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Revisiting Community Policing in Ukraine: Lessons for Police Reform

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Thesis submitted for the degree of Doctor of Philosophy

Social Policy and Criminology

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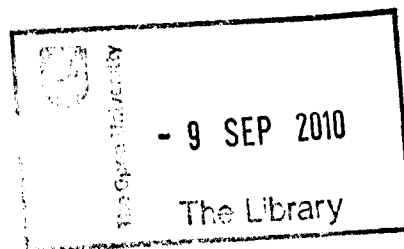
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ABSTRACT

This thesis critically revisits a project in community policing transfer to Ukraine. It examines the genesis, context and impact of the project and through this lens explores how community policing can be problematic in a former Soviet society. The study is intended to contribute to debates on the issues of reforming post-Soviet policing and the potential role of criminological imports in this process. The thesis highlights the obstacles to, and challenges of developing community policing within the context of the continued dominance and expanding scope of informal shadowy practices in the governance of policing. It demonstrates the importance of a combination of historical, economic, social and political factors impacting upon the willingness of people in Ukraine to contact the police and engage in crime prevention, and explores why people in Ukraine do not see themselves part of a 'community'. Normative questions posed by the notion of 'public engagement' are also explored. It is argued that 'community policing' as a consensual co-production of order and safety is unlikely in Ukraine. Community policing practice in this context has a potential to evolve as an authoritarian, moralistic, coercive and exclusive form of control. The thesis challenges the assumption that export of community policing is an unproblematic transfer of expertise and 'best practice', and highlights the problematic nature of the relations between funders, academic entrepreneurs, the local police, academics and the non-governmental sector. The thesis also demonstrates how a commitment to scientific rationalism and a narrow conceptualisation of 'evidence' in evaluation research has political implications.

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Introduction

How can people liberate themselves from the legacies of an authoritarian past? How can societies like Ukraine emerging from the Soviet system, re-conceptualise and rebuild their law and order institutions? The party-state is long gone, but has the police, its former armed hand, changed, or will change ever be possible? Is this too big a task for a society deeply divided by views of its history, feeling both haunted and nostalgic about the Soviet past, cynical about the present and sceptical about the future? A society that is struggling to come to an understanding of what brings it together and where is the way forward. And in any case are there not more urgent concerns for a country struggling economically, immersed in endless battles between political elites, and gripped by crime and corruption?

In 2000-2003, I travelled to the city of Kharkiv¹ in Ukraine a number of times as part of a British-Ukrainian research team that carried out a three-year pilot project on community policing. As a Russian who has spent a few years abroad, it was an exciting prospect for me to be part of the team undertaking an experiment to reform the Ukrainian police. In many ways, doing research in the Russian-speaking city of K on the Eastern border of Ukraine was a journey back into familiar terrain. Even though I grew up and used to live in a Siberian city many thousands of kilometres away, everyday life in K was in so many ways recognisable, more often than it was different. Through conversations with people in uniform and observations of their work many familiar features of Soviet bureaucracy and hierarchy at work could be seen. Imagining how this might change was a real challenge, but meeting enthusiastic and inspired people both inside and outside the police meant things could be different.

¹ The city is referred to as 'K' further in the thesis.

The project was one of just a handful of similar initiatives in Eastern Europe at the time. This was a brave research undertaking in a country where academic knowledge of police was scarce and criminological scholarship only beginning to emerge after decades of censorship and a ban on anything remotely potentially critical of the Soviet system. It was a very optimistic attempt to initiate changes within the Ministry of Interior of Ukraine which, although weakened by recent years of economic hardship, still appeared a very much intact and powerful law and order enforcement institution.

In popular discourses, the police always meant something feared and despised but at the same time never massively resisted and enjoying more legitimacy than perhaps is sometimes thought. Attitudes towards the police reflected the complex and ambiguous relationship of the people with the state, both distant and coercive to its citizens and at the same time a source of pride and, for many, an object of sincere devotion. That the Soviet Union was a controlled and repressed society may seem to be the truth beyond any doubt but things aren't that simple when we begin to question what this really means. State-sanctioned coercion and violence was both feared and supported, the law was never respected and order was desired more than freedom. The secret police were those who in the late 1930s came at night to arrest our grandparents, to then be executed or sent to the 'Gulag'; they, together with the communist party officials, came to confiscate food supplies in Ukrainian villages in 1932-33 when several millions of peasants died from a man-made famine. Solzhenitsyn asked why, during mass-scale arrests and imprisonment in Leningrad, people never tried to organise collective resistance to the small groups of special agents who came at night to arrest them; why they never tried to fight back knowing they had nothing to lose? He concludes that people did not love freedom enough, and that they did not understand the gravity of the situation. He describes a workers' meeting in 1921, when an opposition leader tried to explain to the workers why they needed a trade union to protect them from the administration they were indifferent and

could not understand why they needed rights and protection; when another speaker said they were lazy and demanded more dedication, sacrifice, self-restraint and military subordination to the plant's administration, this was met with excitement and applause from the audience (Solzhenitsyn, 1973). If Solzhenitsyn is right, everyone made their choice and a contribution to the institutions of order and control; they fully deserve what they have created. It is hard to deny this regime inflicted a lot of pain and suffering on its people, intervened in their lives and restricted their freedoms to an extent deemed absolutely unacceptable from a contemporary western liberal point of view. And yet, some would argue, it has given a vision of a future, a sense of belonging, security and justice to many, for whom freedom may always have been an abstract notion while belonging to this nation may have been worthwhile making sacrifices for it. But more recent events like Chechnya and Beslan keep reminding us of the difficult questions: who are they (the police) accountable to and who do they protect?

Today, contradictory interpretations of Soviet history and contemporary Ukraine continue to divide the country and aggravate tensions in its uneasy and conflicting relationship with Russia. The underpinning tensions are about the role of the Soviet system on the one hand and Ukrainian nationalism on the other. They are about building an autonomous Ukrainian state with its own distinct identity, liberated from the grip of the powerful eastern neighbour, on the one hand, and about strengthening the links between the former Soviet states, with Russia resuming the leading role in these relationships, on the other. The security institutions, the police being one of them, find themselves caught up in the ideological and political battles which inevitably raise questions about whose side they are on and who it is that they protect: questions never asked in the past. Whatever the answers, the lives of everyone in the new Ukraine will be affected by how questions about the role of the police and their relation to citizens are approached and resolved.

It is impossible to understand these processes without taking into account the role of Western aid. The 1990s saw a massive flow of assistance to both market and democracy building efforts in the former Soviet states. Assistance to the reforms to police institutions came under the various rubrics of the rule-of-law, democracy, and human rights, often grouped together. Training and exchange programmes were organised and teams of advisors and consultants travelled to Kiev. In the late 1990s the UK's Foreign and Commonwealth Office (FCO) launched a programme of assistance to train the Ukrainian police in human rights and community policing. This is when a team of academics from Ukraine and the UK came up with the idea of piloting a model of community policing in K. As the project came to an end it was perceived as a path-breaking initiative but the expectations that the lessons would be broadly disseminated and would lead to changes in existing practices of law enforcement were never met. This thesis revisits this experiment in policy transfer in order to understand its genesis, context and impact, and is aimed at contributing to understanding the broader issues of community policing export and its role in reforming post-Soviet policing.

Criminal justice 'transfers' is a topic that has in the past attracted the attention of many scholars, but it is recognised that more studies could help shed additional light on how criminal justice and crime control 'travels'. One sphere of interest within this conceptual field is 'unfinished', 'incomplete' or 'failed' experiments in criminal justice transfers. Drawing lessons from such failures may be at least as instructive as learning from 'best practice'. Among the questions to be asked are: was it an implausible idea? Was it poorly implemented? Perhaps more important is to understand the politics of transfer, the interests behind specific decisions and the powers that play a decisive role, as well as the issues of culture and meaning, what 'order' and 'crime' mean in a particular society or place.

