

# CRIME IN CONTEMPORARY RUSSIA<sup>1</sup>

## ABSTRACT

Like other sciences, criminology is international and global. But it is well known that for many decades Russian criminology was isolated from scholarship in other countries and under rigorous political and ideological control. However, during the 1960s a 'parallel' theoretical and empirical criminology evolved in the former Soviet Union without party or state approval. This parallel tradition both accumulated empirical data and advanced a theoretical perspective which, in contrast with Soviet ideology, saw crime as a social phenomenon influenced by factors such as inequality, intergroup conflicts, strain arising from blocked opportunities, living conditions, and so on. This tradition emerged from underground only at the end of the 1980s and the beginning of the 1990s when, thanks to Gorbachev's *Perestroika* [rebuilding, reconstruction], Russian scholars gained the freedom to teach, to carry out research and to foster professional contacts with foreign colleagues. Emerging from the 'parallel tradition', this article summarizes facts about contemporary Russian society that constitute the essential framework for understanding the crime situation. It discusses crime trends, organized crime, drug abuse and corruption. Finally it provides some basic information about social control and punishment in Russia.

## Introduction

Criminality is an element of society and, therefore, closely related to other elements. Legal norms, especially those underpinning criminal law and its enforcement (these are not always identical) depend directly on the political regime. Because Russian political history in the 20th century was complex,

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the history of the law and the principles underlying the law was also turbulent. Since the breakup of the Union of Soviet Socialist Republics (USSR), Russia has faced serious challenges. Sadly, the high expectations for the establishment of liberal democracy that were raised in the Gorbachev era have not been fully realized. Crime trends, and the scale of drug addiction, corruption and other forms of deviance are significant indices of the social situation.

### **Background information**

Russia, or the Russian Federation (RF), came into existence in 1991 after the breakup of the USSR. The Russian Federation is over 17-million square kilometres in size (greater than 6.5-million square miles). The population of the Russian Federation grew from 102.9 million in 1951 to 148.7 million in 1991 and reduced to 142.8 in 2004. Seventy-eight per cent of the population live in the European part of the country and 22 per cent in the Asiatic sector (west Siberia, east Siberia and the Russian Far East). The population is 47 per cent men and 53 per cent women. Three quarters of the population (73 per cent) live in urban areas (Vishnevski 2002).

There is a variety of different ethnic groups. Russians make up 83.5 per cent of the population, with Tartars composing 3.8 per cent, Ukrainians 2.5 per cent, and Chuvashians 1.1 per cent. Each of the other groups represents less than 1 per cent of the total population.

### **The social situation in contemporary Russia**

The level and pattern of crime, and of deviant behaviour that may or may not be criminal, such as drug and alcohol addiction, prostitution and suicide, are wholly dependent on the social, economic, political, cultural and demographic

processes in society. Therefore, we begin with a sketch of the social situation in contemporary Russia.

It is clear that the communist regime caused death and destruction on a colossal scale. Yet, as a result of the unique experiment to establish a social Utopia (the slogan on the gate of the Solovki Gulag read 'Happiness for Everyone through Violence'), the country was abruptly thrown onto the path of development into a modern industrial economy.

Gorbachev's *Perestroika* was a necessary attempt to save the power structures by way of reform. A similar attempt had earlier been made by Khrushchev (the 'thaw'). However, every attempt finished with the political death of its propagators and was followed either by stagnation or by reaction. To his credit, Gorbachev's reforms turned out to be the most radical (freedom of speech, freedom of the press, the multi-party system, the right to hold private property, the lifting of the Iron Curtain, and the release of states that had been occupied by Stalin, such as Latvia, Lithuania and Estonia). However these reforms were not carried through to their conclusion.

Since 1991, the disruption of production and disintegration of the economy has continued. Power has been returned to the ruling *nomenklatura* (people of power in totalitarian countries) (possibly along with new 'oligarchs' and criminals); corruption, already common in Russia, has now attained a monumental scale in all organs of established power, and within all law enforcement bodies; there is constant and continuing crisis of the health, education, transport and other social services, and of spiritual and moral values; the militarization of economics and politics continues, especially in the 21st century. We see now the growth of the role of the so-called 'power structures': the FSB (former KGB), the MVD (Ministry of Internal Affairs), and others. The war in Chechnya is terrifying evidence of neototalitarianism. The country also permits human rights abuses on a massive scale, particularly in the army and penal institutions (see Walmsley 1996; Abramkin 1998;

Gilinskiy 1998b; *Index on Censorship* 1999; Christie 2000; *Position of Convicts in Contemporary Russia* 2003; Walmsley 2002, 2003). Nationalist, anti-Semitic, neo-fascist and skinhead groups are active and meet with no resistance. Attacks against the mass media whenever they adopted a critical stance began in 1999-2000 and have continued since.

The ever-growing economic polarization of the population - visible in the stark contrast between the impoverished majority and the *nouveau riche* minority (the 'New Russians') - is a guaranteed source of continuing social conflict. The ratio between the incomes of the 10 per cent least prosperous and the 10 per cent most prosperous increased from 1:4.5 in 1991 to 1:15 in 1999, according to the official data. In the opinion of experts, the actual ratio between the incomes of the highest and lowest 10 per cent is as high as 23-25 in Russia as a whole (*Human Development Report in the Russian Federation* 1999; *Just and Unjust Inequality in Contemporary Russia* 2003) and 60 in Moscow.

The death rate (per 1000 population) rose from 10.4 in 1986 to 15.7 in 1994, 15.6 in 2001 and 16.3 in 2003. Natural growth of the population was +6.8 in 1986, -6.6 in 2001, and -6.0 in 2003. Life expectancy for males was 57.6 in 1994, 61.3 in 1998, and 59 in 2003. For females, life expectancy was 71.2 in 1994, 72.9 in 1998, and 72.0 in 2003 (*Human Development Report in the Russian Federation* 1999; Vishnevski 2002; *Population and Society* 2003). By comparison, life expectancy is much higher elsewhere in the developed world. In Western Europe, figures for 2003 were: males 75; females 82. In Japan, figures for the same year were: males 78; females 85 (*Population and Society* 2003).

Technological backwardness and the incompetence of the domestic production and service sectors have manifested themselves in the course of the reforms. A consequence of this is the inferiority complex of employees, their de-skilling, marginalization and lumpenization. The lot of the *class of the*

*excluded* (Kanfler 1965; Lenoir 1974; Paugam 1996; Young 1999; Finer and Nellis 1998) constitutes the *social basis* for various forms of deviance including crime and organized crime.

### **Crime in contemporary Russia**

Trends in recorded crime from 1961 to 2005 are presented in Tables 1-3 and Figures 1-6. A number of points stand out:

- The rate (per 100,000 inhabitants) of total recorded crimes decreased in 1963, and remained at a low point during Khrushchev's 'thaw' between 1963 and 1965, then rose slowly and steadily between 1966 and 1986. Gorbachev's *Perestroika* occurred between 1986 and 1988. In the second year of *Perestroika* (1987) the crime rate suddenly went down, and it stayed at this lower level in the following year, but from 1989, after the end of the Gorbachev era, the crime rate started a rapid increase, which continued for a five-year period, taking it from 816.9 in 1987 to 1887.8 in 1993; after 1993, the rising trend flattened strikingly, with some further increase in 1999, and a brief dip in 2002. The rate reached in 2005 was 2499.8.
- A sustained rise in the rate of homicide (including attempts) also started in the late 1980s: the rate increased from 6.3 in 1987 to 21.8 in 1994 and levelled off thereafter, reaching 22.1 in 2004.
- Trends for violent crimes (other than homicide) were similar to those for total crime in that there was a low point during the Gorbachev era followed by a strong rise between 1988 and 1993. The rate of grievous bodily harm levelled off from 1994, as in the case of total crime. The rates for robbery and robbery with violence also levelled off then declined for a while after 1994, but they then increased again quite strongly from 1998 onwards.
- Trends in the rates of recorded theft in the 1980s and 1990s were broadly similar to those for all recorded crimes. Thefts were at a low point during the Gorbachev period, increased very strongly from 1988 to 1993, then levelled

off or generally declined (but with some local dips and rises). Although not shown in the tables here, the period of the Khrushchev 'thaw' had also seen a reduction in the rate of thefts.

