to work. Laid off after five months in a sewing workshop, she had a small child, two younger sisters, and a mother-in-law depending on her earnings. "I wanted to remarry," she said sadly, "but no man would agree to take such a family."[53]

The two largest groups of urban prostitutes were the *besprizorniki,* who quickly found prostitution more profitable than beggary, and unemployed women who were unable to find steady work. Naturally, the categories overlapped, for the line separating the unemployed from the homeless was a thin one. Women told repeated tales of divorce, separation, and abandonment. They were frequently the sole support of small children, siblings, or aged relations. Prostitution represented the most painful, but not the most improbable, fate of the husbandless woman under NEP. It made a mockery of the idea that women were free, independent individuals who could enter a union on the basis of personal choice. Without an independent wage, women were forced into the most unfree of acts: to garner some portion of the male wage by selling their sexuality to whoever wanted them. Many of the women expressed a desperate desire to leave prostitution. Others felt deep shame at their situation. For most, it was the last resort before starvation.

Low wages and poverty

While unemployment stood as an unmistakable barrier to women's independence, the concentration of women in poorly paid, unskilled jobs further reinforced their dependence on men. However meager the pooled salaries of the working-class family, the man's higher wages ensured a better standard of living for his wife and children. Even if a woman worked, divorce signified a substantial drop in her standard of living.

Women earned only 65% of what men earned in the mid-

[53] Uchevatov, pp. 55, 52, 53.

1920s. In 1925, the average salary of women workers in industry was 32.60 rubles per month. The majority of women workers (57%) earned between 20 and 40 rubles; about 20% made less than 20 rubles, but only about 4% earned more than 60. There were strikingly few women at the higher end of the pay scale. Women's low pay could not be attributed to the fact that they worked fewer hours than men. Women and men worked approximately the same number of days per month and hours per day.[54] Women earned lower salaries because they were concentrated in unskilled, menial jobs at the bottom of the pay scale.

The cutbacks that occurred during NEP had the effect of shifting women away from heavy industry and back into the traditional jobs they held before the war. Women, thrown suddenly out of mining, metallurgy, and printing, filtered back into textile, food production, and sewing, the traditional, low-paid bastions of female labor. Women suffered layoffs in all industries because of their lack of skills, but the sharpest reductions occurred in industries that they had first entered during the war years. In the metal industry, for example, women's share of the workforce dropped from 15% in 1920 to 8% in 1928, a drop of 47%. In mining, women's share dropped from 13.7% in 1923 to 7.5% in 1928, and in machine production, from 13.8% in 1923 to 6.8% in 1929. As women's share of jobs in heavy industry decreased, it increased in light industry and the service sector. The percentage of women workers in Narpit increased from 55% in 1923 to 82% in 1928, from 61% to 65% among medical personnel, and 58% to 61% in the textile factories.[55] Their share in all branches of the food industry increased as well.[56] Between 1923 and 1928, 343,085 women entered the industrial workforce, yet fully 71% of these entered the traditionally female industries: 214,117 took jobs in textile factories, and 30,000 more in food production.[57] Women lost what they had gained

[54] B. Markus, "Zhenskii Trud v SSSR v 1924 gody," *Kommunistka*, 4 (1925): 49; and A. G. Rashin, *Zhenskii trud v SSSR* (Moscow, 1928): 39, 37.

[55] G. Serebrennikov, "Zhenskii Trud v SSSR za 15 Let," *Voprosy truda*, 11–12 (1932): 60–61.

[56] F. Vinnik, "Bezrabotitsa Sreda Zhenshchin y Pishchevikov," *Voprosy truda*, 2 (1929): 121.

[57] B. Marsheva, "Problema Zhenskogo Truda v Sovremennykh Usloviiakh," *Voprosy truda*, 2 (1929): 40.

during the war. As the economy gradually recovered, the prewar gender division of labor reasserted itself, concentrating women in the lowest paid sectors of the economy and the lowest paid, least-skilled jobs in every sector.

Delegates to the Women's Congress noted how women's lack of skills figured prominently in decisions regarding hiring, firing, and advancement. Factory managers frequently justified the dismissal of women workers on the grounds that they lacked the skills necessary to fill the higher-paid positions. And their lack of skills kept them in the ranks of the unemployed. Korotkova, a delegate from the Crimea, observed: "If you look at the labor exchanges you will find only women. No one wants to employ them because they have no skills."[58]

Yet other women noted that discrimination persisted even when women acquired new labor skills. Petrovskaia, a Ukrainian delegate, explained that the factory in her town employed 500 women: 205 had learned new skills, but only one or two were promoted into better positions. "With tears, with cries, you go everywhere," she said indignantly, "to the factory administration, to the supervisor, but our administration still preserves the old view of women workers. The administration thinks that women workers should only sweep." Women spoke bitterly not only about managers, but male workers as well, accusing them of sexist attitudes and practices that undermined equality in the workplace. Even when their male co-workers were not actively hostile, they nonetheless condescended to women and denigrated their abilities. The men in the railroad yards sneered at women workers, laughing among themselves and asking, "What will the *babas* make in the workshop?" "They interfere with us in everything," one delegate furiously declared, "they interfere with the promotion of women workers to higher, skilled positions."[59]