One might ask what are the benefits of revisiting past research in policy transfer? This 'revisiting' might have several benefits: it 'looks back' and tries to reflect on some issues and questions that may have been asked or emerged in the original research but could not for various reasons be addressed; it can look at what 'happened after' and how the events that followed spoke about the impact of the project; it can also look at the broader context and examine its links with the events of the project. Overall, this revisiting presents an opportunity to place such a local event within a broader spatial and temporal framework, highlighting its links to the broader processes and phenomena of crime and justice and more fully appreciating its meaning as a part of this bigger picture.

The thesis has the following structure: Chapter 1 reviews the literature on community policing, policy transfer and the challenges of reforming post-Soviet policing in Ukraine, highlighting the theories and meanings of community policing in advanced liberal democracies, theories of transfer, and the Soviet legacies and post-Soviet processes of police reform. All of these analyses address the issues of power and control and how these forces manifest themselves in the politics of governance of policing and crime control. These insights from theory serve as a lens through which to revisit the K project. Chapter 2 provides details of the methodology, starting with a brief description of the K project, specifying the aim and objectives of the thesis, explaining the choice of methods of data collection, processing and analysis, as well as addressing the ethical aspects of the research. Chapter 3 looks at the origins and actors of the transfer, examining in detail why particular actors were involved, and how this configuration of actors, interests and rationales impacted upon the outcomes of the K project. Chapter 4 takes a closer look at the research strategy that was adopted by the K project, highlighting some of the difficulties and problematic aspects of this strategy and how it affected the capacity of the project to make an impact. Chapters 5 and 6 examine the processes and difficulties of implementation. Chapter 5 looks at the problems and obstacles encountered by the research

team in its attempts to reorganise the police, and reflects on some broader issues of police reform in Ukraine, focusing particularly on corruption and 'state capture'. Chapter 6 examines the issues of public engagement in policing in Ukraine, why it might be difficult to convince people to engage, and what are the implications of public engagement in policing and crime control. Finally, the conclusion outlines the contributions the thesis makes to existing transnational policing research, to furthering a critical understanding of evaluation research, to discourses on international policy transfer, to critical understandings of building and maintaining a civil society in post-Soviet satellites, and to critical understandings of 'rights consciousnesses' in post-Soviet satellites, and makes some suggestions for further research.

Chapter 1 Transferring community policing and the challenges of police reform in Ukraine: a review of the literature

This thesis is aimed at exploring the challenges of transferring community policing from the UK to Ukraine. In order to explore these issues, the following questions are asked: what motivates and drives the import of ‘community policing’ and what difficulties and dilemmas do such efforts face with? The review starts by exploring the literature discussing a range of meanings of community policing – how it imagines the transformation and structuring of police-public relations, and discussions of the dilemmas and difficulties such ideas face in practice in the UK. The review then goes on to look into the questions and challenges of policy transfer, and the role of expertise and evidence in the policymaking processes. Then the review shifts to the issues of Ukrainian policing, exploring the literature that highlights how Ukrainian and British policing might be different. The questions to answer include: what inspired the transfer? What was seen as worth borrowing and exporting? How big are the differences and hence how feasible were the ideas of the transfer? Finally, the review looks at the literature on Soviet policing legacies and the challenges of transforming police-public relations in Ukraine.

The meanings of community policing

Public relations: trust, accountability and consultation

Establishing local accountability of the police via consultation at community meetings was one of the aims of the K project. But what was the original meaning of consultation and what problems was it faced with? In the US and UK, the meaning of consultation stemmed from the attempts to prevent rioting and confrontations between the police and the public.

During the 1970s in the US community consultation was seen as a way to prevent civil disturbances and provide an alternative to conventional harsh responses to rioting (Fielding, 1985). Trojanowicz (the founder of the National Centre for Community Policing at Michigan State University) thought it was possible to prevent disturbances in Michigan thanks to the unique relationships of trust and accountability between foot patrol officers and local people (Trojanowicz, 1989 p.19). Similarly, in Britain, community policing was a response to the perceived problems of relations between the police and minority ethnic communities in inner-city areas (Hughes, 2002c p.25; Jones, 2003 p.609; Stenson, 1993). Following the Brixton riots the Scarman Report recommended establishing local consultative committees to improve trust and understanding between the police and the local community. Consensual policing based around closer relationship between police and public was advocated by John Alderson, the Chief Constable of Devon and Cornwall (Crawford, 1997 p.46; Alderson, 1979; 1998 pp.131-2).

Critics identified a number of problems of accountability through community consultation. It has been noted that the police find it difficult to engage the wider community in consultation, support and participation in community policing (Skogan, 1994; McElroy, 1998; Sarre, 1997). In practice the accent is often on mobilisation, without the consultation, adaptation or problem-solving (Bayley, 1994). The two key issues with community policing, for Marx, are, first, 'what constitutes a community', and second, 'how to resolve tensions between professionalism/expertise and democratic participation and the danger of police being captured by a given segment of a diverse community' (Marx, 1999)? Resolving these issues is associated with a danger that community policing is co-opted by powerful groups at the expense of the interests of minorities, individual rights or other communities (Marx, *ibid.*; Bayley, 1997a), and 'becomes an instrument whereby authoritarian regimes mobilize and monitor populations' (Bayley, 1997a p.5). Community policing it is argued tends to favour better-off institutions and individuals, is

only able to mobilise a minority, subsequently imposing its standards on the rest, creates opportunities for the police to intervene in the private life of individuals, and tends to underrepresent the interests of marginalised and unorganized populations (Bayley and Shearing, 1996 p.603; Brogden and Nijhar, 2005). The key problem of this model of consultation and accountability is that it bypasses conventional democratic channels, substituting them with a direct relationship between the police and the community (Brogden and Nijhar, *ibid.* pp.52-7; Loader 2006). The main normative dilemmas of community policing thus appear to be the balance between communal norms, values and identities on the one hand, and respect for wider societal standards of citizenship (Stenson, 1993:384-385) and police impartiality and fairness in application of the law on the other (Newburn, 2002 p.114; Wrights, 2002 p.137), as well as recognising conflict and diversity in communities (Crawford, *op. cit.*). For Lea, for the new forms of community governance to work, the problems of power, exclusion/fragmentation, inequality and conflict have to be resolved (Lea, 2002 p.188).

Similarly, it will be argued (chapters 4, 5 and 6) that similar problems and dilemmas of accountability and consultation emerged in Ukraine, in particular, the difficulty of engaging the community in consultation and of holding the police to account; but it will be also shown that Ukraine's unique Soviet legacies and its transitional processes add further complexity to these matters.

Responding to minor disorders and police discretion

Another key meaning of community policing is that the police should have broader discretion in its work in order to be able to respond to local problems and needs. The argument of the K project team was that the police in Ukraine should be given more independence from central command to be able to work with and respond to the concerns

of local residents. But police discretion is highly problematic in post-Soviet societies (as will be discussed in detail in chapter 5) because of endemic corruption and other Soviet legacies. But similar concerns have been raised in liberal democracies where the law plays arguably a greater regulatory and restraining role in regulating police conduct. Thus the research offers important lessons for developing similar models in Ukraine.

One of these concerns comes from research by Wilson and Kelling (1982) who drew attention to minor problems of neighbourhood disorder that previously were not considered by the police as part of their duty. According to them minor disorders can evolve into serious crime if left unattended. The police thus should begin to act in a preventative manner and respond to a range of situations of disorder and nuisance. This idea has been seen as the theoretical inspiration of so-called 'zero-tolerance' policing (Sullivan, 2001) and a punitive approach to law and order. In the US, Goldstein elaborated the idea of problem-oriented policing as an alternative to the ineffective professional model: the police rather than responding to calls for assistance should focus on identifying and solving problems that produce such calls making use of analysis and community resources (Goldstein, 1990). Similarly Torjanowicz and Bucqueroux saw community policing as a tactic allowing better responses to certain problems such as, for instance, drug-dealing (Fielding, *op. cit.*, Torjanowicz and Bucqueroux, 1989 p.1; Kemshall, 2003 p.115). The argument was that short-term interventions, removing one 'big' dealer would not eliminate dealing; instead, long-term presence in the community can achieve better results.

