

The Evolution of Russian Organised Crime and the Challenge to Democracy

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After the fall of the Soviet Union, Russian organised crime (ROC) appeared to grow 'like mushrooms after the rain' (Holmes, 2008:1012). However, this was not a new post-Cold War phenomenon. Rather, ROC had been developing as an institution, from institutions and in collaboration with institutions for decades, and now poses a huge threat to them. This institutional threat, according to Allum and Siebert, 'is the result of the USSR's history' (2003:18). Given this, I have chosen historical institutionalism (HI) as the most appropriate lens through which to analyse the evolution of ROC. The first section of this essay will outline my theoretical framework and chosen definition. The following three sections will analyse the interactive relationships between institutions from the early Soviet and Brezhnev eras to the post-Soviet era in order to understand the evolution of ROC into an institutionalised triangular relationship between crime, politics and business. Ultimately, in the final section of this essay, I argue that this institutionalised triangular relationship which has come to dominate state, civil society, politics and the economy, now poses a grave threat to the development of Russian democracy.

I begin by outlining my theoretical framework: historical institutionalism. According to Fioretos (2011:369), the focus of HI scholarship is on 'when and how historical processes shape political outcomes'. This significance of temporality is reflected by Sanders (2008) who argues that it is the construction, maintenance and adaptation of institutional frameworks *gradually over time* that is important to HI. These institutional adaptations occur, according to Friedland and Alford (1991), as a result of interactions between multiple institutions which make multiple logics available to actors who exploit these contradictions to produce institutional development. This logic is reflected by Orren and Skowronek (1994:320) who argue that 'institutions, both individually and collectively, juxtapose different logics of political order, each with their own temporal underpinnings' leading to institutional changes, and that 'change along one time line affects order along the others' (ibid). In other words, as argued by Thelen (1999), whilst institutions within society emerge from different historical contexts, it is the interactions between them that allow for their mutual development. And so, given what the literature has put forth, my historical institutionalist analysis of ROC chooses to examine how the historical processes of the Soviet and post-Soviet era, with particular focus on Russia's tumultuous economic context, have facilitated interactions between multiple formal and informal institutions and how these interactions have shaped political outcomes and led to institutional adaptations over time, ultimately resulting in the evolution of an institutionalised triangular relationship between organised crime, business and politics.

Next, although Abadinsky (2013:2) rightly argues that 'there is no generally accepted definition of organised crime', this essay will adhere to the following definition offered by Finckenauer and Voronin:

'Organized crime is crime committed by criminal organizations whose existence has continuity over time and across crimes, and that use systematic violence and corruption to facilitate their criminal activities. These criminal organizations have varying capacities to inflict economic, physical, psychological, and societal harm. The greater their capacity to harm, the greater the danger they pose to society.' (Finckenauer and Voronin, 2001:2)

This definition has been chosen because it highlights organised crime's use of political corruption and its impact on the economy and civil society, all of which are important components of this essay. Finally, it notes the dangers that criminal groups pose to society as a whole through their capacity to inflict these various harms which in the

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concluding section shall be interpreted as the danger that ROC poses to the formation of a democratic society.