Statistics showed a sharp division between male and female labor in every industry except textiles, where women vastly outnumbered men. Almost 50% of male industrial workers in 1925 held skilled jobs; another 30% were in semiskilled positions, less than 20% performed unskilled labor. For women, the figures were reversed: Only 13% worked in skilled jobs, about 42% were

[58] *S"ezd rabotnits i krest'ianok,* p. 287.
[59] Ibid., pp. 237, 243, 255, 301.

semiskilled, and the remaining 45% were unskilled. The concentration of women in unskilled jobs was reflected in their job classifications. On an industrywide scale from 1 to 12, 89% of women workers were concentrated in grades 3 to 6. The vast majority of men (75%), however, were in grades 6 and above. Whereas less than 10% of male workers were in grades 1 to 3, almost 25% of women workers fell into this category. The average grade for male workers was 6, for women, 4.3.[60] By 1927, little had changed: Fully one-quarter of male workers occupied the higher job classifications (grade 8 and above), but only 1.1% of women.[61]

Moreover, even men and women who occupied the same positions received different wages. One delegate to the Women's Congress angrily noted, "A woman does not always receive a salary equal to a man's even if they do the same work." She complained that the skilled male workers received all the privileges. Even the overalls were not distributed equally![62] A salary survey of unskilled workers in various industries in 1928 revealed that women earned consistently less than their male counterparts in the same jobs: about 25% less in the metal, cotton, and rubber industries, 15% less in tobacco, and 33% less in shoe production.[63]

The women at the Congress were quick to connect women's lack of skills and low salaries to a host of other problems: Women were the most vulnerable to dismissal; men treated them with contempt at work; meager earnings reinforced their dependence on the family. One delegate noted that a woman's inability to support her family without a man was an important cause of *besprizornost'*. "Imagine the position of a woman, receiving a salary in the category of grade 3," she said, "who has four children on her hands, and does not even have the hope that she will be able to provide for them in the future." The problem of *besprizornost'*, she said, had to be solved at the root: by providing women with skills.[64]

The delegates to the Congress returned repeatedly to the im-

[60] Rashin, pp. 12, 13. [61] Serebrennikov, p. 64.
[62] *S"ezd rabotnits i krest'ianok,* p. 255.
[63] N. V., "K Voprosu o Planirovanii Zarplaty," *Voprosy truda,* 3–4 (1929): 45.
[64] *S"ezd rabotnits i krest'ianok,* pp. 240, 241.

portance of an independent wage. The vision of women's liberation through economic autonomy animated every discussion. One delegate spoke for many when she proclaimed, "What gives us, women, the basis of equal rights, what strengthens our independence? Our independent wage. All we women know that an independent wage gives us our freedom and forces those around us to treat us as an equal member of society and the family."[65] Women from all parts of the country raised the stubborn problem of women's lack of skills. They clearly understood that without skills and higher salaries, social equality was, at best, an illusory proposition.

Reproductive dependence and the gender division of labor

Women's ability to enter the workplace, advance their skills, further their education, and participate in a wider public and political world was compromised not only by low wages but by their unrelieved responsibilities for children. Vera Lebedeva, the head of the Department for the Protection of Maternity and Infancy (OMM), told the Women's Congress, "We have heard from you about the difficulties women encountered in gaining their right to work, the right and opportunity to demonstrate their initiative. . . . These difficulties, in significant measure, are created because women's hands are tied by motherhood."[66]

The number of childcare facilities available to women immediately after the revolution was pitifully small, though it increased impressively during the civil war years (see Table 9). The number of factory and regional daycare centers grew from a mere 14 in 1917 to 914 in 1922; special homes for single women with infants were established throughout the country, and the number of children's homes for orphans increased dramatically. But NEP had a drastic effect on the facilities available to women and children. Within the single year between 1922 and 1923, more than half of the country's daycare centers and homes for single mothers shut their doors and closings continued for two

[65] Ibid., p. 276. [66] Ibid., p. 442.

Table 9. *Childcare institutions, 1917–1925*

Institution	1917	1918	1919	Jan. 1920	Jan. 1921	Jan. 1922	Jan. 1923	Jan. 1924	Jan. 1925	Oct. 1925	*USSR* Oct. 1925
Factory, *raion* creches	14	78	126	565	668	914	447	503	536	584	778
Rural creches[a]	–	–	–	–	–	–	–	–	–	5	5
Houses for mother and child	–	10	17	99	125	237	110	91	80	96	103
Children's homes	7	92	121	370	418	765	491	362	313	287	433
Konsultatsiia′											
Children	6	39	58	133	161	179	137	165	262	372	521
Pregnancy	–	–	–	–	–	29	28	95	169	208	276
Rural	–	–	–	–	–	–	–	7	117	120	372
Legal	–	–	–	–	–	–	–	30	130	130	130

[a]Permanent creches.