However, the rates of recorded crime greatly understate the true crime rates for two reasons. First, even in a well-functioning system, the crime rate as measured by victimization surveys is three or four times as high as the recorded crime rate (but data from victimization surveys are not available in Russia). Second, since 1993-94, there has been a massive cover-up that prevents a large number of crimes from being officially recorded (see, for example, Luneev 1997). Evidence that points to this cover-up is the impossibly high clear-up rate, as shown in Table 4. Some criminological studies show, for example, that the ratio between the actual and recorded number of crimes in 2002 was 1.17 for homicide, 1.18 for grievous bodily harm, 4.21 for theft, 1.52 for robbery, 1.36 for assaults with robbery, and 10.13 for bribery (*Latent crime in Russian Federation in 2001-02*, 2004).

Table 1 Recorded crimes, offenders and convicted persons in Russia, 1961 - 2005

Year	Recorded crimes	Rate of recorded crimes per 1000,000 population	Offenders recorded by the police	Convicted persons
1961	534 866	446.5	-	-
1962	539 302	446.1	-	-
1963	485 656	397.7	-	-
1964	483 229	392.2	-	-
1965	483 550	388.7	-	-
1966	582 965	464.5	596 764	-
1967	572 884	452.5	628 463	-
1968	618 014	483.6	626 129	-
1969	641 385	497.6	659 607	-
1970	693 552	533.1	700 685	554 589
1971	702 358	536.6	652 763	574 350
1972	706 294	536.3	698 964	575 056
1973	695 647	524.6	682 399	538 156
1974	760 943	570.4	718 161	579 642
1975	809 819	603.4	753 005	581 035
1976	834 998	618.0	770 473	599 652
1977	824 243	606.5	746 354	525 984
1978	889 599	650.7	782 099	557 564
1979	970 514	705.8	818 746	590 538
1980	1 028 284	742.2	880 908	645 544
1981	1 087 908	779.7	919 001	682 506
1982	1 128 558	803.1	988 946	747 865

**Table 1**  
*(continuation)*

Year	Recorded crimes	Rate of recorded crimes per 1000,000 population	Offenders recorded by the police	Convicted persons
1983	1 398 239	988.1	1 077 802	809 147
1984	1 402 694	984.4	1 123 351	863 194
1985	1 416 935	987.5	1 154 496	837 310
1986	1 338 424	929.9	1 128 439	797 286
1987	1 185 914	816.9	969 388	580 074
1988	1 220 861	833.9	834 673	427 039
1989	1 619 181	1098.5	847 577	436 988
1990	1 839 451	1242.5	897 299	537 643
1991	2 173 074	1463.2	956 258	593 823
1992	2 760 652	1856.5	1 148 962	661 392
1993	2 799 614	1887.8	1 262 737	792 410
1994	2 632 708	1778.9	1 441 568	924 754
1995	2 755 669	1862.7	1 595 501	1 035 807
1996	2 625 081	1778.4	1 618 394	1 111 097
1997	2 397 311	1629.3	1 372 161	1 013 431
1998	2 581 940	1759.5	1 481 503	1 071 051
1999	3 001 748	2051.4	1 716 679	1223255
2000	2952367	2028.2	1741439	1183631
2001	2968255	2039.2	1644242	1244211
2002	2526305	1754.9	1257700	859318
2003	2756398	1926.2	1236733	767371
2004	2893810	2026.5	1222504	
2005	3554738	2499.8	1297123	

Source: Annual "Crime and Delinquency" (1991-2005). Moscow: MVD RF, MJ RF.



Table 2 Rate (per 100 000 inhabitants) of serious violent crimes in Russia, 1985 – 2005

Homicide																				
1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
28.5	6.6	6.3	7.2	9.2	10.5	10.9	15.5	19.6	21.8	21.4	19.9	19.9	20.1	21.3	21.9	23.2	22.4	22.1	22.1	21.7
Grievous bodily harm																				
1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
19.9	14.7	13.9	18.2	25.0	27.7	27.8	36.2	45.1	45.7	41.7	36.2	31.4	30.8	32.6	34.2	38.5	40.6	39.9	40.1	40.7

Source: Annual “Crime and Delinquency” (1991-2005). Moscow: MVD RF, MJ RF.

Table 3 Rate (per 100 000 inhabitants) of crimes against property in Russia, 1985 – 2005

	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
Theft	324.7	264.4	251.1	327.2	512.1	616.8	837.3	1110.2	1065.2	888.4
Robbery	29.9	21.8	21.0	29.9	51.0	56.3	68.8	110.9	124.3	100.4
Assaults with robbery	5.8	4.2	3.9	5.5	9.9	11.2	12.4	20.4	27.0	25.6

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Theft	924.6	818.0	716.3	779.2	966.2	900.0	879.2	643.8	804.2	892.3	1106.2
Robbery	95.0	82.2	76.2	83.4	95.0	91.0	102.8	116.2	138.4	175.7	242.2
Assaults with robbery	25.5	24.3	23.3	26.2	28.1	27.1	30.8	32.7	34.0	38.7	44.8

Source: Annual "Crime and Delinquency" (1991-2005). Moscow: MVD RF, MJ RF.

Table 4 Percentage of recorded crimes cleared by the police, 1992-2005

	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Total	46.9	50.6	59.6	64.5	70.1	72.2	74.4	73.4	75.6	69.7	60.9	55.1	54.2	47.8
Criminal police			51.9	55.4	60.8	64.6	66.8	65.5	67.9					
MPS*			91.3	94.4	96.9	93.9	94.7	95.4	95.4					

\* Militia (police) of public safety.

**Figure 1 Rate per 100,000 population of all recorded crimes in Russia 1985 – 2005**

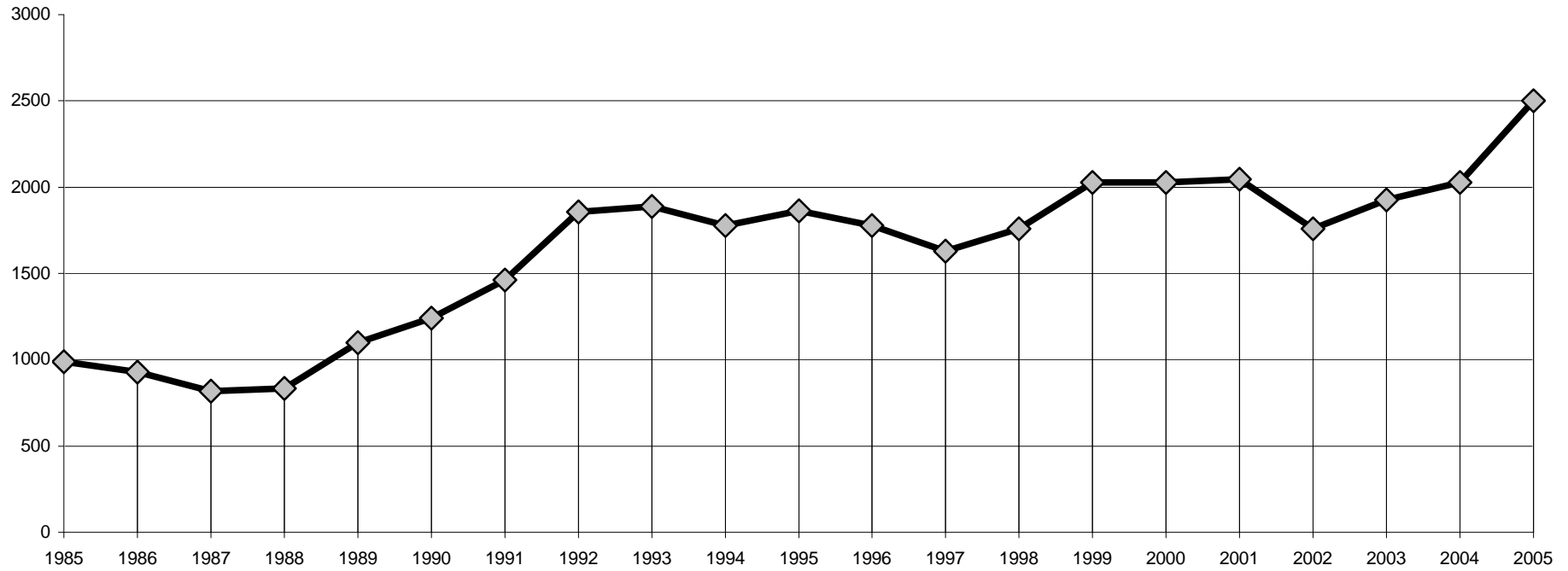


Figure 2 Rate per 100,000 of homicide (including attempts) in Russia, 1985 – 2005

