ANALYSIS

Police in Russia: Reform or Business Restructuring?[1]

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Abstract

Most Russians have little confidence in their police. The force faces a number of problems: militarization, a lack of transparency, and marketization. The authorities have carried out repeated police reforms, but none were aimed at providing better security for the general population. Rather, the leadership sought to gain more extensive control over the police. True reform will require addressing the deeply rooted issues of militarization, opaqueness, and marketization.

Russians Are Unhappy with Their Police

Russians' trust in their police is significantly lower than levels recorded in Europe in general, though the Russian police perform better than their counterparts in Bulgaria and Ukraine (See Figure 1 on p. 6). Behind this low score in Russia is the negative experience many Russians have when they contact the police: people are reluctant to call the police for help even when they are the victims of a crime. According to public opinion polls, less than 40 percent of crime victims contact the police to register a crime, to request that they open a criminal case, or to seek compensation for damages that they have suffered. Most people report that they were unhappy with the police reaction to their inquiry, and only slightly more than a quarter expressed satisfaction (nearly one third claimed that the police did nothing at all in response to their request for help). Victims who contacted the police seeking assistance evaluate police activity more negatively than those who have no personal contact with them.

Victims who did not report crimes to the police cited a variety of reasons for their reluctance to seek help. Two percent said that they had suffered from police criminality. While 2 percent seems like a small number, taking into account that 2.3 million people filed official complaints (2008 Rosstat data, www.gks.ru), nearly 70,000 Russians suffered from the unreported crimes committed by policemen (according to my calculations).

Police-phobia and distrust in the police are so high in Russia that more than a tenth of the victims polled do not report crimes to the police and try to take care of the problem on their own. If these numbers are accurate, more than 200,000 people annually go around the police system to seek their own form of justice. As a result, some cases reported as crimes are in fact efforts by citizens to take revenge on criminals and corrupt policemen. One of the most extreme cases in which ordinary citizens sought vengeance against policemen occurred in Primosrky Krai during the summer of 2010 (see Russian Analytical Digest No 82, http://www.res.ethz.ch/analysis/rad/details.cfm?lng=en&id=118673).

Institutional Imperfections

All the issues mentioned above are indicators that the police system in Russia is dysfunctional for a variety of institutional reasons. These problems include:

Militarization. The current Russian police system is a high militarized hierarchy where the command of one's superior is much more important than the law or the public interest. This centralized system is the legacy of the Stalinist NKVD, which was used as a tool for mass repressions and a means of totalitarian control over daily human behavior. There is no totalitarianism in Russia at the moment but the "militia" remains partially a weapon in the hands of the authorities who seek to destroy any business, political group, or gathering of "people who disagree."

Opaqueness. There is no publically-accessible and reliable data on the number, structure and operations of the Russian police at the moment. The last official data about the number of police officers in Russia were reported to the UN in 1994 as part of the United Nations' Survey of Crime Trends and Operations of Criminal Justice Systems, http://www.uncjin.org/stats/5wcs/5bpolice.zip. (Until 2000, Russia provided data on crimes, but after 2000, the first year of Putin's presidency, it stopped taking part in this survey). According to this data, the number of Russian police increased during the period 1990–1994 from 1.5 to 1.8 million people. After the mid-1990s, high-ranking officers occasionally gave interviews to the media in which they provided select figures, but no official statistics were reported. For example, the last figures reported by police representatives claimed that there were 1.4 million officers in 2009. Meantime, there is no data on regional breakdowns, the number of police stations overall or in various regions and cities, or for a variety of other important topics. All police statistics and data gathered through sociological surveys done in-house or by external research centers are classified and only

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a few facts and figures are provided to the public after police approval.

There are strict restrictions limiting contact by police officers with the public and journalists even in the case of official public discussions regarding important police matters. For example, there was a classified instruction ordering police officers to avoid participating in the official public discussions about the recent draft of the new Law on the Police. Police officials ignored the REN-TV program that featured this discussion, particularly after the Presidential Administration forbid such public appearances following lobbying by the Interior Ministry.

Marketization. Marketization refers to the development of large-scale informal economic activities by police officers. In particular, it includes engagement by members of the police in private business activities. Such activities concentrate on earning money beyond official compensation, e.g. by providing services on the private security market, helping to implement the take-over of companies, accepting bribes, and similarly using one's official position for personal gain. In many countries such activities are considered to be acts of corruption and violations of the law, making the perpetrators liable to prosecution by the state.

However, in Russia (as in many other transformational and developing countries), the economic activity of policemen can be considered "more than corruption". The behavior of the police officers is embedded in other economic activities, including the typical behavior of numerous officials and rank-and-file employees from the district to the federal levels. In a study financed by the Open Society Institute, we found that approximately 49 percent of police officers reported engaging in after hours work, while 18 percent reported engaging in some type of additional income-producing activity during their regular work hours in 2001. Officers engaged in many kinds of such activities during their spare time as well as during working hours (Figure 2 on p. 7). At a minimum, we estimate that the total income earned in Russia by police officers during the beginning of the 2000s was approximately $1–3 billion annually (for details see Kolennikova et al. 2008).

A study done by the Levada-Center (an independent Russian public opinion and market research center) among police officers in 2005 confirmed these findings: nearly 60 percent of interviewed police officials had additional jobs and nearly 20 percent gained additional income during regular working hours (see: Gudkov and Dubin 2006). At that time income earned by police officers working in the market dramatically increased: according to a survey of "corruption markets" conducted by the INDEM Foundation in 2005, this income reached nearly $30 billion a year, growing more than ten-fold compared with the beginning of the 2000s (http://www.indem.ru/corrupt/2005diag_press.htm).