Source: *Trudy III Vsesoiuznogo s"ezda po okhrane materinstva i mladenchestva* (Moscow, 1926): 12.

more years. Almost all services earmarked for women and children were sharply reduced.

Numerous delegates to the Women's Congress spoke of the impact of NEP and the need for more daycare centers and children's homes. Ziuzina, from Kazakhstan, observed that all the children's homes in her town had closed. A single mother had nowhere to turn for help with her baby. "She leaves it to the mercy of fate or throws it into some kind of abyss," noted Ziuzina, referring to the desperate practice of infanticide. Unemployed women were not covered by insurance and received no help with pregnancy, childbirth, or infant care. "All this falls upon the very poorest," Ziuzina said. "The unemployed mother can get neither work nor assistance." Another delegate appealed for more child care. "Nowhere is there such a destruction of the family as in Murmansk," she explained. Uraimagova, a delegate from Northern Ossetia, asserted, "In order to free women, we must create the necessary conditions, children's creches are needed, kindergartens and other children's organizations." Another delegate mentioned a new factory settlement built in the province of Ivanovo-Vosnesensk, a large textile center employing thousands of women. "But what did we do in this settlement?" she demanded. "Did we do anything to liberate women? There is almost nothing there – no public dining room, no daycare center, no creche . . . We must have the liberation of women in mind when we build housing."[67]

Daycare centers and other maternity institutions were not the only social services to suffer under NEP. During the civil war, large numbers of people, prompted by the increasing worthlessness of the ruble, ate their meals in communal dining halls (*stolovye*). When famine threatened Petrograd in 1918, the government quickly organized *stolovye* in the factories and workplaces, and by January 1920, they were serving close to 1 million people. After the decrees in 1919 authorizing free food for children, 80% of the city's young inhabitants began to receive free meals. In the surrounding Petrograd province, 1,892,513 people received government rations; 80% of the population took its meals in *stolovye*. In Moscow, communal dining was organized somewhat later, although by 1921, the city boasted over 2,000

[67] Ibid., pp. 20, 231, 267, 300.

food stations serving 956,000 people, or 93% of the population. Hundreds of dining rooms, soup kitchens, food stations, and schools provided children with their daily meals. Communal dining was organized most effectively and rapidly in areas with large factory populations like Viatka, Perm, Iaroslavl, and Tula, but more than one-third of the population in 49 provinces (over 4.5 million people) received cooked food from communal dispensaries.[68]

The system of social feeding, like many hastily constructed emergency programs, suffered a great many problems. People waited in long lines to enter dirty dining rooms where the food was often spoiled, the meals meager, the dishes and utensils in short supply. Many went to the *stolovye* only because the shops were bare, and they received meals in lieu of wages. With the collapse of a money economy, the *stolovye* took the place of a more complex system of exchange. For the government, it became the most effective, albeit primitive, means of feeding the urban population.

Yet many saw the development of the *stolovye* as more than an economically expedient measure. They were considered a first step in the construction of a truly socialist economy and the emancipation of women from petty household labor. Advocates were quick to admit that the *stolovye* were inadequate, but it was the inadequacies, not the *stolovye* themselves, that were the product of shortage and economic collapse. Communal dining was a social advance, a victory over privatized family consumption, the embodiment of "a new communist way of life."[69] Like many of the features of war communism later dismissed as premature or illusionary, the sheer numbers of people participating in the new system led many to view it as a successful example of communism in action. Activists pointed with pride to the government's successful efforts to feed over 90% of the people in Moscow and Petrograd. I. Stepanov, a Party leader, later wrote with nostalgia, "During the years of war communism we managed to feed the children collectively. All we adults were insanely and dreadfully hungry, but we could justly say to the whole world: The children are the first privileged citizens of our republic. We could say that

[68] A. Sviderskii, "Razvitie Obshchestvennogo Pitaniia v Rykakh Zhenshchiny," *Kommunistka*, 8–9 (1921): 26–29.
[69] Ibid., pp. 30, 26, 29.

we were moving toward the realization of freeing love from those crippling and killing elements, freeing love from economics and women from household slavery."[70]

With the end of the rationing system in 1921, the communal dining halls began to close. Food stores reopened and workers began to receive a monetary wage. Although many were glad to leave the dirty *stolovye* and return to home-cooked meals, many women resented their return to the unpaid tasks of shopping and cooking for their families. Numerous working-class women complained that housework took up too much of their time and prevented them from participating in activities outside the home. One factory woman in Moscow province wrote, "A working woman comes home from work after an eight-hour day, eats dinner in 8 to 10 minutes, and once again faces a load of physical work: washing linens, cleaning up, etc." "There are no limits to housework," sighed another, for a woman is "charwoman, cook, dressmaker, launderer, nurse, caring mother, and attentive wife. And how much time it takes to go to the store and drag home dinner!"[71]

Clearly, the retreat from the system of communal dining did not affect men and women in the same way. Time budget studies showed that women were responsible for most of the domestic labor even if they worked outside the home. The factory woman worked the same eight-hour day as her male counterpart, but when she returned home, she faced about five more hours of housework; the male worker, only two. Men had about three and a half hours to relax during the day, a woman, only two hours and twenty minutes. Men slept for an average of eight hours, women, only six hours and 45 minutes.[72] Women spent, on average, two and a half times more time on housework than men and had barely half the leisure as a result.[73] Given their household responsibilities, it was not surprising that women had a

[70] I. Stepanov, "Problema Pola," in E. Iaroslavskii, ed., *Voprosy zhizni i bor'by* (Moscow, 1924): 205.