In this section, I begin my analysis of ROC in the early Soviet era which saw the rise and fall of a criminal institution called the *vory v zakone* or 'thieves in law': a class of professional criminals who ruled the criminal underworld after the 1917 Revolution and followed a peculiar 'system of collective beliefs' (Varese, 2002:7). Varese (2002) argues that the *vory's* rise was a product of the Gulag prison institutions, which were themselves the product of central state institutions. Here, we can identify a domino effect of institutional development which I argue began with the reaction of central state institutions to the unstable and economically uncertain historical context of the time. The political outcome: Lenin's New Economic Policy which placed huge emphasis on forced labour camps to stimulate economic growth and which began a process of gradual change within Bolshevik institutions to arbitrarily detain huge numbers of people (Hosford et al., 2006). This was further exacerbated under Stalin who, in the name of economic development, introduced a 'tightening of the political order in the late 1920s' leading to a 'purge of all criminality' (Frisby, 1998:32). Here, central institutions' increased interaction with the Gulag institutions, driven by economic preferences, resulted in the full labour camps from which the *vory* emerged. However, although increased prison populations sped up industrialisation, this number quickly expanded beyond the state's ability to police them. This would ultimately lead to their decline because, as Skarbek (2012) argues, when prison populations become too high, particularly with a large proportion of first-time inmates as was seen in the early Soviet era, rules of behaviour and certain norms begin to fail. In this case, whereas vows of silence and mistrust of the authorities were the most inherent features of the *vory* institution (Varese, 2002:15), things began to change and adapt in the 1940s during WWII. For this institutional adaptation, Sokolov cites three reasons. The first being 'firm and steady pressure from the state [which] weakened the criminal networks' (2004:69). The second being 'a particularly wide rift within the organisation formed in the post-war years' (ibid) caused by the 1941 Nazi invasion of Russia where a huge proportion of Russian criminals were called upon to join the Red Army or work on munitions plants during the war. As described by Handelman (1997:41), 'the tug of patriotism outweighed the traditional *vory* ban on association with government' which resulted in the construction of a new criminal institution who did not reject collusion with the authorities. The contradictions between traditional and new criminal institutions were exploited by the weak prison administration who worked with the new criminal groups to help maintain order and as a result, many criminals realised that they could now maintain their status in prison institutions with support from the authorities (Varese, 2002). This led to rising tensions, culminating in the 'Scab Wars' of the 1950s which 'had far-reaching consequences both for Soviet society and for the criminal culture' (Handelman, 1997:41). Namely, the massacre of the *vory* and their institutions, and the construction of a corrupt alliance between the new criminal groups and prison authorities. In summary, the rise of the *vory* can be attributed to a historical context of economic instability which led to increased interactions between central state and prison institutions, whilst their decline can be characterised by the shifting historical context of WWII and the ensuing mess of institutional interactions that occurred between central state institutions and the *vory*, between the *vory* and the newly formed criminal institution, and between this new criminal institution and weakened prison institutions. This rise and fall also reflects Rawlinson's 'Chameleon Syndrome' model (1998) where she argues institutional interactions between formal state institutions and informal criminal institutions develop through four stages: 'reactive', 'passive assimilative', 'active assimilative' and 'proactive'. Whilst the *vory* were 'reactive' because they operated 'outside of or contiguous to the dominant political, economic and legislative structures' (2002:245), the new criminal institution moved closer to the 'passive assimilative' phase as they had a certain degree of contact with formal institutions who, at this stage, still remained in control of legitimate structures. The consolidation of this 'passive assimilative' phase under Brezhnev can be neatly explained by Sokolov (2004:69) and his third and most important reason for the *vory* decline: '[the] desire for profit through cooperation with the state'.

In this next section, I analyse the Brezhnev era and argue that the failures of state institutions to respond to the economic context resulted in economic stagnation. This led to increased institutional interactions between legitimate structures and criminal groups: an interactive relationship which centred on the profits gained from the shadow economy and which built upon the pre-established institutional cooperation described in the previous section. During this era, a decline in industrial growth, increased spending on defence and excessive centralisation all led to the declining economic performance of the Soviet Union which, according to Gregory and Stuart (1993:146), was 'the most important feature of the Brezhnev era'. This poor economic context led to various political outcomes, most importantly, the emergence and rapid dependence of institutions upon a growing shadow economy which developed

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in order to offset shortages within the official economy. This was facilitated by the compliance of Soviet authorities and government bureaucracy who, fuelled by a desire for profit, exploited the shadow economy and 'left no stones unturned in seeking opportunities to line their pockets' by extorting money from shadow businessmen for protection of their illegal operations (Finckenauer and Voronin, 2001:6). However, the authorities were not the only ones exploiting the shadow economy. According to Sokolov (2004), as government officials began providing this protection 'from above' in exchange for bribes, criminal groups also began providing 'protection services' to shadow businessmen 'from below'. The result of this was a sharp increase in the interactions between formal and informal institutions. Here, it is important to highlight the role of civil society in fuelling this phenomenon. As Laqueur (1992:510) notes, the worst outcome of economic stagnation was not a fall in living standards but 'the loss of morale among people, the loss of interest in work [and] the corruption of and abuse of public officials'. Under Brezhnev, both state officials and citizens felt 'much freer resorting to illegal methods of achieving their goals' (Plekhanov, 2003:67) which allowed criminal groups to permeate the entire fabric of society, effectively transforming crime into 'an informal social contract between the rulers and the ruled' (ibid:75). This phenomenon, which continues to this day, can be characterised as an informal institution within civil society that promotes a lack of civil resistance and which fuelled the emergence of 'organised crime proper': an institutionalised and systematic structure of criminal activity centred on high profits from the shadow economy and involving the corruption of government officials (ibid). Effectively, what occurred under Brezhnev was the criminalisation of the state, economy, politics and civil society by criminal groups and as the shadow economy grew and required higher levels of coordination within the state, it developed an effective and durable institutional framework through what Plekhanov (2003) describes as 'a natural evolutionary process'. By the mid-1970s, the institutional framework that had emerged was a 'three-tiered pyramid' (Finckenauer and Voronin, 2001) which was a result of economic stagnation and the subsequent interactions between the formal and informal institutions of state and crime through the businesses of the shadow economy. This pyramid reflects the consolidation of the 'passive assimilative' phase of Rawlinson's model (2002) and the foundations of an institutionalised triangular relationship that would pave the way for ROC's complete domination of state, politics, economy and civil society after the fall of the Soviet Union.