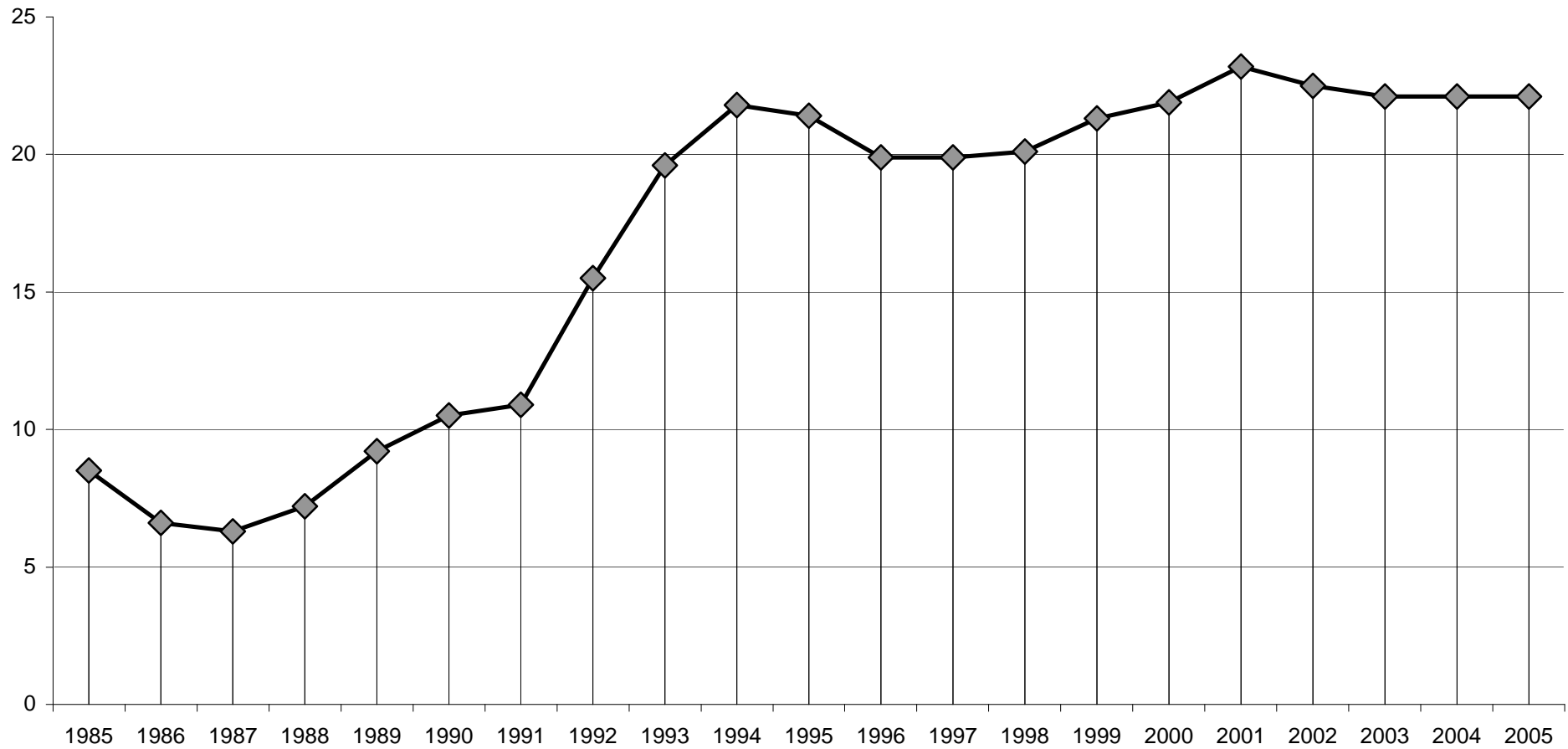


Figure 3 Rate per 100 000 inhabitants of grievous bodily harm in Russia

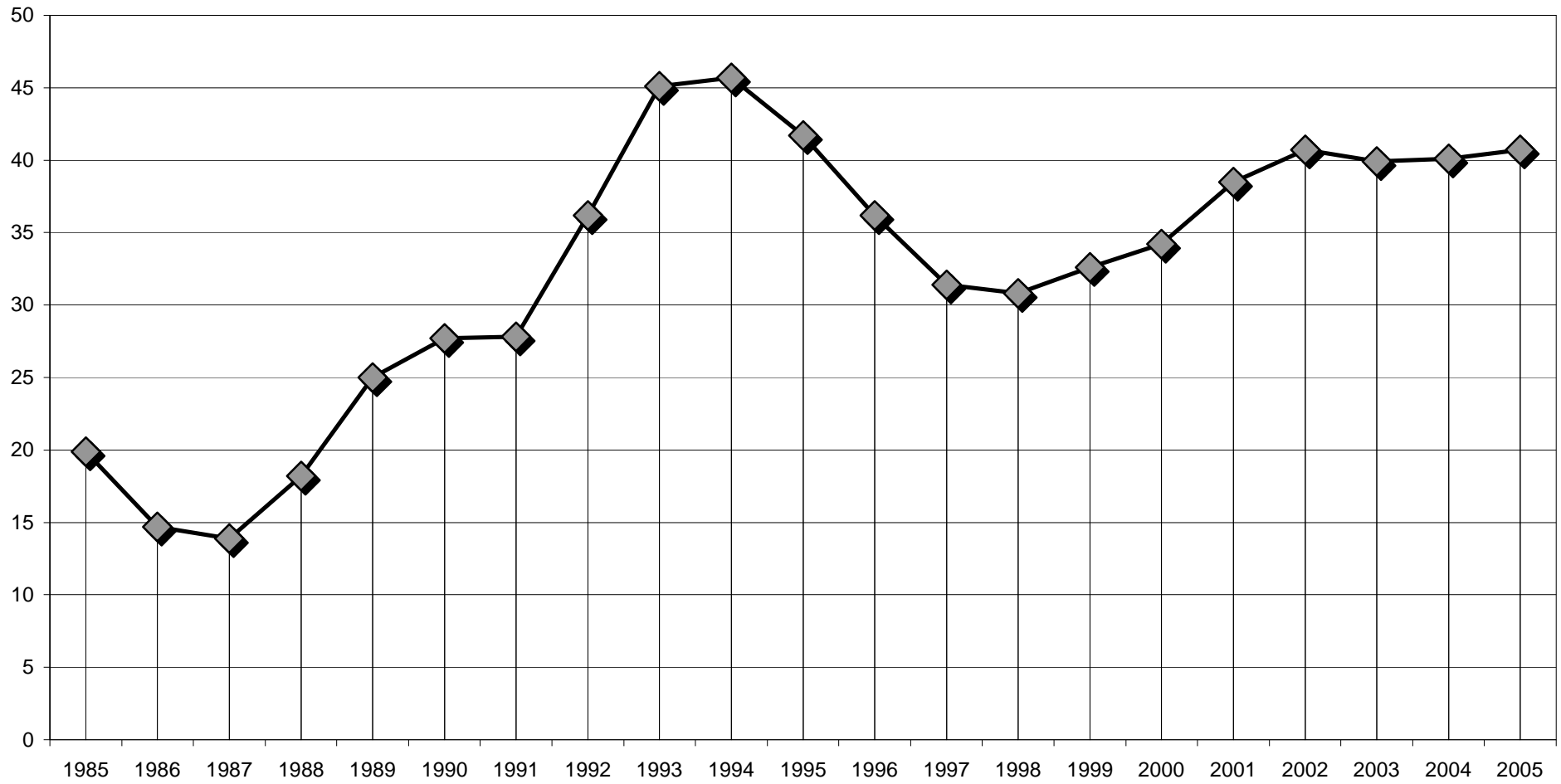


Figure 4 Rate (per 100 000 inhabitants) of theft in Russia 1985 – 2005