[71] Z. Rakitina, "Byt po Zametkam Rabotnits," *Kommunistka*, 12 (1926): 32.

[72] V. V. Sokolov, *Prava zhenshchinu po sovetskim zakonam* (Moscow, 1928): 16.

[73] Michael Paul Sacks, *Women's Work in Soviet Russia. Continuity in the Midst of Change* (Praeger, New York, 1976): 39.

higher rate of illiteracy and lower interest in politics and current affairs. A woman could hardly share her husband's concerns and interests when her horizons were blocked day after day by stacks of dirty sheets and dishes.

Many of the delegates to the Women's Congress in 1927 called for a return to the system of communal dining pioneered during war communism. Moirova, a delegate from Narpit, argued that women could not be free until cooking, cleaning, and other household tasks were fully socialized. "We are still not free from the family burden," she said, "even among the workers, who will be the first to liquidate all vestiges of the past in their families, it is clear that women factory workers are still forced to stand by the pots and fiddle around with the stove." She called for more public dining rooms, meals for children, and the distribution of cooked meals to people's homes. Moirova exhorted women to enter the service industries. If women were held back by the belief that "*Babushka* was not a lathe turner, so I should not be a lathe turner," "Then indeed," Moirova shot back, "all our *babushki* were good cooks." Women should use the skills they had for their own collective liberation. Another delegate suggested that the problems of housework and unemployment could be solved simultaneously by putting jobless women to work in new consumer service industries.[74]

While the law viewed women as the equals of men, women's role in the home undercut their independence. As long as work was segregated by gender, dependency was built into family life. Moirova argued that the socialization of housework was essential to an equal and companionate marriage. "We cannot consider the construction of socialism a success if we do not make a basic revolution in our own families," she declared. "We are accustomed to associating stoves, kitchens, pots, cradles, and crying babies with the family. In a socialist society, these parts of the family should not be. The family should consist of loving, equal comrades, each of which works where they are useful to the whole society."[75]

The plight of women prompted many advocates of women's liberation to vociferous criticism of NEP. Critics considered the sharp cutbacks in social services and childcare facilities, the in-

[74] *S"ezd rabotnits i krest'ianok*, pp. 243, 252. [75] Ibid., p. 250.

crease in female unemployment, and the reappearance of prostitution as tangible signs of NEP's negative impact on women's prospects for liberation. Trotsky, painfully aware of the social ramifications of NEP, suggested that voluntarism and self-help might offset the decreases in state spending. He urged families to group together in "collective housekeeping units," and to experiment with the socialization of housework, a task that the state "cannot as yet undertake."[76] Yet other activists, often supportive of NEP, were critical of a strategy for liberation based solely on individual efforts. Lebedeva recalled an instance when peasant women went from village to village, collecting flour and eggs to support the daycare centers. Their initiative was laudable, but voluntarism had its programmatic limits. "This is not a system," Lebedeva asserted, "and a network of daycare centers cannot be created on the charity of the population. . . . The daycare centers must be permanently entered in the budgets of the district executive committees." She noted that the centers in the towns served only 16% of the working population and the childcare network was not keeping pace with the increase in women workers. Lebedeva concluded pessimistically, "The position of women is not getting better, it is getting relatively worse."[77] Many activists took the position that the revival of the economy should not be engineered at the expense of women's needs. Delegates to a meeting on female labor in 1922 angrily called attention to "the catastrophic position of services designed to protect mothers and infants due to state budgeting pressures under NEP." The delegates demanded that the Central Executive Committee compel "the entire party, Soviet state, and the unions" to consider "the problems of motherhood and infancy." More important, they cautioned against separating women's issues from those of the state and the workers. Women's problems were "closely connected to the overall position of the working class and under no condition should be considered apart from the proletarian state." The firm, uncompromising tone of the resolution expressed the dissatisfactions numerous social activists felt with the "productionist" orientation of NEP. Yet as Sophia Smidovich, the future head of the Zhenotdel, later

[76] Leon Trotsky, *Women and the Family* (Pathfinder, New York, 1970): 26, 27, 28.