Critics such as Brogden and Nijhar (2005 pp.58-60) argue that central to the question of police discretion is the conservative-liberal clash – should the police be given more legal and extra-legal powers? The conservative view, they argue, is that the police should be able to go beyond their legal mandate if they are to deal with the causes of problems and

that in doing so they will be able to act in an appropriate, professional and fair manner. But from the liberal standpoint extended legal and extra-legal powers for the police are problematic. There is a higher probability of discrimination, arbitrariness and harassment when the law enhances low-level police discretion. When police act in a 'problem-solving' role they are no longer bound by the law or professional expertise, and engage in political processes where the law becomes simply 'an enabling device' and where they are more likely to divert resources to some particular groups.

Again, as will be argued particularly in chapter 5, police discretion is problematic in Ukraine for the same reasons it is in the UK and USA, but even more so because of Soviet legacies, such as the instrumental use of the law, arbitrariness and discrimination against marginal groups; lack of awareness of human rights; the pervasive character of police corruption and the 'captured state' in contemporary Ukraine.

Identifying risks, 'new penology', and community policing

Yet another meaning of community policing is that the police become 'risk-managers' in the community. With its emphasis on a proactive approach, prevention, targeting of offenders and techniques of surveillance, community policing becomes one of the technologies of risk management. Ericson and Haggerty (1997) see the assessment and management of risk to be the key activity of policing in late modernity. The police are now less concerned with the labelling of deviants and more with 'developing a risk-profile knowledge of individuals to ascertain and manage their place in institutions' (Ericson and Haggerty, 1997 p.18). For Trojanowicz, community policing was about gathering intelligence, identifying areas at risk and the level of threat in those areas, and enlisting the help of the law-abiding (Trojanowicz, 1989 p.16). Similarly, zero-tolerance policing has been concerned with gathering intelligence and profiling and targeting offenders (Bratton 1997; Dennis and Mallon 1997 in Kemshall 2003 p.122), while reassurance policing is

meant to target events that act as signals of risk for the public (Innes and Fielding 2002; Innes 2006).

More broadly, it is argued that actuarial justice and the application of the logic of risk assessment and management to crime and criminals, in combination with punitive rhetoric, policies and practice, are the key features of a 'new penology' (Feeley and Simon, 1992; 1994) or of crime control in advanced liberal democracies (Stenson and Edwards, 2001 p.72, Stenson, 2001; O'Malley, 2001; 2000; Garland, 2001). The key concerns some commentators raise with regards to risk-oriented policing and 'law and order' rhetoric are about the anti-democratic and anti-liberal potential of such developments, and the question of how to achieve an equitable and appropriate provision of security in a 'risk society' (Ericson and Haggerty 1997; Crawford 2001; Kemshall, op. cit.). Ian Loader for instance observes the extension across Europe of a mix of policing networks, and the narratives about 'dangerous others' accompanying such developments (Loader, 2002). There is, however, significant resistance to risk-based policing (Kemshall, op. cit.).

The last part of this review notes research on post-communist societies highlighting similar concerns about the impact on policing of the new visibility and fear of crime and prioritisation of security, law and order. Chapter 6 of the thesis highlights dividing and excluding potential of such trends, the lack of vital public debate about what constitutes legitimate demands for protection, and about the ways the police and other providers of security should relate to citizens.

The market and community policing

Community policing is also viewed as a manifestation of broader changes in the relationships between the market and the sphere of crime control. Bayley and Shearing

observe that recent decades were marked by an increasing commercialisation of the sphere of security and crime control and the rise of mass private property (Bayley & Shearing, 1996 p.585). The increasing impact of market processes and logic on security governance leads to security becoming commodified (Loader 1999); it has become a commodity that is bought and sold in the market place (Wood and Shearing 2007 p.18).

The rhetoric of service for citizens is transformed now into the rhetoric of a service to the consumer (Stenson, 1993 p.383; Clarke et al, 2007). Thus from a provider of governmental services the police turn into those who deliver such goods to customers. Clarke et al. (2007 p.56), explore various perspectives on citizens-consumers and draw attention to how policing is represented in new ways – it is described as a responsive ‘customer friendly’ or ‘consumer oriented’ service. From this perspective community policing was one of the responses to ‘the insatiable demand for “bobbies on the beat”’ (ibid. p.57). The transformation of policing has also been characterised as ‘commodification’ (Newburn 2001). These processes of commodification of policing and security are analysed by Loader (1999) who argues that the commodification of policing and security can be theorised and investigated in terms of the spread of consumer culture. Consumerism argues Loader had its impact upon lay sensibilities towards policing. The result is a supposed ‘consumer attitude’ – citizens behaving like consumers in the market.

Chapter 6 will look at the implications of the security ‘market’ on how security is distributed and space is regulated in Ukraine, as illustrated by Neighbourhood Watch and target hardening in K; the implications of the transformation of the police into a service for hire is also discussed, as well as indications of increasing public demand for security and policing. The implications of these trends will be discussed.

The roots of community policing in the UK can also be located within the late 1970s and 1980s shift from situational to social prevention and towards reliance on informal mechanisms of social control (Kemshall op. cit. p.115-116; Home Office 1984; Jones et al. 1994 p.58). Hughes argues that there was then a shift in the 1990s from 'crime prevention' to 'community safety' (Hughes, 2002c p.22). The distinctive features of this latter approach were its localised character, a broad focus on social problems beyond crime and disorder, and delivery via 'partnership' (Crawford, 1998). This shift in thinking importantly reflects the possibility to see the broader public as co-participants and contributors to crime control that resonates with the Soviet practices of engaging the population in crime control, and with the policy rhetoric in post-Soviet Ukraine about crime prevention, mobilisation of public effort to aid the police and partnerships, however the emphases in the latter case were somewhat different. These parallels and different emphases are noted in chapter 3, while the difficulty of developing partnerships in Ukraine is considered in chapter 5.

What constitutes a 'community' and social capital?

As noted earlier, the key issue in community policing is how 'community' is defined. It was also noted that there is a danger of the police being captured by a particular segment or stratum, and that generally it is powerful and better-off groups that are served better. These dangers should alert us to the rhetorical powers of the notion of 'community' and the meanings that are attached to it.

Critical criminologists draw attention to a range of versions of community – the 'disorganised', 'disadvantaged' and 'frightened' (Walklate 2001 p.317-318) are employed as 'instruments of governance'. 'Communities of sentiment' are being replaced by

'communities of risk' preoccupied with keeping out risks from their areas (Johnston 2000 p.67; Rose 2000 p.329 quoted in Lea, 2002 p.178). The more recent version of community policing - Neighbourhood Policing - emphasises the collective security and shared interests of residents living in the same local area (Innes 2005) and is aimed at improving public confidence in the police, perceptions and safety (Quinton and Morris, 2008). Its adoption of the term 'neighbourhood' signifies that 'people who live in the same area share intertwined fates in terms of their safety' (Innes 2005).

Such conceptualisations alert us to threats to social democratic values associated with certain conceptualisations of community. Etzioni advocates the community of 'incontestable' moral duties and responsibilities (Etzioni, 1995 p.20), but from the critical criminological perspective this is an authoritarian, moralistic and exclusive version of community (see for instance, Hughes, 1997; 2004a; 2004b; Little, 2002; Rose, 1999, Young, 1999 p.27). Carson (2004) is sceptical about the progressive capacity of the concept of 'community' and sees it as inherently differentiating, exclusionary, demonising, externalising and racialising.