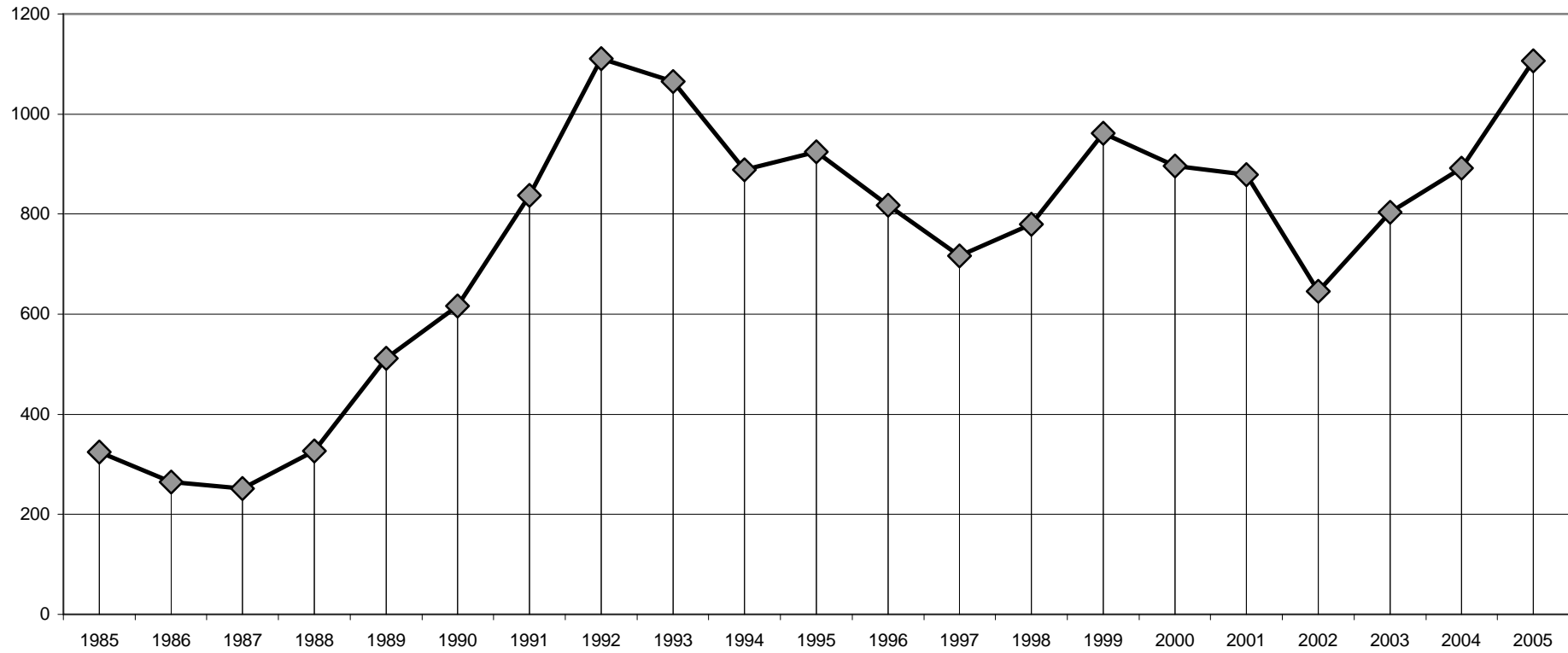


Figure 5 Rate per 100 000 inhabitants of robbery in Russia, 1985 – 2005

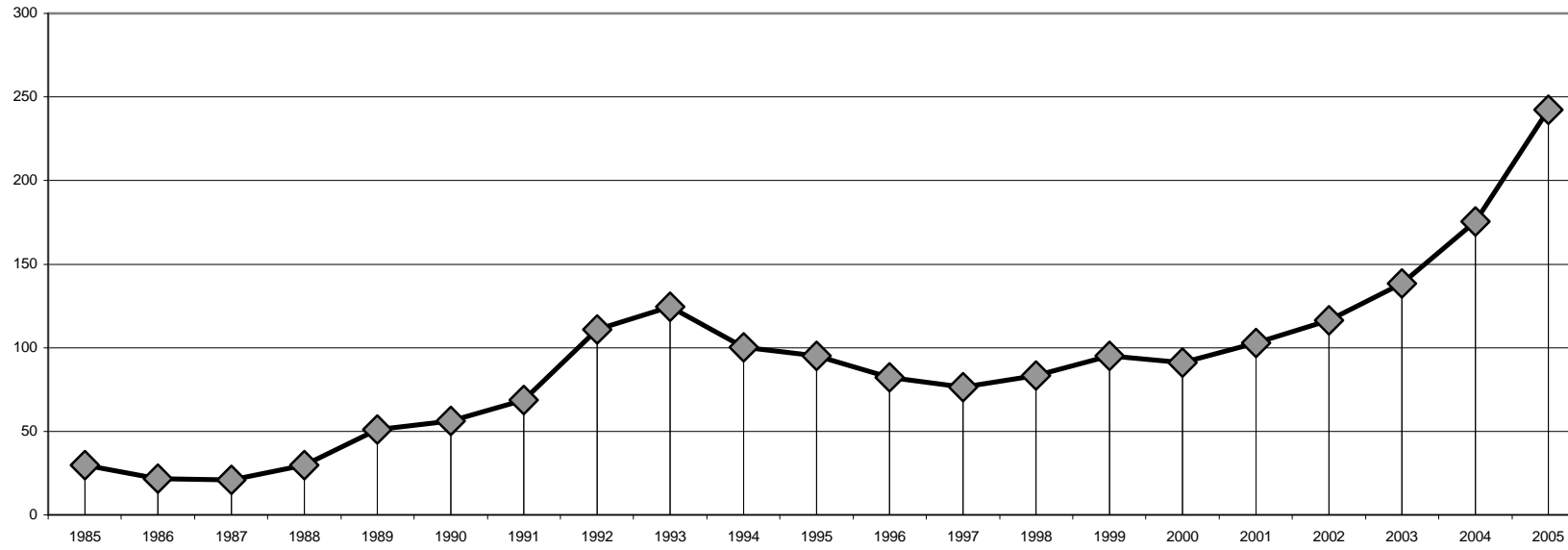
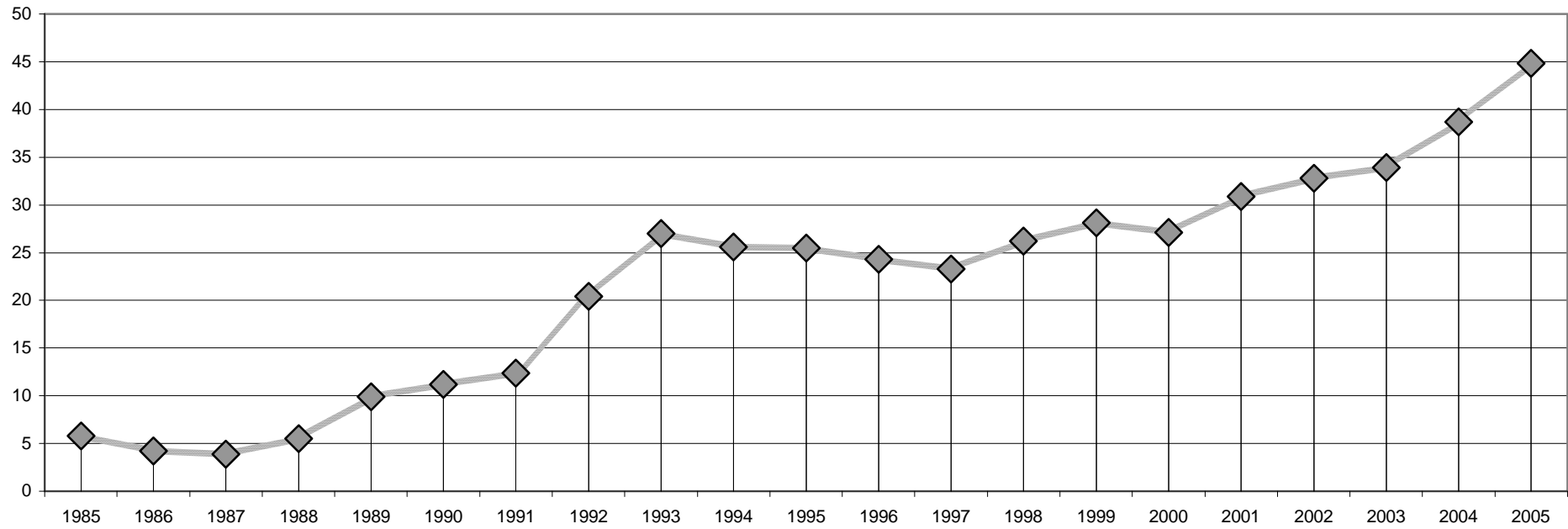