[77] *S"ezd rabotnits i krest'ianok,* pp. 448, 450.

noted, "this resolution was but a voice wailing in the wilderness."[78]

Alimony

Given the obstacles to women's independence, thousands of divorced women turned to the courts to sue for alimony or child support from their former husbands. The very concept of alimony – the monetary expression of women's dependence on men – signified the persistence of the family as the primary form of social organization and security. The practice of alimony, ensuring that the male wage earner rather than the state took responsibility for the needy woman and the child, revealed the scarcity of social services and the paucity of options for women outside the family.

According to the 1918 Family Code, all children, regardless of whether their parents were married, were entitled to parental support until the age of 18. The provision was remarkably inclusive, making no distinction between "legitimate" and "illegitimate" children. The alimony provision of the Code, in contrast, was quite narrow. An ex-spouse was only entitled to six months of support after a divorce, and then only if he or she was disabled and in need. The provision thus excluded able-bodied women, no matter how poor. Given the limits on alimony, the vast majority of women who went to court were forced to sue only for child support, although Soviet jurists used the term "alimony" to cover monetary support of ex-spouses, children, and even dependent relations.

The number of alimony cases grew quickly after 1918. At first, requests for alimony were "negligible." Surveying seven Moscow court rooms in 1918, Goikhbarg noted that the number of divorces involving children was insignificant and that judges awarded alimony in less than 1% of the cases.[79] Yet as divorce

[78] S. Smidovich, "O Novom Kodekse Zakonov o Brake i Sem'e," *Kommunistka,* 1 (1926): 47.

[79] A. G. Goikhbarg, "O Brakakh i Razvodakh," *Proletarskaia revoliutsiia i pravo,* 5 (1918): 15. Soviet court statistics made no distinction between alimony and child support, so it is impossible to separate suits for support of a spouse from those on behalf of a child. The word *alimenti* covered both cases.

became more popular, the figures began to climb. In 1919, about 16% of the divorce cases in Moscow involved requests for alimony.[80] With the end of the civil war and the increase of unemployment, requests for alimony rose sharply. In 1923, about 33% of all divorce cases involved alimony. By 1924 the number had climbed to almost 45%.[81]

The number of alimony cases rose sharply as more and more women sought the help of the courts in supporting their children. The large number of alimony cases also included unmarried mothers who sued their partners for child support. By 1925, alimony cases outnumbered divorce cases in the courts. A. T. Stel'makhovich, the chairman of the Moscow provincial courts, noted "an uninterrupted increase in alimony cases."[82] In 1923, the people's courts of Moscow dealt with 2,662 alimony cases; by 1924, the numbers had almost doubled, reaching 2,592 in the first half of the year alone. By 1925, the numbers had almost doubled again, reaching 9,329.[83] Judges in the Moscow city and provincial courts heard approximately 1,300 alimony cases a month in 1925.[84]

Controversy flared over the ability of the courts to handle the influx of alimony cases. Some jurists charged that the courts were swamped, that the bailiffs could not search for all the errant husbands on their lists, and that women were unable to collect their court-ordered awards.[85] Others were less perturbed by the rapid rise in alimony cases and defended the ability of the courts to handle the consequences of the new divorce law. Nakhimson, chairman of the Leningrad provincial court, dismissed the critics in an angry speech to the court's Presidium in 1925. "Many people talk in fantasy about court practice," he snorted.

[80] A. Goikhbarg, "Eshche o Brakakh i Razvodakh," p. 85.

[81] "Rabota Suda Moskovskoi Gubernii v 1923 godu. Doklad Predsedatelia Gubsuda I. A. Smirnova," p. 8; and I. A. Smirnov, "Sovremennye Zadachi Suda v Derevne," p. 2.

[82] A. Stel'makhovich, *Dela ob alimentakh* p. 7; and A. T. Stel'makhovich, "Alimentnye Dela," *Proletarskii sud,* 4–5 (1926): 1.

[83] "Rabota Suda," p. 2.

[84] Stel'makhovich, *Dela ob alimentakh,* pp. 7–9.

[85] S. Smidovich, "O Novom Kodekse Zakonov o Brake i Sem'e," pp. 49–50; Li, "O Proekte Kodesksa Zakonov o Brake, Sem'e i Opeke," *Rabochii sud,* 2 (1926): 78; N. Zaks, "Zamechaniia po Prakticheskoi Rabote," *Proletarskii sud,* 2 (1926): 5.

"Some have alleged that alimony cases are flooding the courts. This is not true."[86] Several other judges supported Nakhimson, testifying that only 10 to 20 percent of the civil cases in their courts concerned alimony.[87]

The increase in alimony cases was also, in part, a result of Soviet successes in popularizing the new law. Emboldened by the legal *konsultatsiias* (free legal services) created to inform people of their rights, by the wide array of simple pamphlets for peasant and working-class women on family law, and by confidence in a potentially favorable judgment, poor and uneducated women flocked to the courts to assert their rights. Judges encouraged their initiative with sympathetic rulings on the issues of paternity and child support.