Of course, this outside employment is not a unique Russian peculiarity. Even in well-established democracies and market economies, such as the United States, "private employment of the public police" has been commonplace for several decades and has gradually increased in recent years. According to J. R. Brunet's studies in some US cities, 20 to 90 percent of officers have off-duty jobs. However, these off-duty jobs are under the police authorities' control. The police are not simply working on their own in a "free market," as the Russian officers are doing, and the consequences of the off-duty jobs are approximately the same in comparison with other sectors of employment.

In contrast to well-established democracies, in Russia and in many other transitional countries, the state does not monitor the private business activities of the police. Officers only face restrictions when they come into conflict with other powerful groups, for instance, politicians, oligarchs, members of special services, or the military.

In the police's daily operations, the process of marketization has resulted in the institutionalization of bribery between police officers. For example, if a traffic officer wants to patrol in a lucrative area (for example, where he potentially can collect personal payments in lieu of fines), he has to pay his direct boss for this privilege; if an inquiry officer wants to meet his arrest quota, but there are no true crimes in the region that he patrols, he has to pay an investigator to avoid punishment, and so on. Another important area of marketization is one's personal career. In some cases, officers must pay to win promotion to a higher post (especially, if this post opens the path to informal earnings). Sometimes these fees can be as high as hundreds of thousands of dollars. Of course, then the newly-promoted officer must develop large-scale business activities to recoup his investments.

In light of the above, we can classify all police positions into three types. First, "golden posts," where someone potentially can become extremely wealthy. These posts are concentrated in the higher levels of the hierarchy or on the ground in vibrant areas (for example, in the center of Moscow or other big cities) or in some departments (traffic police, economic crimes, investigation, and some others). Second, regular positions, which can potentially help officers to reach the middle class. And, third, posts only for public interest with a lack of opportunities for informal earnings. First class posts are sold relatively often; positions of the second type are sometimes sold; and the posts that offer no additional income are under-staffed.

There are two major consequences of marketization. First, the police enjoy a considerable degree of de facto

independence from the Russian government. Nowadays, the government is not the only employer of the police. Of course, the government and some officials can specifically monitor certain important criminal cases, but they cannot make the police system as a whole work efficiently. In fact, some private business groups have taken advantage of government weakness in order to "privatize" some police activities and these private business groups exercise control over personnel policy, the individual careers of officers, the level of their real incomes, and, sometimes even influence overall policy in the realm of law enforcement. Second, police ignore public demands to provide security services and concentrate more on their own business interests.

Thus, we have witnessed an institutionalization of police business activities in Russia. These activities have become an essential feature of Russian capitalism and the activities have an impact on Russia's economic and political system.

In essence, the Russian police have turned themselves into a special business entity which focuses on money-making and ignores the public interest requirement of providing security for the people. This entity, Police, Inc., has been in the market for nearly two decades. During the first decade, its members mostly worried about consumption because of the lack of state funding. But then they accumulated surplus cash and became increasingly concerned about making investments. Now one of the major concerns is to figure out how to invest the surplus money that the police generate. If it can solve this problem, Police, Inc. will effectively restructure its business and reach true independence from the government and the public.

Transforming the Russian Police: Quasi-Reforms

During the early 1990s, when Russia's economic transformation had just begun, nobody cared about police restructuring; the authorities and emerging entrepreneurial class were interested in privatization and providing stability for the economic system (financial stabilization and control over inflation). Accordingly, the Soviet militia (with its NKVD legacy) initiated marketization from below. At that time, they competed on the market to provide security services with organized criminal gangs racketeering newly established business entities. The authorities, concerned about the rise of organized crime, maintained the strength of the law enforcers and expanded the number of police officers (the growth reported to the UN moved from 1.5 to 1.8 million police staff).

At the same time, the police who were essentially competing with the criminals reached a kind of symbiosis with the mob. Ultimately, they began "racketeering the racketeers" and captured their criminal business. Step by step they accumulated economic wealth, initially spending their money on consumer goods (luxury vehicles, dachas, real estate abroad, etc.). Then, during the second part of the 1990s, they started to invest, first in the retail trade (open markets, small shops, etc.) and other sectors. This was potentially damaging to the authorities' efforts to maintain control over the police.

And, indeed eventually the political leaders sought to weaken this extra-powerful ministry, in part by increasing official wages. The major milestones of this policy are as follows:

- moving the penitentiary system from the Interior Ministry to the Justice Ministry (1998, 350,000 employees);
- moving fire fighters to the Ministry of Emergency Situations (2001, 275,000 employees);
- launching a political campaign and criminal prosecution of "werewolves in uniform" (2003–2006 and sporadically afterwards; hundreds of thousands of officers were punished, though it is difficult to estimate the exact figures);
- launching a political drive against corruption in the police with a plan to cut the number of police officers by 200,000 employees during two years, and to remove some profit-making functions from the Interior Ministry, such as technical control over vehicles, etc. (end of 2009 through the present).

All these actions were not reforms aimed to provide better security services to the public and to cut criminality. The main content of these measures were, and remain, organizational restructuring, criticizing corrupt officers in the media, and punishing select individuals according to various political needs. During the 2000s the police did not provide better security services to the public or change the bad habits developed by officers. The police force remains a militarized, opaque system focused on making money while ignoring the needs of the public.

The government's most important desire was to expand administrative control over the police and to restrict its autonomy so that it could better deliver services to the authorities, including security, direct violence against political opponents (liberals, communists, nationalists and fascists), and take over businesses. The police only work diligently under special pressure from the top in politically sensitive cases. But even in such instances, they often do not work effectively, punishing innocent people simply to claim that they have done their job.

These transformations within the police took place in the framework of the informal social contract at the end of the 1990s to the beginning of 2000s between