Figure 6 Rate (per 100 000 inhabitants) of robbery with violence in Russia (1985 – 2005)



The rate of violence is very high in Russia. As we have seen the rate of police-recorded homicide (per 100,000 inhabitants) increased from 6.6 in 1987 to 23.2 in 2001. In this respect, Russia holds the third place in the world after Colombia and South Africa. But medical statistics are more exact than police data and show considerably higher rates (*World Health Statistics 1996; Questions of Statistics 2004*). The WHO and police-recorded homicide rates for Russia in 1992 were 22.9 and 15.5 respectively; in 1993, 30.4 and 19.6; in 1994, 32.3 and 21.8, in 2002, 30.8 and 22.5, in 2003, 29.5 and 22.1. For comparison, the following were the rates of police-recorded homicides in some other countries (average per year, 1999-2001): Australia, 1.9; Austria, 1.2; Canada, 1.8; Denmark, 1.0; Finland, 2.9; France, 1.7; Germany, 1.1; Hungary, 2.3; Italy, 1.5; Japan, 1.0; Norway, 0.9; Poland, 2.0; Spain, 1.1; Sweden, 1.1; Switzerland, 1.1; and USA, 5.6 (Barclay and Tavares 2003: 10). As well as homicide, the rate of grievous bodily harm in Russia is high (Table 2). The number of crime victims in contemporary Russia is huge (Table 5). The total number of deaths resulting from crimes over the period 1987-2003 was 1,190,352.

In addition, 25,000 people are declared missing every year and are never found. In the military, from 5000-6000 die every year, excluding those involved in warfare. Most of them die due to violent, unregulated hazing rituals (*dedovshina*) and abuse of power by older soldiers that often takes sadistic forms, accidents related to military service and suicide.

What are the causes of high rates of serious violent crime in Russia? The detailed discussion by Tsytarev and Gilinskiy (2004) mentioned the following broad factors. First, there is *geography*. Because Russia is a very large country created through conquest of neighbouring territories, the state has never known how to maintain control except through repression. Second, there is the *political* factor. Russia has never been a democratic state, under the rule of law. There is a centuries-long tradition of despotism and totalitarianism. Third, this culture of despotism expressed itself in *historical* forms that still have a deep influence: the Tsarist autocracy and the Soviet regime. The Byzantine heritage also tended to

legitimate despotic rule. Fourth, there are *economic* factors. Most Russian people have always been poor. Considerable social and economic inequality had always existed in Russia, continued during the Soviet era, and has increased in recent years. Even though the country was industrialized over the 20th century and economic output greatly increased, a large proportion of the population continued to live in poverty. Social and economic inequality is a reason for conflicts, envy, resentment, and hatred. Fifth, there are *cultural* factors: the historical, political and economic forces created a specific Russian culture and mentality that is characterized by intolerance. Sixth, there is the *penal* factor. Contemporary criminal legislation and police methods, criminal justice, and prisons are very strict, unjust and repressive.

Table 5 Deaths resulting from crimes in Russia, 1987-2003

1987	25,706
1988	30,403
1989	39,102
1990	41,634
1991	44,365
1992	213,590
1993	75,365
1994	75,034
1995	75,510
1996	65,368
1997	65,598
1998	64,545
1999	65,060
2000	76,651
2001	78,697
2002	76,803
2003	76,921

Total: 1,190,352

## **Drug abuse**

We do not know the real situation regarding drug use and drug addicts. The official data on drug-related crimes as recorded by the police are presented in Table 6. The rate per 100,000 inhabitants increased from 8.6 in 1988 to 167.3 in 2000, and then decreased to 105.1 in 2004 and increased to 123.2 in 2005.

The official rate of drug and strong-acting substances users in Russia increased from 25.7 in 1985 to 195.7 in 1998. The official rate of drug addicts increased from 1.3 in 1980 to 31.0 in 1997 (*Human Development Report in the Russian Federation* 1999).

Over the period 1985-2003, most offenders for drug-related crimes (80-90 per cent) were convicted for drug possession, not for drug dealing. As shown by the official statistics, some characteristics of offenders are as follows:

- The proportion of drugs offenders who are young (14-29 years old) is about 70 per cent.
- The proportion without permanent occupation and income increased from 23.4 per cent in 1987 to 73.1 per cent in 2001 (66.2 per cent in 2003).
- The proportion of females increased from 6.5 per cent in 1992 to 17.7 per cent in 2001 (14.1 per cent in 2003).
- The proportion who were employers decreased from 4.3 per cent in 1992 to 1.2 per cent in 2001 (1.6 per cent in 2003).
- The proportion who were in work steadily decreased too (but their proportion in the population also decreased steadily).

During the last few years there has been a shift in drug use from poppy straw to opium and heroin. The present scene has been called a 'heroin rainstorm'. This is probably a result of increased efficiency in the drug business, which can now provide a 'better service' to drug users. Heroin was not in great demand earlier because of its high price. Now drug dealers have improved its production and trafficking through Chechnya, Afghanistan and Pakistan. This has led to a drop in the price of heroin and a rise in its popularity in Russian markets, including St. Petersburg.

The progressive international shift from the 'war on drugs' towards 'harm reduction' is absent in Russia. The contemporary negative consequences of social change are also very important for drug treatment. On the one hand, the extent of drug use increases because many people (particularly young people) have no work or prospects and suffer from an 'existential vacuum' (Frankl 1984). On the other hand, the policy of repression continues and the drug treatment system gets worse and worse.

We wrote in 1998: 'The extremely radical and rapid social changes under way in Russia today give rise to deep pessimism and lack of hope for the future' (Gilinskiy and Zobnev 1998: 122). Unfortunately, we have turned out to be right. The Russian drug policy and drug treatment system have since got worse.

The law on drugs and psychotropic substances of December 1997 (effective from April 1998) abolished anonymous medical help for drug addicts, prohibited non-governmental, private medical help for such addicts, banned drug use, and discontinued treatment of drug addicts such as methadone replacement therapy. Drug addicts and their relatives shun state treatment because it is useless and dangerous. The state medical service is dangerous because it leads to an official registration with the police as a drug addict, with negative consequences including arrest. Drug consumers and drug addicts are now left alone without any help to face drug dealers. The official state treatment programme is without money and remedies. So-called anti-narcotic propaganda gets worse and worse particularly after the law on drugs of 1997, because this law limits discussion of drugs in every way.