In 1925, Stel'makhovich conducted a detailed survey of 300 alimony cases in Moscow's city and provincial courts.[88] As chairman, he was privy to a panorama of courtroom scenes that dramatized marital life and sexual relations. Examining the class origin, marital status, and case histories of plaintiffs and defendants, his study offered a close look at popular use of the court system and the judicial response. Stel'makhovich's survey showed that the single largest group of women, fully 45% of the women who brought alimony suits, were unmarried. Despite the long tradition of tsarist law prohibiting women from demanding support for illegitimate children, single women were quick to take advantage of the law. Most of the women were poor and uneducated, either peasants, unemployed workers, servants, or laborers in unskilled jobs. About one-third had lived with their partners as "husband and wife" for over a year, and many had been abandoned once they became pregnant. Of this group, almost one-quarter of the women plaintiffs and male defendants were peasants, the women usually from the poorer of the two families. Although men denied paternity in about one-third of the cases, the woman received an award for child support 99% of

[86] "Zasedanie Prezidiuma Leningradskogo Gubsuda," *Rabochii sud,* 1 (1926): 23.

[87] See ibid., testimony of the judges, pp. 23–30; and "Diskussiia po Povodu Proekta Kodeksa Zakonov o Brake, Sem'e i Opeke," *Rabochii sud,* 3 (1926): 231–242.

[88] All of the following material is drawn from A. Stel'makhovich, *Dela ob alimentakh.*

the time. One case concerned two peasants who had been involved in a long-term relationship. When the woman became pregnant for the first time, the man persuaded her to have an abortion. After the second pregnancy, however, she refused another abortion and had the baby. Her partner quickly abandoned her, but the Soviet judge did not: He awarded her child support. Despite the enormous stigma attached to illegitimacy in the village and the difficulties peasant women faced in pursuing their legal rights, many peasant women came to court and won their cases. In cases involving long-term relationships, the courts rarely denied women awards.

Two-thirds of the unmarried women who came to court were involved in brief, often casual unions lasting less than a year, or were victims of rape. Yet here too, women were remarkably successful in pressing their claims for child support. Judges generally refrained from passing judgment on a woman's sexual conduct and tried instead to meet her needs as a mother. In one case, a woman servant who lived in a dormitory with three male seasonal laborers slept with all three but named only one as the father. He vigorously denied the charge and pointed his finger at the other two. The judge, ignoring the ensuing protestations, calmly ordered all three men to pay the woman 3 rubles apiece per month until the child reached 18 years of age. In another case, a servant woman brought suit against a cabinetmaker who lived on her floor. She claimed he was the father of her child. He countered that she had only visited him for firewood. Although there were no witnesses, the woman left the courtroom with a monthly award. Judges even ruled in favor of women when considerable time had elapsed between conception and the lawsuit. A young student who had lived with her boyfriend for a short time in 1919 became pregnant. They soon broke up, she was forced to drop out of school, but he finished his studies. Six years later, after she became ill and lost her job, she brought suit. The judge awarded her 10% of her former lover's salary.

In some of the cases involving short-term unions, the women had been coerced into sex or raped. Women servants and *sluzhashchie* were frequently forced to submit to the sexual advances of their employers or co-workers. Unemployed women were occasionally promised work in exchange for sexual favors. In these cases, judges relied heavily on the testimony of the women in-

volved. A deaf, retarded maid who became pregnant after a rape by a peasant bachelor who employed her was awarded 5 rubles a month for her child. And a widowed cleaning woman with two children was awarded 6 rubles a month from a fellow worker who raped her while she worked swabbing out empty box cars. He was a married father of five children. In both cases, the women's testimony was supported by witnesses who provided only circumstantial evidence.

More than 70% of the men in cases involving short-term union denied paternity. In the towns, the figure reached 92%. Stel'makhovich noted that many of the men had "a very cynical approach" to women. By and large, other judges agreed, often crediting the woman's side of the story over the man's. If one man could not be identified as the father, all of the men who had sexual relations with the women were held responsible for the support of her child. Evidence frequently consisted of a single witness who saw the couple strolling around together. An unskilled woman worker who became pregnant after a vacation in the countryside was awarded 10 rubles a month from a peasant bachelor. The man denied responsibility, but witnesses testified to seeing the couple together. An unemployed woman in Moscow became pregnant after sleeping with a Red Army veteran who visited the city. Although he claimed not to remember her, the judge awarded her one-third of his monthly income. The overwhelming majority of women won their cases despite a lack of "hard" evidence. Stel'makhovich cited only one instance in which a woman was found to be lying. A poor peasant (*bedniachka*) who lived with one man claimed child support from another. She later revealed that she had filed suit simply because the defendant "had two cows."