Chapter 6 will discuss the potentially exclusive and punitive potential of the legacy of a collectivist ideology in Ukraine where 'collective' played a symbolic role similar to that of a 'moral community' and was an instrument to deal with problematic populations and to discipline children. The implications of the similarities will be considered.

A community is not only constructed as something that needs protection or has responsibilities, but also something with capacity. It is 'a vision of strong, active, and empowered communities - increasingly capable of doing things for themselves, defining the problems they face and then tackling them together' (Blunkett, 2003, p. 1). The notions of policing by and with the community are underpinned by the assumption that links of

trust and reciprocity between individuals and their collaboration with the formal agencies of control can further order and civility in democracies (Crawford 2008). These ideas are condensed in the concept of social capital developed by Putnam (2000 p.19) who defined it as 'social networks and the norms of reciprocity and trustworthiness' that arise from connections among individuals. It refers to the capacity and willingness of individuals to work together for common good (Samson et al 1997; Pino 2001).

In contrast, Bourdieu's concept of social capital focuses on agents in the social field and their reliance on a network of 'institutionalised relationships of mutual acquaintance and recognition' (Bourdieu and Wacquant 1992 p.119). As Crawford (2006, p.960) comments, this notion of social capital acknowledges that 'power relations generally are structured more by dominance and conflict than by virtue'. Bourdieu's notion seems more readily applicable to post-Soviet societies as it draws attention to 'clientelism', exclusive closely-knit networks of mutual support and perverse rules of communication and command that enable domination and control in the post-Soviet world (Ledeneva 2008; Karstedt 2003).

These contrasting conceptualisations of social capital raise questions about the nature of social links and the ways in which specific kinds of links between individuals impact upon social order and civility. Crawford (2006) questions the notion of social capital as an unambiguously universal human good. He argues that the lack of strong ties does not result in chaos or disorder, that strong ties and social networks do not equate with conformity and that social cohesion does not demand homogeneity. He reminds us of the 'dark side' of bonding social capital and goes on to argue that weak ties may be a preferable mechanism of fostering civility and social order.

The pervasiveness and power of the 'dark side' of bonding ties in the post-Soviet context is undeniable (and highlighted in chapter 5 where obstacles to police reform are discussed)

and its negative impact on police-public relations is recognised in this thesis. However, the question then arises as to whether an insistence on the dark side of 'bonding' capital might preclude the possibility to see some positive ways in which close ties can contribute to civility and order in this context. This argument draws on some sources that recognise that hybrids of communist and post-communist forms of exchange do not always sustain inequality and require careful empirical analysis to understand their impact (Ledeneva 2009; Polese 2008). In chapter 6, it is argued that although one needs to be aware of the 'dark side', bonding capital can also promote civility and human rights and in societies like Ukraine there are few alternatives to it.

A further way to interrogate social capital is to draw a distinction between formal civic engagement, networks of support, and neighbourhood attachment as proposed by Li et al. (2005). Such distinctions are illuminating in the post-Soviet context with its long history of a gap between citizens and the state and between formal participation in state-initiated organisational forms and informal networks of support (Zdravomyslova and Voronkov 2004). These issues are also discussed in chapter 6.

Democracy and community policing

Each of the meanings of community policing - a mechanism of local accountability, a discretionary policing, a risk management technology and a consumer service - exposes difficulties and dilemmas around the use and control of police powers in a democratic polity. The unique role of the police as 'the specialist repositories for the state's monopolisation of legitimate force in its territory' (Reiner 1994 p.721) means the powers they are given to maintain order and protect civil liberties can be abused at the expense of individual or collective rights (Jones 2008 p.695).

Some commentators have suggested that community policing was an expression of a democratic impulse, an effort to create more democratic police (Marx 1999) and presents opportunities to make policing more consistent with the principles of democracy (Forst 1999). Consent and accountability are defined as the core principles of community policing (Bennett 1994). And yet, as highlighted above, the discretionary powers of the police, the diversity of the 'publics', the emphasis on prevention of risk and on meeting consumer demands all create opportunities and incentives for abuses of police powers. As critics suggest, in practice community policing often operates in undemocratic ways (Brogden and Nijhar op. cit.; Bayley 2001).

This reflects a wider debate on what 'good policing' might look like, and the ongoing struggles to find appropriate ways to manage and control police powers. These issues acquired new urgency with the intensified international exchange of ideas, policies and practices, and with the emergence of new challenges of reforming the criminal justice systems of transitional and failed societies. There is now arguably a general consensus on the principles of democratic policing (Bayley *ibid.* p.76). Accountability, transparency, protection of human rights, the police being subject to the rule of law, and service orientation are typically identified as such principles (Marx, 1999; Trebilcock and Daniels 2008 p.110, Bayley 2001; Caparini and Marenin 2005). For Sherman (2001) the belief that the police adhere to these principles is the basis for public consent and the legitimation of policing in democracies.

This set of principles exposes certain characteristics of community policing problematic from the point of view of democracy. In the view of Pino and Wiatrowski (2006 p.89) community policing is less concerned than democratic policing with human rights, accountability to civil authority, legitimacy and transparency, the adherence to the rule of law, and the impartial service of the greater community, but more concerned with

responses to crime and fear of crime. Citizens are less engaged in decision-making – they identify problems, while the police make decisions and plans of action independently.

Ian Loader (2006 pp.205-209) goes further to argue that such strategies as community policing, broken windows and problem-oriented policing – what he calls ‘ambient police strategies’ - confuse ‘the questions of democratic governance with those of proximity, visibility, and unmediated responsiveness’. Therefore, in his view, they ‘radically misconstrue the contribution that policing institutions can make to security in democratic societies’. The symbolic role of the police should be, he argues, to sustain the individuals’ sense of secure belonging to a political community. The police that can contribute to democracy is, in his view, minimal, right-regarding police (ibid p.219), policing that is deep and narrow as opposed to shallow and wide (ibid. p.204). Instead, what ‘ambient policing’ strategies are trying to do is to increase police numbers and make them more visible, expansive and proactive (ibid. p.206). In his view, citizens’ claims for order and protection should be considered in common with democratic deliberation, where all citizens should be encouraged to engage. In contrast to Loader, Innes (2006) sees neighbourhood policing as the form democratic policing should take in the face of terrorist threats. Overt engagement with small communities which enables the flow of information from and to the community is, in his view, the best way in this context to prevent terrorism.

Thus the relationship between democracy and community policing remains a matter of debate but the question is obviously of key importance in this study examining a community policing transfer from an advanced to an emergent democracy. The discussion in chapters 4, 5, and 6 will highlight the practices and institutions in Ukraine that create obstacles to accountability and undermine the integrity of the police. It will also be discussed, how, in support of the argument put forward by Loader, community policing is not conducive to policing that is accountable, minimal and right-regarding. Chapter 4

questions whether community policing with its emphasis on crime prevention, targeting minor disorders and extended police discretion was the 'correct' model to contribute to a more democratic police in Ukraine.

Community policing as a 'governance' of crime

Linked to policing in democracies as discussed above, is the broader question about the ways in which power is exercised, and about the nature and legitimacy of power. Power in advanced democracies may be exercised by an array of non-political actors and operate in covert and apparently non-coercive ways but these ways may be detrimental to individual freedoms or may contribute to greater inequality and injustice. The question is then whether models like community policing, instead of opening the questions of police reform in post-communist societies to wider public debate, contribute to modes of control that are coercive, exploitative or promoting deeper inequality and exclusion? On the other hand, could technologies of governance operating in importer jurisdictions like Ukraine, subvert attempts to create a more accountable police?