The State Committee on Drug Control was created in 2003. The Head of this committee is an FSB (formerly KGB) general. The employees of this Committee are from the FSB or former tax-police. As such, they are of course incompetent at dealing with drug problems and drug treatment. The policy of this committee is severe and repressive.

Table 6 Rate per 100.000 inhabitants of drug-related crimes in Russia, 1990 – 2005

1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
10.9	13.0	20.0	35.8	50.5	54.0	65.5	126.3	129.6	147.9	167.3	166.0	125.0	127.0	105.1	123.2

It is a punitive organization having no concern with treatment. The committee prohibits discussion of harm reduction policy or legalization of drugs, claiming that such policies are 'just drugs propaganda'. Drug policy in Russia is a combination of prohibitive and repressive methods without a developed or practical prevention strategy, which might include for example anti-drugs publicity and methadone replacement therapy. The police are in the forefront of the 'war on drugs' in Russia (for more detail, see Gilinskiy and Zazulin 2001).

There are a number of methods of preventing and reducing drug use, which have been used in other countries. Among methods of *primary prevention* are reducing the number of excluded people; reducing the poverty gap between very poor and super-rich; creating real opportunities for social mobility, especially the opportunity to change one's social position from excluded to included; and well-designed and energetic anti-drugs publicity and campaigns. Among methods of *secondary prevention* are special anti-drugs campaigns targeting groups at risk; psychological training and social work with people at the beginning of a drugs career. Methods of *tertiary prevention* include medical, social and psychological help for drug addicts; medical detoxification programmes; psychological treatment, rehabilitation, and re-socialization of former drug addicts. None of these methods of prevention is used in Russia.

### **Organized crime in Russia**

There are many definitions of organized crime and discussion about it (see, among others, Smith 1975; Arlacchi 1986; Abadinsky 1994; Block 1994; Albanese 1999; Albanese et al. 2003; Fijnaut and Paoli 2004). In the following discussion, organized crime is defined as the functioning of stable, hierarchical associations, engaged in crime as a form of business, and setting up a system of protection against public control by means of corruption.

Organized crime is a complex social phenomenon, which has a significant influence on the economy and policy of states. The development of organizational structure in criminal activity is a natural process that parallels the structural

development of the legitimate social systems and sub-systems, including politics and business corporations. It is a global process rather than one confined to particular countries or regions. Also, the relevant studies have shown that the factors influencing the level of development and the specific form of organized crime are much the same in every country. Criminal business arises, exists and develops under certain conditions, namely: demand for illegal products (e.g. drugs, arms) and services (e.g. sexual); unsatisfied demand for legal wares and services; unemployment and other sources of social exclusion providing a social base for deviance, including criminality; defects of the state's regulatory regime, especially in the fields of taxation and customs.

A criminal organization building up a system of illegal operations is defined by the following characteristics:

- a stable association of people, designed for long-term activity;
- a complex hierarchical structure with functions assigned to specific units of the organization;
- the criminal nature of the activity and associated financial activities;
- the deriving of maximum profits as the key goal of the activity;
- the corruption of powerful organizations and individuals, especially law-enforcement bodies, as the main means of the criminal activity; and
- the aspiration to monopoly in a certain sphere of trade or on a certain territories.

Criminal associations are highly adaptable because they offer very high rewards to staff, enforce strict discipline, and choose staff very carefully - Russian criminal organizations recruit only the youngest, bravest and the most enterprising people. This combination of ruthless and dynamic features ensures their great vital capacity ('the Mafia is immortal!').

Contemporary organized crime began in Russia during the 1970-1990 period when some kind of contact was established and collaboration initiated between traditional white-collar criminals embedded in business organizations, corrupt party and state functionaries, and various types of criminals, including old 'thieves-in-law' (criminal organizations having their own 'laws') and the new generation of



'bandits' or 'sportsmen' (members of gangs, many of whom were previously involved in sports). Later, criminals of the new generation showed an energy, activity, and cruelty in resolving conflict that has allowed them quickly to occupy a place under the sun in the new criminal world of Russia (Gilinskiy 1998c, 2003; Gilinskiy and Kostjukovsky 2004; Shelley 2004). Contemporary organized crime is a result of this process of amalgamation of the old 'thieves-in-law' and *tsekhoviki* (shady operators) with new 'bandits' and with corrupt representatives of power structures, oriented to the pursuit of heightened levels of illegal (or legal or semi-legal) profit.

Russian criminal organizations come in various sizes, and have various organizational structures and degrees of specialization, but they are unified by the various factors mentioned above, especially the use of corruption as a method of controlling illegal markets, and the aspiration to monopoly. The main fields of their activity are: banking speculations (shady transactions); fictitious real estate transactions; stealing and reselling cars; illegal export of non-ferrous metals; production of and traffic in fake hard liquor; arms sales; control over gambling; agencies for supplying sexual services; drug trafficking; and money laundering.

A number of elements are typical of organized crime in contemporary Russia. Its sphere of influence is widespread, with control over 40-60 per cent of the country's enterprises and 60-80 per cent of banks. It derives a very high level of profit ('super-profit') from criminal activity. It performs some of the functions of law-enforcement bodies, such as arbitration, enforcement of rulings, and protection from (other) criminals. It has caused the total corruption of government, administrative and law-enforcement bodies at all levels. There is a readily available workforce for organized crime because many idle hands are available among young people. At the same time there are widespread opportunities for it to develop because in contemporary Russia legal business activity is impossible due to high taxes and anomie; and by a circular process, the high level of corruption and the associated criminal mentalities make it difficult to conduct legal business, thus creating the opportunity for illegal businesses, which refresh and reinforce the

corruption of officials. Russian organized crime makes extensive use of violent methods. Yet the newer tendency is for crime bosses to aspire to make their activities legal, perhaps by a gradual transition through semi-legal activity, by infiltrating the power structure of legal businesses, and with the aid of money laundering. The final phase is that politics and organized crime merge, as organized crime becomes political, while politics becomes criminal.

### **Corruption in Russia**

There are many definitions of corruption. Perhaps the shortest (and most precise) definition is 'the abuse of public power for private profit' (Joseph Senturia, cited in Wewer 1994 s.481). The UNO offers as an analogous definition (Resolution 34/169 of the General Assembly UNO, 12.17.1979). There are also many forms of corruption, such as bribery, favouritism, nepotism, protectionism, lobbying, illegal distribution and redistribution of public resources and funds, theft of treasury funds, illegal privatization, illegal funding of political organizations, buying of votes, extortion, granting of credit or contracts on favourable terms, the famous Russian *blat* (favourable treatment for relatives, friends and acquaintances, see Ledeneva 1998).

Corruption is a complicated social phenomenon. It exists at a meeting point between bureaucracies that are formally required to make decisions on the basis of neutral rules and principles, and the relations of economic exchange and brokering that structure the rest of society. It exists, therefore, in all societies with monetary circulation and trade together with bureaucracies and a legal framework (for more details, see Gilinskiy 2004, 2005).

Corruption is a social construction (Berger and Luckmann 1967), since society determines which activities, where and under what conditions are to be regarded as corrupt. The dividing lines between what is and what is not regarded as corrupt emerge partly from the law, but partly from the way that officials understand and interpret their own behaviour and from the decisions taken by those who are in a position to bring the law into play. Widespread corruption becomes possible partly

because it is constructed by many of the participants as being acceptable and normal.

Corruption is an integral part of social institutions (Kuznetchov 2000; Timofeev 2000). It is an element of the system of management and of government. To some extent also corrupt practices constitute a social field with its own structure and set of meanings. The main reason for stating that corruption is an integral part of the social fabric is that it performs important social functions. It simplifies administrative relations, accelerates administrative decisions, consolidates and restructures relations between social classes, helps economic development by short-circuiting government regulation, and makes the most economic use of scarce resources (Leff 1964; Scott 1972).