In this section, I examine the evolution of the 'three-tiered pyramid' into an institutionalised triangular relationship between crime, businessmen and politicians in post-Soviet Russia as a result of its imperfect transition to the market economy, beginning in the 1980s with Gorbachev's *perestroika* reforms. This section will separately examine the three highly interdependent relationships that form this triangle: the business-criminal nexus, the political-criminal nexus, and the political-business nexus (see Godson, 2003). First, however, it is necessary to highlight the historical and economic processes that began this transition. As previously described, corruption, crime and apathy in civil society were becoming increasingly normal aspects of Russian life under Brezhnev and hopes of matching Western economies went unfulfilled. This became the catalyst for economic reform under Gorbachev, a political outcome of the institutional interactions of the Brezhnev era which Plekhanov (2003:79) argues aimed at bringing the shadow economy into the open and transforming it into a component of a viable market-socialist system. However, Gorbachev and his supporters 'badly underestimated the power potential amassed by the structures of organised crime' (ibid:80) and simply removed restraints on shadow businessmen, corrupt officials and criminal groups who, according to Finckenauer and Voronin (2001:7), were perfectly placed to exploit their connections and skills in order to conduct business successfully. Following the fall of the Soviet Union and Yeltsin's ascension to power, complete liberalisation from central control and significantly weakened formal institutions led to the institutional adaptation of each component in this 'three-tiered pyramid' in conjunction with the others to become a triangular relationship based on dependency.

The first facet of this triangle to be discussed here is the criminal-business nexus which developed from privatisation and the absence of a system of clearly defined property rights. Firstly, privatisation meant that racketeers suddenly had an economic stake in the businesses they were protecting and criminal groups began entering into long-term economic partnerships (Sokolov, 2004), ultimately becoming dependent on businesses. This created a 'grey zone' within the business world which, according to Godson (2003:274), is common whenever societies experience major changes in the institutional structure of the political economy, as occurred under Gorbachev. He argues that the interactions between subsystems become fortified and members of the criminal subsystem will attempt to transform their criminal identity into images of legitimate businessmen. Secondly, the state's inability to enforce legal property rights during this era meant that businesses maintained a dependence on 'protection rackets', much like under

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Brezhnev. However, in post-Soviet Russia these services were extended to legitimate businesses. In short, transition to the market economy resulted in the tightening of the interactive relationship between crime and business as organised criminal groups 'quickly moved to become business partners in the newly formed commercial enterprises while maintaining their role as extralegal enforcers' (Sokolov, 2004:70). This reflects the 'active assimilative' stage of Rawlinson's model which she argues 'has proven to be the most significant for the development of organised crime in Russia' (2002:246). In this stage, criminal groups actively participate in the legitimate economy creating a grey area between formal and informal institutions which severely weakens the former, 'rendering them increasingly impotent to curb criminal influence' (ibid), thus strengthening the domination of ROC over the state and the economy through the criminal-business nexus.

The second facet of this triangle is the political-criminal nexus. Cheloukhine and Haberfeld argue that one of the most important political outcomes of organised crime's expansion into the privatised economy was 'its connection to corrupt officials at different levels of the state structure authorities: from local to federal' (2011:102). At the local level, many government officials found it easier, safer and more lucrative to accept bribes than to fight crime and corruption, or to effectively enforce the rule of law (Remington, 2015). Holmes (2008) contends that many former state officials who had lost their positions with the transition to post-Soviet Russia were desperate for income, and thus more likely to engage in corrupt activities. Police officers also began to gradually see corruption as perfectly acceptable in certain circumstances (Beck and Lee, 2002). Whether fuelled by profit or apathy, these actions reflect a tightening of the political-criminal relationship at the local level which further undermined the state's ability to deter crime, thus fortifying the 'informal social contract' within civil society that encouraged indifference towards crime and corruption. At the more federal level, ROC's move towards legitimate business came with new economic power which, in turn, provided political power and fortified the political-criminal relationship as it allowed criminal groups to deal directly with the state and assume governmental functions in order to control the market (Finckenauer & Voronin, 2001). The post-Soviet political-criminal relationship came to reflect what Handelman (1997) describes as the 'comrade criminal': a corrupt functionary who converts political power into economic power with active assistance of the criminal. Here, ROC's extensive use of its connections within the political system and formal institutions from the local to the federal level to protect and promote criminal activities became possible when it began to dominate legitimate businesses. This reflects complete domination of the political system and state and has resulted in the increased apathy of civil society, the use of state funds for criminal gain, and in some cases, complete symbiosis between the political and criminal spheres as criminals begin to attain positions of power and directly influence state policy (Finckenauer & Voronin, 2001).