These questions could be explored via the lenses of approaches to crime control as practices of government (Stenson 1993 p.378; Rose and Miller 1992; Sullivan 2001). Drawing upon the Foucauldian analysis of governmentality as the 'conduct of conduct' (Foucault 1991 p.103), governmentalities are seen as 'studies of a particular 'stratum' of knowing and acting...' (Rose 1999 p.19). The police are from this perspective concerned with the creation of 'citizens who are reflective and largely self-policing, behaving in ways which are broadly acceptable to a range of authorities' (Stenson 1993). Community policing 'goes beyond the control of troublesome behaviour towards concern with governing the soul of the citizen' (ibid. p.384).

For Rose, liberal rule is '*government at a distance*': these technologies of government are distanced 'constitutionally, in that they operate through the decisions and endeavours of non-political modes of authority' and they are distanced spatially, in that they 'link a multitude of experts in distant sites to the calculations of those at the centre' (Rose, 1999: 49-50). Garland and others argue that the state adopts '*a responsabilisation strategy*' (Garland 2001 p.124) attempting to pass the responsibility for crime control to the 'private sector' and communities (ibid. p.125; Rose 1996; Hughes and Gilling 2004 p.133). Members of the public are being persuaded that they are responsible for crime control by means of publicity campaigns, police interaction with local residents, and establishment of quasi-governmental organisations. The concept of governance thus draws attention to the power exercised by actors beyond the nation state (at both sub-national and supra/international levels) and to specific contexts within which it is exercised (Edwards and Hughes, 2005 p.346). This implies 'a new process of governing through negotiation, bargaining and other relationships of exchange rather than through command, coercion or normative appeals for support' (Edwards, 2005 p.189).

The concept of governance echoes conceptualisations of 'late modernity' in terms of fragmentation and pluralism (Pratt, 2002 p.174; Giddens 1990 and PI1992 quoted in Pratt, ibid). These terms are also used to describe changes in policing, along with commodification, multilateralization and privatisation (Crawford 2007; Loader 2000; Johnston and Shearing 2003; Bayley and Shearing 2001; Jones and Newburn 2006). The concept of nodal governance focuses on governing entities, their mentalities, institutions and practices (Shearing 2001; Johnston and Shearing 2003 p.147; Wood and Shearing 2007 p.27) that function as both governance auspices and providers of security. Crime and disorder reduction partnerships are an example of 'third order policing' where police can command private actors to assist in law-enforcement activities. But critics say that the concept over-emphasises the tendency of the state to lose its capacity to govern (Crawford

1997; Clarke 2004 p.115) and the specific symbolic role of the police among other governing entities (Crawford 2003 p.162; Crawford 2008; Loader and Walker 2007).

Chapters 5 and 6 will discuss the specific character and problems of multi-nodal governance in Ukraine – the challenges of corruption, the ‘captured state’ and a ‘competitive authoritarianism’. This will describe a mode of governance that combines informal rules and exchange with formal command and coercion. In doing so the thesis engages in debates about the state’s capacity to govern and whether this capacity in states like Ukraine might be exercised as Darden (2002) argues through the use of blackmail and graft. It will be argued that the lack of legitimacy of the police combined with some specific difficulties of transition makes the task of engaging citizens in community policing even more problematic.

Such studies thus enable critical deconstructions of specific conceptions of order and policy responses (Clarke 2004 p.113; Hughes and Edwards 2004 p.5) and draw attention to how ‘citizens’ are made up (Rose and Miller 1992 p.174, Clarke et al 2007). ‘Smooth narratives’ can be questioned as demonstrated by Edwards and Hughes (2008 p.59) whose research reveals how a dominant national state project to govern anti-social behaviour in the UK meets with contestation and resistance at the local level. There also remains an issue of the willingness and capacity of the citizens to govern themselves. As Clarke (2004, p.124) notes, ‘even ‘active’ communities – and their members – often fail to be the types of agents that the new governance seek’.

These perspectives coalesce with views that police-community relations should be seen as a site of ongoing political and discursive struggles over the definition and redefinition of these relations (Herbert 2007; Lyons 2002). Community policing then is an outcome of the construction of competing stories, which are both disciplinary and democratising; so its

meaning is contingent on the struggles to control 'resources for the power to say what policing is and who communities are' (Lyons *ibid.* p.4). This political nature of community policing also should alert us, as some commentators pointed out, that political evaluation is more important than technical although many studies tend to ignore its political content (Ferret 2004; Rabot 2004). Such analyses enable one to reveal the possible political implications of new methods of control, such as surveillance, which are seemingly less coercive but powerful (Marx 1988; Lyon 1994) and the consequences of such methods for democratic political order (Loader 2006).

Chapter 3 will discuss the politics of transfer of community policing – the 'actors' and their decisions to get involved, showing the role such decisions of unconnected actors play in the policy transfer processes. Chapters 3, 5 and 6 will also highlight how community policing evokes narratives about discipline, coercion, human rights and democratic accountability.

Police corruption and community policing

Community policing is supposed to enable the local community to hold their police to account for what they do and thus prevent malpractices. In practice this has proven to be difficult to achieve. The corruption and inefficiency of parish constables in the UK justified the establishment of the public police in 1829, while similar allegations directed at the new public police in the US justified the emergence of commercial policing in this country a century later (Crawford 1999; Johnston 1999). Thus while in the former case private practices of policing was seen as a cause of corruption, in the latter case it was the public police organisation.

Criminological research suggests that there are multiple 'causes' of corruption that are not easy to tackle; these include according to Newburn (2007 p.625) 'factors that are intrinsic to policing as a job; the nature of police organisations; the nature of 'police culture'; the opportunities for corruption presented by the 'political' and 'task' environments; and the nature and extent of the effort put into controlling corruption'. He goes on to say that although there is evidence that the police can be reformed, such reform is not durable.

In the UK, corruption scandals and miscarriages of justice of the 1960s, 1970s and 1980s demonstrated that the professional model was not a solution to the problem of police malpractice. These scandals revealed among other things what was termed in the Macpherson Report 'institutional racism' (Cox et al 1977; Phillips and Bowling 2003; Macpherson 1999) that was recognised in the latter as 'unintentional or unwitting discriminatory practice in the mode of operation of organisations' (Lea 2000 p.220). The beating of Rodney King in the US and the police investigation of the murder of Stephen Lawrence in the UK are often seen as the clearest examples of such malpractice (Loader 2006). Recent research by Talbot (2007) examines how institutional racism affects the way police regulate the night-time economy; but also how such views are mediated by class, gender and considerations of financial gain. Stereotypes against particular groups is a theme that is relevant in the Ukrainian context too, although there police brutality and corruption may be seen to have a more overt and mass-scale character. It is also important that the Ukrainians tend to see British policing as an example of good police practice. Recent research in Ukraine suggest that the police associate criminality with marginal groups who are also most likely 'victims' of torture and beatings because they are viewed by the police as those who do not know the law and are least likely to complain to other bodies (Sobolev et al 2005).

In her discussion of policing and professional ethics, Westmarland (2005) discusses how the unwritten rules of solidarity among the police ('the blue code of silence') affect their judgements of corruption. Brutality or covering up for a colleague's misconduct is considered more acceptable than acquisitive crime such as taking bribes. Beliefs and attitudes (such as, for instance, associating ethnicity and class with criminality) shape discretionary decision making by the officers and this is one of the reasons why police culture has become a focus of attention (Westmarland 2008). From this point of view, one needs to understand the values, beliefs and politics that shape the use and abuse of police power and discretion and various forms of misconduct.

Recent studies suggest that community policing might encounter a problem when the officer is inclined to misuse this discretion for private gain, or in order to achieve better performance figures, but also when they do not know what is expected of them or do not value the kind of discretion they are given. Misuse of discretion is one of the arguments in the critical analysis of community policing by Brogden and Nijhar (2005). Skogan (2008) criticises the reliance of community policing on discretion because it meets with resistance at all levels of police hierarchy including the rank and file who are unwilling to take on new responsibilities on top of the old ones. In his experience when officers are expected to do extra-hours of community policing they have no idea how to do it and nobody has to do it. Police misconduct can also present obstacles for reform (ibid).