There are many reasons for stating that corruption forms a social field. The individuals involved in corrupt transactions play well-defined roles, such as bribe-taker, briber, and go-between, and long-term patron-client relationships can develop between individuals playing different roles. There are the certain *rules of play*, and participants know these rules. Certain slang and symbols exist. There are certain fixed prices (or tariffs). Some of these tariffs have been published in the Russian press. The newspaper *Signal* (1996, No. 1) published tariffs for various illegal services of GAI, the state transport inspection authority; the newspaper *Vash Tain'y Sovetnik* (Your Secret Counsellor) published illegal tariffs for 'free' training at various universities in St Petersburg (including the law faculties). Perhaps the most interesting data were published in the book *Corruption and Combat Corruption* (2000: 62-3), which quoted fixed bribes for obstructing a criminal investigation (US\$1000-10,000); for commuting an arrest to a pledge (US\$20,000-25,000); for receiving a lenient sentence (US\$5,000-15,000); for 'ignorance' of customs infringement (US\$10,000-20,000 or 20-25 per cent of customs duty). Moreover there are data about tariffs for the highest state positions: head of any committee of the Duma (US\$30,000); assistant to a member of the Duma (US\$4000-5000; for a member of the Duma who introduces a new piece of legislation (US\$250,000) (Sungurov 2000: 41).

## **How widespread is corruption?**

Corruption is a problem all over the world, but the size of the problem varies widely from one country to another. Corruption, always common in Russia, has become pervasive throughout every part of the power structure. In Transparency International's rankings of the levels of corruption in different countries, Russia holds between sixth and tenth place. The damage from corruption is about US\$20-25 billion per year. The export of capital from Russia to countries abroad amounts to US\$15-25 billion per year and totals US\$300-350 billion over the period from 1988 to 1999 (*Corruption and Combat Corruption: Role of Civil Society* 2000: 18-21; 72-3). Every day the Russian and foreign mass media publishes facts about corrupt practices and activities in Russia. A Report of the US Congress entitled *Russia's Road to Corruption* (September 2000) contains some data too. There are widespread *corruption networks* running through ministries, police and the FSB (former KGB) (Sungurov 2000; Satarov 2002). Most of the highest officials including deputies, judges, and others, have immunity *de jure*.

The Centre for the Study of Deviance in St Petersburg, located within the Sociological Institute of the Russian Academy of Sciences, studies organized crime and corruption in Russia, especially in St Petersburg. In the course of its research, the centre has carried out interviews with individuals belonging to a range of organizations. The following are typical comments made by these respondents: 'The average businessman is closely involved in crime', 'One has to bribe for everything', 'One cannot deal with tax inspectors without a bribe' and 'A bribe is inevitable in the sphere of business' (Gilinskiy 2002: 217). Tax inspection is highly corrupt. One has to bribe when registering a business, when renting premises from state bodies, when acquiring licences to utilize premises, when obtaining low interest bank credit, when submitting reports to tax inspectors, when completing customs formalities and so on. But this does not affect only business people. Everybody must be a suborner in educational institutions, in medical institutions, in various administrative bodies, in dealing with the police and so on.

Table 7 Collation of official data of bribery in Russia, 1987 - 2005

Year	Recorded offences of bribery	Rate per 100,000 population aged 16+	Suspects identified	Convicted persons
1987	4155	3.8	2836	2008
1988	2462	2.2	1994	812
1989	2195	2.0	1306	451
1990	2691	2.4	1510	649
1991	2534	2.3	1266	612
1992	3331	2.9	1537	686
1993	4497	3.9	2279	843
1994	4921	4.3	2727	1114
1995	4889	4.3	2342	1071
1996	5453	4.8	2692	1243
1997	5608	4.9	2320	1381
1998	5804	5.0	2803	1314
1999	6823	5.9	2921	1515
2000	7047	6.0	3481	1529
2001	7909	6.8	3696	2084
2002	7311	6.2	3796	2035
2003	7346	6.3	3939	2232
2004	8928	7.5	4609	2930
2005	9821	8.2	5109	3609

Source: Crime and Delinquency (1992: 97, 146); Crime and Delinquency (1995: 117, 154); Crime and Delinquency (2004: 119, 121, 171)

The official data on bribery are collated in Table 7. But corruption, including the taking of bribes, is of course latent rather than manifest. Hence, the number of recorded incidents tells us more about police actions than about what is happening in wider society. First, these figures are a 'drop in the ocean'. Secondly, the number of recorded crimes involving bribery is twice the number of exposed perpetrators and the number of perpetrators twice the number of convicted persons. Thirdly, the small number who are convicted are 'small fry', including workers, students, and the unemployed. According to the statistics of recorded crime, in 1999 the rate per 100,000 inhabitants of crimes involving corruption (bribes, embezzlement and appropriation) was 11.8 in Moscow; 11.2 in St Petersburg; 78.7 in the Komi Republic; 75.6 in the Kugansky region; 70.9 in the Kostromskaja region (Luneev 2000). These figures are obviously absurd, since it is inconceivable that the actual

level of corruption should be higher in remote regions than in Moscow and St Petersburg.

A number of factors can help to explain the widespread and pervasive corruption in contemporary Russia. Bribery is one of the old Russian traditions that have been carried forward to the present day and adapted to fit the modern world. At an earlier stage, corrupt practices common in the Tsarist era were continued under the Soviet regime. When that regime appeared to disintegrate, the former Soviet *nomenklatura* nevertheless kept its position of power, and imported its corrupt habits into the 'new' power structure. In particular, privatization of state enterprises under the control of members of the *nomenklatura* created a vast new field for economic activity based on corruption. There was a parallel growth of Russian organized crime syndicates, which use bribery as their principal means of defence. In this new structure, the highest strata of power are corrupted, which leads to corruption at lower levels, too - the Russian proverb is 'The fish rots from the head down'. Because the criminal justice system itself (the police and public prosecutor) is highly corrupt (*Corruption and Combating Corruption* 2000), there is little prospect of effective law enforcement to combat corrupt practices. In these circumstances, there seems to be no significant organization or focus of power in Russia that is in a position to fight corruption.

### **The state's response to crime in Russia**

In Russia, widespread corruption and a high rate of crime are combined with an extremely repressive system of criminal justice. Russia, thus, provides a vivid example of a common pattern whereby punitive policies, instead of reducing crime, are part of a system that maintains it.

The control of deviance, including crime, is a central political issue throughout the developed world. Street crime, organized crime, violent crime and terrorism, impinge on the lives of the general population and give rise to general feelings of insecurity, which from time to time focus on the particular objects of 'moral panics' such as Mods and Rockers in 1960s England (Cohen 1973) or Albanian

immigrants in present-day Greece. Politicians exploit these fears for electoral advantage (Garland 2000). Legislators, politicians, police and criminal justice officials experiment with, or habitually use, repressive methods to gain control over old and new forms of crime. However, control through the criminal justice system has not produced the desired results.

Behaviour is controlled by a vast range of organizations (such as families or employers) and processes (such as informal surveillance and social pressure) that are not directly controlled by the state. One possible response to crime is to mobilize these widespread social resources in order to prevent it. Another possible response - the one that is emphasized in Russia - is punishment: a 'war on crime' waged by means of the criminal justice system. Mankind has tried every kind of reprisal, including various kinds of capital punishment and refined torture. Despite such repression, criminality has not disappeared.

Some have argued that we are in the midst of a 'crisis of punishment' (Mathiesen 1974), a crisis of the criminal justice system, a crisis of control over criminality through the criminal law, and a crisis of the control of the police (Christie 1981; Davis and Anderson 1983; Pepinski and Quinney 1991; Hendrics and Byer 1996; Rotwax 1996; Palermo and White 1998; Christie 2000, and others). An important branch of the penal reform movement is working not only towards abolition of the death penalty, but also towards replacement of imprisonment by alternative measures of punishment, for a transition from retributive justice to restorative justice (Morris 1989; Zehr 1990; Consedine 1995, and others). That is why the latest recommendations of the National Criminal Justice Commission of the USA offer 'a shift in crime policy from an agenda of "war" to an agenda of "peace"' (Donziger 1996: 218). S. Barkan (1997: 542) in the 14th of 23 recommendations of his general treatise on crime prevention advises policy makers to 'reduce reliance on imprisonment and to put more emphasis on community correction'.