Judges generally employed very flexible criteria to "prove" paternity. They usually relied on the probability rather than the proven fact of a sexual tie to identify, in Stel'makhovich's words, "the candidate comparatively the closest to being the father." Moreover, the judges were not unduly worried about mistakes. Establishing support for the child took priority over protecting the financial interests of the male defendant. Stel'makhovich wrote: "In the final analysis, the task of the court is to protect the child by providing a father who will be materially responsible. From this point of view, if the court is mistaken and selects

someone as the father who was not guilty of conception, then it still has not sinned against the interests of the mother and the child."[89]

The second largest group of cases (37%) involved couples who were married (in church or in ZAGS) and subsequently divorced. Here, the size of the child support payment, rather than the fact of paternity, was the central issue. Among the divorcing couples, the number married in church (28%) was far smaller than the group wed in ZAGS (72%). Generally, the church-wed couples had already been living apart for a long time. Mostly older couples with teenaged children, they had remarried and had new families. Fully 40% of the women were either unemployed or housewives, 23% earned an independent wage, and slightly over one-third were peasants. The men were mostly *sluzhashchie* and workers. In contrast to the women, only 10% of the men were peasants, suggesting that many of these couples had divorced after the man left his wife to find work in the city.

Custody and the amount of child support were recurring points of contention in cases where the defendant had a new family to support. One case concerned a mill director who earned 80 rubles a month and his former wife, a worker earning 24 rubles a month. Petitioning the court for custody of his 7-year-old child, he explained that he had four children by his second marriage, and simply could not afford the payment of 50 rubles a month set by the court in 1918. The court ordered him to pay 15% of his salary, reducing the payment to 12 rubles a month. Another woman with a child was married for twenty-one years before her divorce. Her former husband, a factory manager earning 145 rubles a month, was remarried with five children. Sick and unemployed, she requested 35 rubles a month to support herself and the child. He offered 10 rubles and asked for custody. The court awarded her and the child 20 rubles, a sum that would scarcely cover their monthly expenses. These cases all shared a common theme: The women were unemployed and needed money; the men had remarried and had financial obligations to their second families. There was no entirely just solution to the problem. Simply put, even men who were relatively well-off could not support two families on their wages.

[89] Ibid, pp. 49–50.

The cases involving ZAGS marriage differed somewhat from the marriages concluded in church. Naturally, the couples tended to be younger with fewer children. Only a small percentage had remarried and far fewer had second families. None of the women were housewives, although about 14% were unemployed, and fully half were peasants. The men were workers (42%), peasants (23%), or *sluzhashchie* (21%). Here, too, both peasant and wage-earning men found it difficult to pay the court-ordered awards. The largest group of couples consisted of peasant women and working-class men, and many of these cases involved particularly complicated issues of alimony.

The difficulties of establishing a payment system for peasants living in a nonwage economy based on family self-sufficiency cropped up repeatedly among couples regardless of whether they were wed in church, registered in ZAGS, or never married at all. Peasant men, without access to a regular monetary wage, frequently contended that they had no money. A typical example concerned an unemployed factory woman who had a 3-year-old child from her former marriage to a peasant. He had married again and fathered another child. Living in a small, impoverished household, he claimed he had no money to pay child support. The court awarded his ex-wife 3 rubles a month, a sum too small for her and too large for him. Peasants often paid alimony in kind (flour, milk, produce, etc.), but if an ex-wife and child moved to an urban area, such an award no longer sufficed. One young peasant woman received 36 pounds of flour a month for the support of her child, but when she went to the city to look for work, she requested 25 rubles in place of the flour. Her husband explained to the court that he could not pay and asked for custody of the child. The definition of a "just" sum was next to impossible to establish when families were split between two widely differing economic systems. Two peasants with an 8-year-old son had divorced in 1920. At that time, the man gave his ex-wife and child one-third of the house and land. Both eventually remarried, the man moving to Moscow and taking a job paying 52 rubles a month. This prompted his ex-wife to return to court to sue for alimony in monetary form. He indignantly referred the judge to the earlier settlement: a traditional peasant division (*vydel*). Although a lower court initially refused the woman, the decision was reversed and she was eventually awarded 15 rubles a month out of her husband's new salary. Such cases were com-

mon. The judges tried daily to resolve the complicated consequences of divorce in families still rooted in a nonwage economy, or split between the worlds of wage labor and peasant self-sufficiency.

The remaining group of alimony cases, constituting a significant 18%, concerned couples who were still married. Among the most tragic cases in court, they revealed marriages ruined by alcoholism, poverty, abandonment, and abuse. More than half of the women in this group were peasants. Many had stayed in the countryside when their husbands left to work in the towns; they sought the help of the court when their men stopped sending money home. The men pleaded large expenses and small salaries. The women told the judges, "He drinks," or "He is living with another woman." Numerous peasant men had left their families in the village and found a new, urban "wife." In other instances, peasant women left their husbands' households because they were beaten or abused. Sometimes peasant men tossed their wives out because they were sick or disabled. One peasant man informed the judge that his sick wife, "eats bread for nothing." In other cases, women tried to gain some control over the paycheck of an alcoholic husband.