Recent research from Croatia highlighted that this post-communist state encountered similar problems: there was a persistent resistance to the idea of community policing at the lower levels of police hierarchy, although they also observed a somewhat weakening of the 'code of silence' and thus drew a more optimistic picture of police integrity (Kutnjak Ivkovic 2009). This will be discussed in Chapter 5 which will compare research on corruption from the UK with evidence from Ukraine and discuss what this comparison

suggests about similarities and differences. This chapter will also discuss the attitude and conduct of the police towards marginal groups.

Policy transfer

Transfer and lesson-drawing

In this and the following three sections the focus will be on the literature conceptualising the notions of transfer and travel of policies across jurisdictions and the driving forces behind these processes. These discussions are meant to provide a theoretical framework for exploring the politics underpinning the K project, as well as to highlight a context within which the transfer took place. Indeed, it has been argued that an international trade in ideas, policies and practices of crime control has developed in the recent decades (Hughes, McLaughlin and Muncie 2002; Stenson and Edwards, 2004 p.211). Central and Eastern Europe in particular has become in the last thirty years the region where the intensified movement of ideas, institutional blueprints, discourses and knowledge was evident (Lendvai and Stubbs 2007 p.10). A good example - community policing was massively exported to transitional and failed societies (Brogden and Nijhar 2005). While undoubtedly such transfers were often driven by the desire to help by bringing 'good practices', one should also be aware of the wider context and interplay of various interests and influences in this policing export. According to Bayley (1997b), the national interests of foreign donors are one of the reasons why security becomes more important than democratic police reform for emerging democracies.

There are a range of conceptualisations of dynamic aspects of policy which differ in their emphasis on rationality and voluntariness of the policy actors and their action, and whether or not change is a consequence of rational action or structural factors. Policy transfer

literature (Dolowitz and Marsh 1996) focuses on an understanding of the process of movement of policies and practices from exporter to importer jurisdictions, with the primary focus on policy actors. The key questions are about how decisions are made about transfer and what happens in the process: who are the agents, why and when they engage in transfer, what is transferred, from where lessons are drawn, and what are the opportunities or constraints to transfer? Some of these questions, particularly the question of 'who' and 'why transfer', are considered in Chapter 3.

Policy transfer perspectives, argues Hulme (2005), have a capacity to shed light on the strategic motivations of actors, in contrast to earlier conceptualisations that theorised policy as a rational process in which actors pursue clear goals in the course of solving problems. On the other hand the 'lesson learning' metaphor might not be that illuminating. A number of observers used this metaphor to diagnose the failures of assistance to post-Soviet states in terms of a 'lack of lesson learning' (Channell 2005, Checkel 2001, Bayley, 2005 p.209). One might ask though how much do we learn about policy processes in these states by applying this perspective?

Voluntariness and coercion are important themes in the transfer literature. Some theorists ask whether a requirement to conform to international standards amounts to coercion (Dolowitz et al. 2000). This might be an important question to ask regarding reforms in a country like Ukraine. Certainly in Ukraine certain decisions were made under considerable international and domestic pressure; an example is the abolition of the death penalty in 2000 (Checkel, 2001 p.3). While this could be seen as a positive development, it has been suggested that often the rule of law aid agenda is driven by responses to external needs and pressures rather than being internally driven/owned by the recipients (Channel, 2005). Could EU conditionality agreements or schemes like the FCO's Programme of Assistance to Stability with In-Service Training (ASSIST) constitute relations of dependency? A

number of authors have suggested assistance promoted vertical relationships of dependence between the donors and the local civil society agencies (Henderson 2003; Fagan 2006). Others are concerned with how foreign aid treats NGOs as a depoliticised technical tool thus depriving the respective societies of sustaining civil society as an independent space of free debate and contestation (Pishchikova 2004, Fagan op. cit. p.132). This problematic nature of relations between NGOs and the funders is considered in Chapter 3. It could be argued that Ukraine was to some extent compelled to implement reforms. For example, Kubicek argues that 'membership in this exclusive "club" would be proof of Ukrainian success in the post-Soviet period' (Kubicek, 2003c p.157). However, the explanatory capacity of 'coercive transfer' is limited in the Ukrainian case, as they were never offered the prospect of EU membership. Foreign Minister Anatoly Zlenko stated unambiguously that '...it is impossible for Ukraine to take part in relevant European programs and strategies without some forthcoming gestures from the EU' (Zlenko 2002 in Kobzar 2006 p.15) and argued that candidate states were able to embark on large-scale reforms only after they were given a promise of future membership (ibid).

Convergence, divergence and local context

The diffusion literature (Radaelli 2000; Freeman and Tester 1996) on the other hand is primarily interested in the patterns according to which policies or practices spread. It implies gradual, incremental change - spreading, dispersion and dissemination of ideas or practices from a common source (Stone 2001). Its main concern is then with the process and the conditions rather than the content of policies (Freeman 1999). These studies tend to disregard the political dynamics involved (Stone op. cit.). While the notions of transfer and lesson-drawing imply a rational actor, 'diffusion' and 'convergence' place an emphasis on structural forces or conditions of change.

There are a number of highly authoritative and influential accounts of recent changes in criminal justice systems in advanced liberal democracies that suggest convergence, or the emergence of increasingly similar punitive, managerialist and actuarial trends. The examples include 'the culture of control' (Garland 2001), 'the new penal common sense' (Wacquant 2001), and 'new penology' (Feeley and Simon 1992). These accounts raise questions about the channels of influence and propagation (Newburn and Sparks, 2004 p.8) that enable the spread of vocabularies and rhetorics. Newburn and Sparks also draw attention to the capacity of criminological ideas, narratives, rhetorics and metaphors to profoundly influence policy makers and practitioners (ibid). However, such broad accounts tend to draw attention to convergence and uniformity rather than divergence (Newburn and Sparks 2004; Armstrong and McAra 2006). Chapters 5 and 6 of this thesis discuss several aspects of policing and public engagement in Ukraine that might support the convergence perspective, such as increasing promotion and consumption of private security.

Melossi (2008) focuses on the role of national history and culture and how this shapes punishment and control in different societies in diverse ways. Similarly, for Nelken (Nelken 2002 in Newburn and Sparks 2004 p.11) penalty is a matter of cultural meaning. This approach is more focused on divergence and difference (Armstrong and McAra, 2006 p.7). The crucial question, as Newburn and Sparks (2004 p.9) argue, is 'how different are the ways in which ostensibly similar vocabularies are taken up and applied in the distinct settings they encounter?' A recent empirical study by Jones and Newburn (2007) of crime control policy import from the USA suggested difficulties in adopting a 'zero tolerance' philosophy in the UK. Similarly, chapters 5 and 6 of this thesis discuss unique Soviet legacies such as collectivism and the memory of Soviet repression and how they impact upon the interpretation of community policing.

The concept of governance that was examined in the first section of this chapter and the notion of networks tend to draw scholarly attention to local contextual differences, histories and traditions, resistance and contestation and local political agendas and strategies (Muncie 2004; Edwards and Hughes 2005; 2008). It was noticed that local contexts have a capacity to change the shape and fate of 'imports' (Newburn and Sparks 2004; Karstedt 2004) and that a crude adoption of the 'new architecture of crime control' ignores local conditions and is therefore unlikely to succeed (Hughes 2002). This argument can be supported with evidence from studies of attempts to transfer community policing to the countries of Eastern Europe and the former Soviet Union. Despite the widespread enthusiasm of both the recipients and donors in promoting the model there was little evidence of success (Haberfeld et al 2002; Abraham 2001; Wright, 2001 p.169; Brogden 1999 p.178, Brogden and Nijhar 2005). Bayley (2006) argued that foreign assistance to reform the police only has a slight impact on democratic government. A number of commentators attributed the lack of success to the features of the historical, social, and political context in the former communist states that militated against community policing. However in chapters 5 and 6, the local context is discussed in a somewhat different way – not simply in terms of 'obstacles' but in terms of how community policing adopts local narratives, or merges with them to produce disciplining and coercive practices – which highlights the nature of community policing itself.

