

The Journal of Power Institutions in Post-Soviet Societies

Numéro Issue 9 (2009)
NGOs and Power Ministries in Russia

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Gilles Favarel-Garrigues, La police des moeurs économiques de l'URSS à la Russie (1965-1995)

Paris, CNRS Editions, 2007, 320 pages

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Electronic reference

Louise Shelley, « Gilles Favarel-Garrigues, La police des moeurs économiques de l'URSS à la Russie (1965-1995) », *The Journal of Power Institutions in Post-Soviet Societies* [Online], Issue 9 | 2009, Online since 04 mars 2009. URL : <http://pipss.revues.org/index2003.html>
DOI : en cours d'attribution

Éditeur : Centre d'études et de recherche sur les sociétés et les institutions post-soviétiques (CERSIPS)
<http://pipss.revues.org>
<http://www.revues.org>

Document accessible en ligne à l'adresse suivante : <http://pipss.revues.org/index2003.html>
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- 1 Dr. Favarel-Garrigues explains that economic crime in the Soviet Union and subsequently in Russia in the 1990s was not just a crime problem but a problem that had broad political implications. In the Soviet period, when all was state owned those who violated the laws on state property were committing crimes against the state and were subject to very strict sanctions up to and including the death penalty. In the post-Soviet period, when state property was distributed and privatized, economic crime was again important because violations of the law would decide who would subsequently control the vast resources of the Russian state.
- 2 The book is organized in a very logical manner. It helps the reader understand the legal concepts behind economic crime which may be quite alien to the contemporary reader who is not aware of the laws of the state owned economy of the Soviet era when all enterprises and almost all property was controlled by the USSR. Favarel-Garrigues explains how the underground and illegitimate economy operated in the Soviet period. Building on the strong western literature on the subject, the author discusses the limits of this analysis. According to the author, this analysis did not foresee some of the larger questions raised by the second economy. Instead, Favarel-Garrigues suggests that the work of Foucault would be useful in contrasting the “illegalism of property” with the “illegalism of rights”(p. 47) which were major determinants of the Soviet reality.
- 3 The enforcement of the laws by different Soviet actors is an important part of the book’s analysis. Not only does Favarel-Garrigues discuss the role of the police, the prosecutors and judges but such now forgotten Soviet institutions such as the *druzhiny*, so –called voluntary citizens’ groups who were responsible for policing their community. The enforcement of the laws against economic crime were launched during a succession of campaigns against economic crime. The author notes that there were five important campaigns during the period covered in the book (1966, 1968, 1975, 1979-1981, 1982-1983) (p. 64). These campaigns addressed the underground producers (the *tsekhoviki*), the *shababashniki* (black workers or those employed in the illicit economy) and the problem of *prispiski* or the falsification of production data. Using archival data obtained through Favarel-Garrigues’ careful research in the archives of Sverdlovsk (now Ekaterinburg), he is able to explore the dynamics of the prosecution of these crimes. Soviet specialists would provide statistical information of the success of these campaigns by reporting on the percentage increase of arrests for the different categories of economic crimes.
- 4 Favarel-Garrigues who has previously published fine work on policing in Ekaterinburg applies his understanding of Soviet and post-Soviet policing to the topic of economic crime. He shows that there were severe limits on the police’s ability to curb this illicit conduct. The structural problems of the Soviet economic system were so profound that there were very severe limits in controlling economic crime by the actions of law enforcement. The possibilities were particularly circumscribed because of the complicity that existed between large scale entrepreneurs of the illicit economy and state and Party officials.
- 5 Favarel-Garrigues provides intellectual continuity between his discussions of the Soviet and post-Soviet era. He shows the continued impotence of laws and the legal apparatus to address economic crime, a particularly severe problem in the immediate post-Soviet period when state

capacity was at its absolute nadir. He also shows how the underground producers emerge in the post-Soviet period, often becoming important actors in the newly privatized economic because they have the capital to acquire businesses and the know how to run businesses in a private economy. The rise of organized crime and the system of private protection which is closely associated with these criminals are crucial elements of the privatization that occurred in the late 1980s in the USSR and in the early 1990s in Russia. As in the Soviet period, in Russia as well there is state incapacity to respond to gross criminal misconduct. Once again, Favarel-Garrigues uses data obtained from Sverdlovsk archives to show how the incompetence of the police precludes an effective response to the violations of the privatization process.

6 Favarel-Garrigues builds on a careful analysis of research by Russian and western writers to provide important insights into the problem of economic crime in the USSR and in Russia shortly after the fall of the Soviet Union. His illustrations bring to life the reality of this period and his valuable work in the archives of Ekaterinburg bring data that has not been previously available to scholars of this period. He makes a very strong case that the problem of economic crime is not merely a problem of policing but an important determinant of the economic structure of the post-Soviet state. The imprisonment of Khodorkovsky, as Favarel-Garrigues, points out at the end of his work is also a continuity of the harsh state policies on economic crime and is representative of a legal system that serves the state rather than protects individual rights.

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Research Fields : Political Science, Sociology

Countries : The Soviet Union, Russia

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