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Introduction - Reflections on Policing in Post-Communist Europe

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► **To cite this version:**

Gilles Favarel-Garrigues. Introduction - Reflections on Policing in Post-Communist Europe. Journal of Power Institutions in Post-Soviet Societies, Centre d'Etudes et de Recherche sur les Sociétés et les Institutions Post-Soviétiques, 2005. hal-03569003

HAL Id: hal-03569003

<https://hal-sciencespo.archives-ouvertes.fr/hal-03569003>

Submitted on 12 Feb 2022

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The Journal of Power Institutions in Post-Soviet Societies

Numéro Issue 2 (2005)

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Introduction by Gilles Favarel- Garrigues (2nd Issue Editor)

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Electronic reference

, « Introduction by Gilles Favarel-Garrigues (2nd Issue Editor) », *The Journal of Power Institutions in Post-Soviet Societies* [Online], Issue 2 | 2005, Online since 04 mai 2005. URL : <http://www.pipss.org/index362.html>
DOI : en cours d'attribution

Éditeur : Centre d'études et de recherche sur les sociétés et les institutions post-soviétiques (CERSIPS)

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Document généré automatiquement le 30 septembre 2009.

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Introduction by Gilles Favarel-Garrigues (2nd Issue Editor)

- 1 This issue aims to contribute to the understanding of the challenges raised by policing transformations in post-soviet societies by comparing them to the processes observed in Central and Eastern European countries since the fall of the Berlin wall.¹ Investigating heterogeneous cases does not preclude analyzing them using a common set of questions specifically linked to post-communism or, more precisely, the collapse of communist regimes. The expression “post-communist trajectories” aptly reflects such an approach, emphasizing the diversity of contexts while submitting them to a common analytical framework justified by their shared specific recent histories.² This common past not only implies the way law-enforcement policies were conceived and implemented in communist countries, but also the widespread and simultaneous surge of “security needs” that has been observed in post-communist societies. On the one hand, the idea that police institutions should be devoted primarily to the protection of state interests had to be discarded, together with the criminal procedure overdeveloping the role played by the *prokuratura* as well as the bureaucratic organization of police activity, founded on strict result-oriented performance criteria, i.e. rate of compliance with superiors’ injunctions, usually reinforced when implementing national campaigns against such and such delinquent behavior. On the other hand, the spread of the “fear of crime” within post-communist societies had also to be taken into account.³ This fear pertained to personal security in public places, with protection of private property and the threats that have grown out of the visibility of new behaviors (drug addiction, “organized crime,” etc.) affecting society on the whole. The sudden media coverage given to these various sources of concern have contributed to lumping them together and giving them an overall meaning that closely reflects the perception of a communist past believed to have valued law enforcement and criminal behavior deterrence.
- 2 The transformation of the police in post-communist contexts has had to take into account the endless contradictions characterizing both requirements. The more or less declared aim of democratizing the police and protecting individual rights may at times have taken a back seat to the need to restore order and actively fight against a disturbing evolution of delinquency (sharp rise in statistical recording, growing recourse to violence and increased visibility of delinquency). David Bailey has pointed out that, in periods of transition, democratic reform of the police is likely to be considered of secondary importance. In the post-communist context, governments have often drawn their political legitimacy from their ability to enforce order within their own populations while simultaneously having to reassure foreign governments and address their own internal security problems (drugs, terrorism, organized crime...).⁴ These new threats, drugs and organized crime in particular, have been used to justify the adoption of exceptional plans of action and emergency measures that may in turn have contributed to preserving the military character of some police bureaucracies and the ongoing lack of accountability of law-enforcement agencies. Rapidly designing operational plans of action specifically adapted to new threats successfully relegated the change in the relationship between police and citizens to a position of secondary importance, at least in some countries and on a more or less long-term basis.⁵
- 3 The various papers in the present issue impart information on the way these numerous restraints and their contradictions have been dealt with in practice. The transformation of police norms, institutions and professional practices may be seen as a process of hybridization of legacies, external borrowings and institutional innovations. In some contexts, methods honed during the communist period may be used again as, for instance, the *druzhiny* in main

Russian cities. In other respects, it is clear that the transformation of policing also depends on external factors, as show for instance the development of international standards in the field of anti-money laundering policies, logics of regional integration which are obvious in the European context, or bilateral cooperation policies leading to institutional West-East transfers.