It is necessary to add that while the 'struggle' is conducted (with doubtful success), mainly against street crimes (or in the expression of Liazos [1972]

against 'nuts, sluts and perverts'), a huge layer of 'respectable crime' still remains outside the 'field of battle'. When street crime is dealt with by the police and condemned by the court it functions as a scapegoat, demonstrating the successful struggle against criminality. This is known as the process of *selection* in criminal justice.

Social and economic inequality is one of the most important criminogenic factors. As argued by Merton (1938, 1957), the opportunities that people have to satisfy their needs depend on their social and economic status. Inequality of opportunity generates social conflict, dissatisfaction, envy and eventually various forms of deviance. The process of inclusion and exclusion is acquiring more rather than less significance as a cause of crime both now and in the future. Excluded people are becoming a mass reserve, a growing reservoir of social deviation, including criminality.

Repressive social control is the best means of exclusion, especially since the process of selection by the police and criminal justice system ensures that the same particular groups are repeatedly targeted. There appears to be a vicious circle. The repressive mode of social control increases the number of excluded people. The greater the number of people that is excluded, the higher the crime rate rises. The higher the crime rate, the more repressive the social control.

The main tenets of the contemporary Western theory of crime reduction (practised in certain countries) are founded on a recognition of the irrationality and ineffectiveness of retribution - an acceptance that there is a 'crisis of punishment'. On this theory, there has to be a change of strategy in the response to crime from 'war' to 'peace' and 'peacemaking' (Pepinski and Quinney 1991). This means searching for alternative, non-punitive social responses to offending. Also, it means giving priority to forward-looking crime prevention over backward-looking retribution (Gilinskiy 1998a).



## **Punishment in contemporary Russia**

Unfortunately, crime control is still dominated by repressive approaches in contemporary Russia. The current punishment system in Russia stipulates the following types of criminal punishment: the death penalty (article 59 of the Criminal Code of the Russian Federation 1996); life imprisonment (art. 57); deprivation of freedom (art. 56); limitation of freedom (up to five years, art. 53); arrest (up to six months, art. 54); corrective labour (up to two years, art. 50); compulsory labour (up to 240 hours, art. 49); fines (art. 46); deprivation of the right to hold a certain position or to conduct certain activities (up to five years, art. 47); confiscation of property (art. 52); deprivation of military or special titles (art. 48). In addition, military personnel may be sentenced to serve in special disciplinary units (up to five years, art. 55) and there are various compulsory measures of education and supervision for minors (14-17 years, art. 90).

The latest 1996 criminal code contains very severe kinds of punishment: the death penalty, life imprisonment, deprivation of freedom for 20 years, and in total for up to 30 years by combining sentences (art. 56). Some of these penalties, such as imprisonment for up to 30 years, are more severe than in any previous criminal code of Russia, even during Stalin's rule. Moreover, some kinds of probation and parole (deprivation of freedom with suspended sentence) have been excluded from the new criminal code.

There has been a moratorium on the death penalty since 1998, although this has not been ratified by the Russian parliament. Some data about past use of the death penalty are shown in Table 8. In line with the moratorium, there have been no death sentences since 1998. In the most recent period before that (1986-98) the number of death sentences per year was 131 on average. Although high, this is considerably lower than at earlier periods during the 20th century. The data on executions (as distinct from death sentences) are not shown here because they are less reliable, but it is believed that about 90 per cent of those sentenced to death were in fact executed.

Table 8 Death penalty in the USSR and Russia, 1921-1998

Period	Number sentenced to death	Annual number sentenced to death
1921 – 1953	642 980	19 484
1962 – 1984	22 235	967
1985 – 1990	2 317	386
1986 – 1998	1 924	131

Over the period since 1988, we see a tendency to cut down on punishment without deprivation of freedom in penal and sentencing practice (Table 9) - more specifically, sentences of corrective labour without deprivation of freedom as a proportion of the total decreased (from 26.4 per cent in 1988 to 5.2 per cent in 2003) and fines decreased (from 12.7 per cent in 1988 to 6.5 per cent in 2003).

The imprisonment rate in Russia is the highest in the world at 740 per 100,000 inhabitants in 1999 and more than 630-40 in 2003, not counting institutions of military justice (Abramkin 1998; Christie 2000; Barclay and Tavares 2003; Walmsley 2003). One in four adult men in Russia is a former prisoner. The overwhelming majority of prisoners are not professional criminals, but people who found themselves in prison because of their misery, unemployment and homelessness. The conditions in penitentiary institutions are terrible (Abramkin 1998; Gilinskiy 1998b). Extremely harsh regimes in institutions for those awaiting trial or under conditional sentence contravene human rights. Overcrowding in pre-trial detention centres compels inmates to sleep in shifts. The food is poor.

Table 9 Sentencing in Russia, 1988 – 2003

	1988	1989	1990	1992	1994	1996	1998	1999	2000	2001	2003
Total number sentenced	426336	436988	537643	661392	924574	1111097	1071051	1223255	1183631	1244211	773920
Death penalty	115	100	223	159	160	153	116	19	0	0	0
% of total sentenced	0.03	0.02	0.04	0.02	0.02	0.01	0.01	0.01	0	0	0
Deprivation of freedom	149113	162033	203359	225926	332675	373519	345399	388799	354413	367469	252041
% of sentenced	35.0	37.1	37.8	36.5	39.5	33.9	34.3	32.9	35.0	30.9	32.8
Dep. of freedom suspended sentence	54562	56560	72065	95107	150948	199585	-	-	-	-	-
% of total	12.8	13.0	13.4	15.3	17.9	18.1	-	-	-	-	-
Dep. of freedom conditional sentence	30845	35352	45099	73896	149140	290742	548981	607737	543615	682930	426048
% of total	7.2	8.1	8.4	11.9	17.7	26.4	54.5	51.4	53.7	57.5	55.5
Corrective labour without dep. of freedom	112702	103513	116979	120917	124639	90401	53514	56859	50897	62182	39808
% of total	26.4	23.7	21.8	19.5	14.8	8.2	5.3	4.5	5.0	5.2	5.2
Fine	54030	51961	62271	72931	89903	144018	59628	65138	62657	74853	50064
% of total	12.7	11.9	11.6	10.2	9.8	13.1	5.9	5.5	6.2	6.3	6.5

Prisons and detention centres spread tuberculosis. There is evidence of torture of those awaiting trial under interrogation in so-called 'press cells' to procure confessions of guilt. The opportunities for training, and the possibilities for reform and rehabilitation in prisons and correctional colonies are nil.

Thousands of prisoners die every year from hunger, tuberculosis, suffocation from lack of oxygen in overcrowded cells in pre-trial detention centres. More than 2300 HIV positive prisoners and more than 92,000 people with tuberculosis were in Russian penitentiary institutions in 1999 (*Information Bulletin* 2000).

## **Conclusion**

Russia has a long history of harsh authoritarian regimes and a more recent experience of totalitarian regimes in the 20th century. One consequence of this history is that both society and the state have been criminalized. Criminal practices in institutions of the state and in the wider society support and feed upon one another. There is a wide social basis for crime and organized crime, because, first, many idle hands are available among young people, and, secondly, legal business activity is largely impossible due to corruption, high taxes, a widespread criminal mentality and social anomie. Organized crime is part of the social fabric in Russia, has infiltrated legal business, government, and every significant part of the power structure, and therefore has a powerful influence on the Russian economy and government policy. It performs some of the functions of law enforcement bodies, such as arbitration, enforcement of rulings, and protection. Corruption is the central problem in Russia, because until it is solved, no other problem can be solved. As long as everything can be bought and sold, those with a stake in Russian society as it is, will be able to buy off attempts to change it. Crime control is still dominated by repressive measures, because these satisfy the demand for action without threatening powerful people who are profiting from criminal activities.

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