The courts clearly favored the needs of women and children in their interpretation of the 1918 Code. Judges used flexible criteria to determine paternity by assessing whether the defendant "in the natural course of events could be guilty of impregnation."[90] And they tried to force men to assume a continuing responsibility for their children. Yet even the best intentions could not redress other, more serious problems. Although the courts did not pass judgment on a woman's sexual conduct, usually crediting her testimony in assigning paternity, the awards were nonetheless small. Moreover, a woman had no claim to personal support. Abandoned with an infant, with little hope of employment or of access to daycare, she had limited legal recourse. She faced a dismal future of trying to support herself and an infant on 10 to 20 rubles a month, sometimes even less.

Moreover, the courts were severely restricted in determining the amount of the award, for men's salaries were frequently too small to support an ex-wife and a child. Although men pleaded

[90] Ibid., p. 49.

poverty with a suspicious constancy, in most cases they were telling the truth. If a man remarried or if his ex-wife was unemployed or had children, everyone suffered. Women seldom could live on the court-ordered awards, men could rarely afford to pay them. Poverty, coupled with female dependence, produced a situation that even King Solomon could not resolve.

In Moscow, the average worker heading a family in 1924 earned about 82 rubles a month. Under optimal circumstances, a second income from a working wife or teenager brought the monthly family earnings to 125 rubles. The monthly expenses for this average family of three amounted to 107 rubles.[91] If the male worker became involved with another woman who subsequently had a child by him, the court was likely to order him to pay one-third of his wages in child support. This left his original family in serious financial trouble, about 10 rubles short of meeting their monthly expenses. If the same male worker left his wife and child for the other woman, the court would have ordered him to pay one-third of his income to his former wife. Without the male wage earner, the family's income amounted to only 43 rubles a month, with child support, it might reach 70 rubles. Yet the monthly expenses for a woman with one child amounted to about 72 rubles a month: Her earnings and his payments could not quite cover the family's basic expenses. And if a woman did not work, or only worked part time, or had more than one child, the family's financial prospects were even more dismal.

Men were victims as well as women. A surprising number of men requested custody of their children because they were unable to pay the child support ordered by the courts. Although these requests were common among peasant men, they were made by wage earners as well. Once a man remarried and had a second family, he often could not afford to send the court ordered "third" of his wages to his first wife and child.

Given the great financial obstacles to divorce, men and women tended to blame each other for their hardships. Judges received "venomous notes" from men, complaining about the court settlements. Men grumbled that alimony led to "unfree Soviet marriage," that it interfered with their freedom, that women were

[91] E. O. Kabo, *Ocherki rabochego byta* (Moscow, 1928): 19.

liberated at the expense of men. They claimed that the courts were unfair, always threatening "to swoop down 'on the third'." Women used the courts to trap and blackmail men. Alimony was "punishment without a crime."[92]

Thousands of men simply refused to pay the court ordered awards. They left town or changed jobs. Sofia Smidovich, head of the Zhenotdel in 1924, observed that there were "a hundred subterfuges to avoid paying alimony." She argued that the courts were "overburdened with alimony cases." "Even on the occasion of a favorable settlement," Smidovich asserted angrily, "the woman (and practice shows that it is always the wretched woman who is importuning the courts for alimony) vainly strives to collect it. Her former spouse either leaves for the North Pole or claims he is unemployed, orphaned, etc."[93] The bailiffs had great difficulty collecting from men who refused to pay: Only about half of the men listed on the court orders were ever apprehended.[94]

The problems created by alimony combined with the hardships women faced under NEP engendered great pressure to revise the law. One popular solution was to change the law to permit child support only to children from registered marriages. While this favored the married woman and reduced the bailiffs' caseload, it did little to solve the problems of the abandoned de facto "wife." Stel'makhovich, who called divorce "one of the greatest gifts of the Revolution," cautioned that such freedom entailed "a particularly careful and cautious approach to marriage." Viewing the misery created by divorce, Stel'makhovich issued a warning to men. "In no sense can one interpret this freedom of choice as the right to debauchery, as the right to exploit women's physical and material weakness."[95]

Yet the rising divorce statistics and the desperate requests for alimony showed that Stel'makhovich's warning went largely unheeded. While judges did what they could to protect women and

[92] A. Stel'makhovich, "Alimentnye Dela," *Proletarskii sud,* 12 (1925): 1.
[93] S. Smidovich, "O Novom Kodekse Zakonov o Brake i Sem'e," pp. 49–50.
[94] "Diskussiia po Povodu Proekta Kodeksa Zakonov o Brake, Sem'e i Opeke," p. 233.
[95] A. Stel'makhovich, "Alimentnye Dela," *Proletarskii sud,* 12 (1925): 1–2.

children – by taking a lenient view of proof in paternity cases and awarding alimony whenever possible – they could not solve the larger social problems that drove women to court. Unemployment, low skills, lack of social services, and terrible poverty all mitigated against women's independence from the family unit. The idea of "free union" had tragic and unforeseen consequences for women as long as they were unable to support themselves and their children. The law, born out of the socialist-libertarian tradition, was painfully at odds with life. In Stel'makhovich's own words, "The liberation of women . . . without an economic base guaranteeing every worker full material independence, is a myth."[96]

[96] Ibid., p. 2.