The third relationship to be examined here is the political-business nexus. As formal state institutions weakened and handed control over to private enterprises under Yeltsin, oligarchs came to share the space at the top of society whilst the political elite struggled to maintain dominance over economic transactions. According to Plekhanov (2003:84), the outcome of this particular institutional adaptation was that government officials began to realise that the key to success was to be found not in state institutions but in the private sector, leading to increased interactions between high-level government officials and big businessmen fuelled by the desire for profit. However, organised crime's takeover of legitimate businesses following the fall of the Soviet Union, as previously discussed, also resulted in Russian transitional businesses appearing firmly connected to the criminal world (Cheloukhine and Haberfeld, 2011:45). The tight links developed by oligarchs with both state and crime is no more evident than in the case of Boris Berezovsky (see Klebnikov, 2001). In summary, each relationship within this triangle constitutes a form of institutional interaction that emerged as a result of Russia's imperfect transition to a privatised market economy and its weak, inefficient and mistrusted formal institutions. What has been described above has now moved past 'passive assimilation' and 'active assimilation', and has entered the 'proactive' phase based around political-criminal-business nexuses where symbiosis between the three spheres occurs and organised crime can blend 'chameleon-like' into all institutional structures.

Here, I trace this process of triangular institutional development within the Tambovskaya gang of St Petersburg which was formed in the late 1980s and which according to Cheloukhine and Sergevnin (2009:180) 'were one of the first criminal groups to begin developing tight contacts with legal businesses'. Whereas, in the early 1990s, it was just one of many racketeering operations and had only just begun to venture into commercial activities, Volkov (2002) notes that as the 1990s progressed and post-Soviet Russia began to take shape, Tambovskaya began expanding.

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This was particularly evident in the energy sector and it managed to capitalise on the fuel and energy supply problems the city was facing with the help of city administration and associated businessmen, eventually taking control of Petersburg Fuel Company (PTK) (Volkov, 2014). Heavy investment into legal businesses and sectors was furthered in 1995, when Vladimir Kumarin consolidated power over the criminal organisation after many years of internal fighting and 'the structure of the organisation began changing' (Cheloukhine and Sergevnin, 2009:181). This institutional development is reflected by Sokolov's study on the evolution of ROC where he conducts an interview with a 'former' Tambov gang member who stated: 'in the past five years, we bandits have tried to become legitimate [...] small-time crime and extortion no longer pays when you can run your own business and establish good relations with government officials' (2004:72). This reflects the fortification of both the criminal-business nexus and the political-criminal nexus. Political-criminal symbiosis is noted by Volkov (2002) who states that many Tambov gang members even went on to join regional legislatures in an effort to strengthen their political protection. The tightening of this political-criminal relationship was also furthered by the formation of criminal-business nexuses in which this group utilised legitimate businesses as a huge source of both economic *and* political power. Most notably after 1994 when Putin, who was rumoured to have had close connections with Kumarin and the Tambov gang, awarded PTK the prestigious right to be sole supplier of gasoline to St Petersburg and the gang began to flourish and expand its 'army of managers and officials [...] into business and politics' (Volkov, 2002:113), with Kumarin actually becoming the vice president of PTK in 1998, although eventually being sentenced for fraud and money laundering in 2009. In short, an examination of the Tambovskaya group is an examination of ROC's institutionalised triangular relationship. This group reflects how Russia's formal institutional weaknesses and economic instability following the collapse of the Soviet Union left a 'power vacuum' that was quickly filled by organised crime. The imperfect transition allowed the Tambovskaya gang to penetrate legitimate businesses and tighten the criminal-business nexus. Through the criminal-business nexus, the Tambov gang gained significant economic and political power, was able to influence the political-business nexus, and fortify the political-criminal nexus. The sum of these institutional interactions reflects the evolution of ROC and the consolidation of Rawlinson's (2002) 'proactive' phase. However, in recent years the Tambovskaya gang has begun to decline, mainly due to internal conflicts which have led to the emigration of many former leaders to other areas of the world, such as Spain, where they have begun expanding their global reach (Volkov, 2014).