Policy flows and translation

The metaphor of *policy flows* – 'space of flows and space of places' (Castells 2000 p.14) also represents a significant shift in how social science understands the process of policy making. The emerging *translation* perspective replaces a notion of international all-powerful actors with a more complex understanding of interaction within and between supranational and national actors. In this tradition, ethnographic accounts of policy change

processes emphasise policy mediation, dialogue, translation, compromise and resistance (Lendvai and Stubbs 2007 pp.2-3). Essentially, policy is understood as a meaning-making process. Theorists of translation also adopt the metaphor of policy flows; policy is made of words and texts and the movement of these is called translation (Freeman in Lendvai and Stubbs 2007 p.8). This interpretivist perspective draws attention to making sense of how actors make sense of what others say and do (ibid).

As a tool of analysis of the flow of ideas and policies to post-Soviet societies the concept of translation is illuminating. Lendvai and Stubbs (2007 p.23), using the framework of translation and also drawing upon their experiences in Eastern Europe, illustrated the complexity of the processes involved in a dialogue between different policy frameworks of the donor and the recipient. In chapters 3, 5 and 6 the thesis highlights the struggles of making sense of imported ideas and sometimes unexpected difficulties certain meanings encounter. The utility of the 'translation' frameworks is also demonstrated by the study by Janine Wedel (2005) of technical assistance to the countries of central and eastern Europe and the former Soviet Union. Her study focuses on the relationships that were formed between the donor and the recipient that she calls 'transactorship'. Wedel's study illuminates the role of transnational NGOs; the importance and power of informal networks and communication, and how the relationships and communication between recipients and donors are organised. Chapter 3 of this thesis highlights some tensions and inequalities in the relations between the funders, the project team and the local participants. But chapter 6 also suggests, somewhat in contrast to Wedel, that her perspective on donor-recipient relations in post-Soviet societies might create a mistaken impression that this is the dominant type of donor-recipient relations and thus overlook the importance of the recipients' own agency, perspectives and potential impact.

The phenomenon of mass import of criminological ideas, policies and practices to societies in transition requires one to understand the new realities of governance where various kinds of knowledge, expertise and actors connect, converge and confront each other in a variety of ways in different places and contexts. A 'geo-historical' approach to comparative analysis attempts to capture such realities of 'governance' and 'governable spaces' (Edwards and Hughes, 2005). This approach draws upon a critical realist acknowledgement of the relation of meanings to material circumstances (Sayer 2000 in *ibid* p.350) and thus recognises the significance of local histories and of specific contexts of control. At the same time, it enables comparisons because it recognises the necessary relations of governing such as relations of power dependence. The community policing experiment in K presents an opportunity to explore the specific meanings of control which emerged from the transfer in a specific power-dependence context in Ukraine. This enables the researcher to discuss specific features of governance in Ukraine and recognise them as context-specific ways of exercising power. For example, chapter 5 discusses how governance is exercised through corruption and blackmail that can be identified as specific resources that governors in Ukraine rely on. But this also enables one to examine the encounters between these local contexts of governance and imported technologies and expertise like community policing.

Criminological expertise is one of the factors in the process of governance, a resource that can enhance the regulatory capacity of central governments or local actors (Edwards and Hughes 2005). Criminological imports are enabled when expertise is developed in particular jurisdictions while there is a lack of it in others; this raises questions about the routes, the actors involved, the synergies and networks this exchange enables. How these influences manifested themselves within the K project is discussed in chapter 3.

In this sense, the UK capacity to export its expertise should be seen as a result of the trend towards greater influence and prominence of the scientific rationalist approach to knowledge production and of the proliferation of 'evidence-led' policy in political thinking leading to a massive increase in government-funded evaluation research (Armstrong and McAra 2006). Evidence-based policies and the rise to prominence of policy-oriented research in the UK raises questions about the ways such approaches affect criminological imports.

The expansion of evaluation research often relying on experimental and quasi-experimental design has stimulated debates in the UK about what constitutes evidence, how this evidence base is developed and how it can be improved. But the gradual shift towards user-led approaches and a paradigm shift in social sciences has subjected experimental methods to criticism (Newburn 2007). Recognition of the failure of quasi-experimental evaluations to produce transferable knowledge of 'what works' led Pawson and Tilley to develop an alternative, theory-driven approach they call realistic evaluation that emphasises the importance of understanding the process of how programmes work through a specific configuration of context, mechanism and outcomes (Pawson and Tilley 1997). The thesis explores, in chapters 3 and 4, the influences of scientific rationalism and evidence-based thinking in the K project. More specifically, chapter 4 discusses whether or not the project followed, as it claimed, the 'realistic evaluation' design.

Reforming the Ukrainian police: inspirations?

The Communist and the Anglo-Saxon models of policing

In revisiting policy transfer, comparison between the two jurisdictions is key to answering the following questions: what justifies the transfer, which features of the exporter system does the recipient want to import? Also, what features of policing (and society more broadly) in the importer jurisdiction can act as obstacles to the transfer?

There are currently very few sources that provide a comprehensive account of Soviet/post-Soviet policing systems. Shelley (1996) is probably the best source on Soviet police, and Solomon (1981; 1992; 1996) on the Soviet criminal justice system and policy. Foglesong and Solomon (2001) provided a comprehensive analysis of crime, criminology and criminal justice in post-Soviet Ukraine. Others have written on the processes of post-Soviet policing (Shelley 1999; Gilinski 2005; Galeotti 1993; 2006; Uildriks and van Reenen 2003; Robertson 2005; Beck 2005). Robertson (2005) provides a review and comparative analysis of two British research projects on the policies and practices of local police forces in two former Soviet states: Russia and Ukraine². In addition, Bayley (1985; 1990) and Mawby (1999) draw comparisons between Communist and other systems. Such comparative analyses (beyond the Anglophone world) are scarce, for a number of reasons, not least the scarcity of data on policing and problems of measurement – data, definition, expert fallibility and methods are the main difficulties in international police research (Mawby, 1999). Definitions are also problematic. For example, the extent of centralisation of policing in England is contentious. The other difficulty is the ‘impossibility of becoming an expert on everywhere’ (ibid p.17).

² The Ukrainian project referred to in Robertson’s paper is the project that is revisited in this thesis.

According to Shelley (1996) Communist police differ markedly from the Anglo-Saxon model in two crucial respects: sources of legitimacy and functions. While the Communist police derived their legitimacy from the Communist party, the Anglo-Saxon police derived it from local government and the law. Secondly, in contrast to the Anglo-Saxon model that focused mainly on crime control and performed some welfare role the Communist police carried a broader range of functions that included political and administrative control. Another contrast was the degree of centralisation – the Anglo-Saxon police was known as a decentralised model (although in recent decades this became more contentious) while the Soviet/post-Soviet was known as a hierarchical centralised system.

Similarly Mawby (2008) emphasises the localised decentralised character of the police in England and Wales, the law and public consent as sources of its legitimacy, its primary focus on crime control, and the symbolic importance of its welfare role. However he also notes that although this model was decentralised, the police were not accountable to local communities but to local elites, that they were engaged in politics and played a role in preserving the status quo, and that the influence of the central government has recently risen. Nonetheless public consent remains important in England and Wales and there are possibilities for local actors and the public to have their say.