4 The first two papers analyze institutional changes implemented within police bureaucracies. Marina Caparini and Otwin Marenin's paper is general in scope: it aims to define the stakes of the democratization process of policing and compare dynamics of change in post-communist states. It shows how concerns about police activity are expressed in the political debate when confronted with the contradictory demands mentioned above. It lays particular emphasis on the determining impact the dynamics of European integration have on the more or less democratic evolution of post-communist policing. Adrian Beck's article echoes this analysis, presenting the example of Ukrainian police with an argument based on empirical research. He places greater stress on describing continuities in the way police bureaucracy operates, particularly emphasizing the part played by quantitative indicators in the assessment of agents' activity, the organization of internal monitoring and recruitment and staff training methods. His analysis underlines the extent of the challenges the new Ukrainian leaders have been confronted with since December 2004.

5 The other papers focus less on police bureaucracy than on professional careers of law-enforcement service officials. Maria Los examines from a sociological point of view the redeployment of elites connected with managerial-level law-enforcement and intelligence service staff. Showing how they managed to occupy the private security sector as early as the late 1980s, she stresses the role played by what we would call "violent entrepreneurs in the making of Polish capitalism", using Vadim Volkov's words regarding the Russian situation.⁶ Thus, she helps to situate the issues of the protection of property rights, the use of force in the business world and the competition among various social actors to provide these kinds of "services" at the heart of debates over post-communist society transformation. It is to be hoped that such an approach will encourage the development of new case studies in other countries of the same area. Nikolay Petrov, for his part, does not study the redeployment of Russian law-enforcement elite into the private sector but the way the latter redeploys itself within the state apparatus thanks to the federal administrative reforms. In his opinion, creating seven "federal districts" (*okrugy*) in 2001 met the dual aim not only to better control regional governments but also to strengthen discipline within law-enforcement administrations by keeping a closer watch on the ways injunctions were vertically transmitted and locally implemented. The detailed analysis of law-enforcement staff mobility through the *okrugy* administrations supports this point of view while also stressing the illusions and limits of a monolithic top-down vision of the construction of the Russian state, due to regional disparities and competition among law-enforcement agencies.

Endnotes

1 On the transformation of post-communist police see mainly: Caparini, M., Marenin, O (eds.). *Transforming Police in Central and Eastern Europe. Process and Progress*. Munster: Lit Verlag, 2004; Kadar, A. (ed.). *Police in Transition*. Budapest: CEU Press, 2001; Pagon, M. (ed.), *Policing Central and Eastern Europe: Comparing Firsthand Knowledge with Experience from the West*, Ljubljana, College of Police and Security Studies, 1996; Pagon, M. (ed.), *Policing Central and Eastern Europe: Organizational, Managerial and Human Resource Aspects*, Ljubljana, College of Police and Security Studies, 1998; Pagon, M. (dir.) *Policing Central and Eastern Europe: Ethics, Integrity and Human Rights*, Lyublyana, College of Police and Security Studies, 2000. Robert, P., Sach, F. (eds.) *Normes et déviances en Europe. Un débat Est-Ouest*, Paris, L'Harmattan, 1994. Also see two issues of the *Cahiers*

de la sécurité intérieure devoted to this topic: “Police et démocratie à l’Est,” no. 8, Feb.-April 1992, pp. 15-120; “Polices post-communistes,” no. 41, third quarter 2000, pp. 5-210.

2 Favarel-Garrigues, G. (ed.), *Criminalité, police et gouvernement: trajectoires post-communistes*, Paris: L’Harmattan, 2003.

3 Los, M., “Post-communist fear of crime and the commercialization of security,” *Theoretical Criminology*, vol.6, no. 2, 2002, pp. 165-188.

4 Bayley, D., “Who Are We Kidding? or Developing Democracy Through Police Reform,” in: *Policing Emerging Democracies: Workshop Papers and Highlights*, Washington D.C., National Institute of Justice, October 1997, pp. 59-64.

5 For Russia, see: Goriainov, K., Ovchinski, V., Kondratyuk, L., *Uluchsenie vzaimootnoshenii gzhhdan i militsii* (Improving relationships between police and citizens), Moscow, Infra-M., 2001; Goriainov, K., Vagin, O., Ovchinski, V., Kondratyuk, L., *Uluchsenie vzaimootnoshenii gzhhdan i militsii. Optimizatsiya otsenki deyatelnosti* (Improving relationships between police and citizens. Optimizing police activity indicators), Moscow, Infra-M., 2003; Golovshinskii, K et alii, *Uchet prioritetrov grazhdan v planirovanii I otsenke deiatelnosti militsii* (Taking citizens’ priorities into account in the planification and evaluation of police activity). Moscow, Infra-M., 2004.

6 Volkov, V. *Violent entrepreneurs. The Use of Force in the Making of Russian Capitalism*. Ithaca: Cornell UP, 2002

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