This brings us onto the phenomenon of transnational ROC, the growth of which Shelley (1995) argues has been recent and rapid and is a product of Russia's post-socialist economic context. Rapid economic globalisation since the end of the Cold War has given rise to massive opportunities for criminals to make their businesses prosper (UNODC, 2010). This first led to the expansion of ROC into the new states of the former Soviet Union, and secondly into Asia where they worked in collaboration with Chinese 'triads', before moving into the West and the Americas. According to Bagley (2001), the expansion of ROC into the Americas is by far the most troubling phenomenon that poses the greatest challenge to democracy. He argues that ROC's emergence from formal institutional weaknesses makes other weak states desirable targets for transnational ROC enterprises, particularly those with weak formal institutions such as corrupt and ineffective legal, law enforcement and political institutions. This is particularly true in Latin America and the Caribbean where ROC is expanding its activities to include not just international money laundering and financial crimes, but also many forms of trafficking (Finckenauer, 2011), effectively stunting the growth of democracy in many of these transitioning states. The Tambovskaya gang, for example, along with many other ROC groups, have expanded into a wide variety of illegal activities in Mexico, which include providing domestic criminal groups with access to illicit international markets, money-laundering and illegal arms sources, all of which 'could convert them into major impediments to economic growth and serious threats to democratic consolidation and long-run stability at home' (Bagley, 2001:34). In short, transnational ROC is a rapidly expanding, relatively new phenomenon that transitioning states must now confront and which poses an enormous challenge to democracy.

In addition to the threat posed to democracy in other transitioning states as described above, in this final section I aim to tackle the question: what challenge does ROC pose to Russian democracy? If we understand liberal democracy as a process towards liberty and equality achieved through the state, civil society and political systems (Allum and Siebert, 2003:16), then this essay, which has demonstrated the penetration of ROC into all three key areas, clearly argues that Russian democracy is in grave danger. As previously discussed, ROC and its triangular relationship, which has effectively penetrated legitimate businesses and criminalised the political system, damages the legitimacy of formal institutions and weakens civil society. This 'grey' area of business created by ROC and the tolerance of and

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collusion with criminal structures (i.e. contamination of state, civil society and political systems) constitutes a 'major threat to the social fabric' (Muncie and McLaughlin, 2001:274). In order to combat this, Putin has been implementing a new 'reform authoritarianism'. Whilst Plekhanov (2003) argues that this could potentially be effective in combatting the most dangerous forms of ROC such as drugs and human trafficking and contract murders as well as money-laundering and cybercrime and may strengthen formal state institutions somewhat, 'it retards the development of Russian democracy by seeking to reduce the independence of civil society institutions' and does very little to combat corruption of the political system. Therefore, although the state and its formal institutions would be strengthened, the political system would remain highly corrupt and civil society would be weakened even further. Before Russian democracy can stand a chance, the weaknesses of the economy, the political system and civil society which allow ROC to thrive must be tackled, or the entire Russian state will be swallowed whole by crime and corruption.

In conclusion, this essay has demonstrated that the growth of Russian organised crime poses a huge threat to the development of democracy in both the Russian state itself and other transitioning states around the globe. This can be attributed to its institutionalised triangular relationship with the business world and the political system which reflects Rawlinson's (2002) 'proactive' phase of her 'Chameleon Syndrome' model whereby institutional interactions between informal criminal institutions and formal institutions becomes so frequent and similar that they become intertwined and create a series of nexuses. I have argued here that this relationship emerged from the historical processes of Russia's tumultuous economic context where industrialisation, stagnation and a series of reforms sparked a series of institutional interactions between formal and informal institutions leading to their ultimate development. The result of this was that by the end of the 1990s, 'there was no state or any segment of the economy which had not been under some control from organised criminal groups' (Cheloukhine and Habermeld, 2011:175). This penetration of the state and the economy by organised crime also resulted in a highly indifferent and apathetic civil society with a huge mistrust of weakened formal institutions, which Plekhanov argues is the central weakness that impedes the growth of Russian democracy given that 'without active citizen involvement, campaigns against organised crime and corruption will bring only limited results' (2003:87). What this tells us is that ROC's penetration of the state, politics and economy through its institutionalised triangular relationship has resulted in state-tolerated corruption, a weak civil society and a 'grey zone' of business, all of which poses a huge challenge for democracy. As Sokolov (2004) rightly states, 'the fact that many criminals have turned in their guns for briefcases makes them no less a threat to the development of Russian democracy'.

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