But how much do these different histories and models matter in terms of the transfer of community policing from Britain to post-Soviet societies? As discussed above, community policing has more than one meaning. This combination of ideas developed as a result of shifts in thinking about policing and control and in response to certain problems and challenges of crime control in Britain and the USA in the 20th century. But it also draws upon certain visions of the history of policing; in the expression of Brogden and Nijhar it is a 'historically legitimated model for export' (Brogden and Nijhar 2005 p.4). As they and others argue, it is premised on the acceptance of a number of myths (Brogden and Nijhar

2005; Emsley 2007). Central to this is the imagery of the British 'bobby on the beat', in the mid 20th century represented by the TV character, Dixon of Dock Green (McLaughlin 2007; Emsley 2009). This imagery of an unarmed, fair and impartial local officer stands in sharp contrast with a military, overtly political and state-centred style policing 'from above'. After the collapse of the Communist regimes, in the context of the crisis and loss of legitimacy of the central state, and the often wholesale purchase of neo-liberal ideas, this localised, de-centralised model of policing appealed to the post-communist societies and was portrayed as 'the only alternative' to the repressive policing of the communist past (Brogden and Nijhar 2005 p.13).

Difficulties of comparing and contrasting

There is a danger in overemphasising differences and specific character of each police system, and as Emsley (2008 p.73) argues 'the British insistence ...that their police were different from those on continental Europe ... can probably best be explained by ignorance, prejudice or the combination of the two'. At one extreme, there is the image of the Soviet policeman little restrained by the law and empowered to control a wide range of behaviour including, in addition to crime, political dissent and mobility of the population (Shelley 1996). At the other end, there is the image of an unarmed British police officer (Emsley 2009), relatively more restrained by the law and with relatively limited powers of control, the agency whose image is periodically undermined by corruption scandals and miscarriages of justice, but one that can still draw upon fairly high levels of public confidence and support (Thorpe 2008; Loader and Mulcahy 2003). However between such extremes there lies a wide terrain where differences and degrees of such differences are not so obvious and comparisons are more problematic.

A closer look at some of the sources on the Soviet police reveals important disagreements. One unclear point is the degree of control that the Soviet police actually exercised over the population. For instance, scholars argue that the police were characterised by a broad mandate to control all people and types of behaviour (Shelley 1996 p.59, Gilinski 2000 p.174) and that this regime was based on fear and repression (Los 2002; Uildriks and van Reenen 2003 p.1). However Galeotti (1997) suggested that the USSR may have been an 'under-policed' rather than an 'over-policed' society because police's efforts were concentrated not on control of crime but on political control. Shelley (1996 p.48) also offers internally contradictory account of the presence of the police officers in the community, arguing first, that they had a pervasive presence in the community during late Soviet period but then saying (ibid, pp.113-115) that patrols often could not reach their assigned communities and that they were disproportionately concentrated in Moscow and in few other large cities while scarce in other locales.

Another question is the role of discipline and formal structures in regulating the police. On the one hand scholars argue that the police were based on military discipline and hierarchy and managed via plans and targets set centrally (Uildriks and van Reenen 2003). On the other hand, despite this military discipline and organisation, scholars also argue that the police were a corrupt, inefficient, under-funded, and therefore largely inefficient mechanism for social control (Caparini and Marenin, 2004 p.54). Scholars also point out the role of informal relations and of the internal procedures of party discipline in the exercise of justice (Galeotti, 1993 p.771; Ledeneva 1998). Similarly, there are different opinions on the extent of coercion and alienation in relations with the public. These relations are described by Shelley in terms of suspicion, lack of trust and lack of police responsiveness (Shelley, 1996). On the other hand, Favarel-Garrigues and Le Huerou (2004 p.14) suggest that there were several auspices of policing (which included citizens and regional political leaders) and that some providers of policing (such as patrols, local

policemen and racketeers) may have occasionally acted on behalf of individuals or groups of citizens. Galeotti (1997) makes a similar comment about the role of beat officers. It is also important to note that disregard for the law does not mean the lack of knowledge or inability to apply the law. On the contrary, good knowledge of the law was required, and according to Shelley (1996), some officers were interested only in applying the law not using their discretion. The importance of the letter of the law in the contemporary practices of manipulation of the law is also noted (Ledeneva 2008). It is also notable that not only distinctive features but occasionally similarities between Soviet and western crime control policies are observed; for instance, Shelley (1996) observes the similarity between the 'war on drugs' (America) and the USSR policies against black marketeering, parasitism and home-brewing.

Perhaps more importantly, little is known today about the use of power by the police in Ukraine in comparison to other jurisdictions. In England and Wales, police powers seem to be under relatively greater scrutiny and subject to greater control by domestic and international norms, but the actual extent of misuse of power is unknown because of its hidden nature (Sanders and Young 2008; Westmarland 2008; Talbot 2007). Police malpractice and practice generally are not very visible, and for instance studies of police use of force until recently even in the USA were not carried out systematically and in Latin America, Germany and the Netherlands research is fraught with difficulties of definition and differences in interpretation (Stenning et al 2009). Even less is known about the police misuse of powers in Ukraine which is characterised according to Amnesty International by 'a climate of impunity' (Amnesty International 2005 p.28). There is some evidence suggesting systematic use of torture in Ukraine (Amnesty 2005; Sobolev et al 2005) while for instance research in England and Wales suggests that torture is not routinely used/common tactic (Sanders and Young 2008). Furthermore, some sources point to dependent and biased courts and lawyers in Ukraine (Amnesty 2005; Foglesong and

Solomon 2001) and the difficulty of obtaining information from the Ministry of Internal Affairs about prosecutions, convictions and complaints against their employees (Amnesty International 2005). On the other hand, in England and Wales, lawyers and courts are arguably relatively independent and unbiased (Sanders and Young 2008); the defendants have access to a lawyer as a matter of course; also complaints data are publicly available; and there are such institutions as the IPCC, which is not the case in Ukraine. Still, the complaints system 'fails all due process tests' (Sanders and Young, 2008 p.303). The lack of independence of the investigating body seems to be a problem both in Ukraine (Amnesty International 2005) and England and Wales (Sanders and Young 2008).

However, when drawing comparisons of this sort, the extent of police malpractice and factors contributing to it or constraining it might be just one of the questions. One might also ask more difficult questions about differences and similarities in the nature of police-public encounters that manifest themselves in violence and confrontation, and in police behaviour that comes to be seen as misconduct or a misuse of powers. How, for example, can the relationships between the police and the public in the former Soviet societies be compared and contrasted with confrontational police-public encounters in Northern Ireland in the second half of the 20th century? As Westmarland (2008 p.277) argues there are differences in how the police and others think of their work in different countries and the idea of a single police culture is now untenable. But this undoubtedly presents a difficulty for comparison. This highlights difficulties of research drawing systematic comparisons of police misuse of powers across jurisdictions.

Clearly, when differences are unclear in some important respects such as the use and misuse of powers, the value of transfer of models and practices can also be questioned. This thesis will discuss the issues of misuse of power and corruption in the Ukrainian police with these difficulties of comparison and local interpretation in mind. This is not to

deny the importance of highlighting the practices of misuse and conditions conducive to the impunity of the police. Rather, it is to highlight the need for further research and a more robust comparison that would expose such practices to greater criticism and debate.

Trends and continuities in policing

Criminologists are divided on the extent to which contemporary policing displays signs of continuity or change. Bayley and Shearing describe the demise of a public/police monopoly and the increase in other modes of policing as a radical transformation (Bayley and Shearing 1996 p.585), while Jones and Newburn (2002) argue that a public monopoly in policing never existed. Zedner (2005 p.2) in her turn argues that current trends in policing in Britain suggest links with 'an earlier era before 'the police''. Individual responsibility, communal self-help and private provision of policing all existed in the past. Similarly, others (Pratt, 2000 and Simon 1999 in Zedner 2005) found parallels between the modern forms of penalty and the past. While it has been noted that there are variations in the nature and extent of both policing and the police between different countries (Mawby op. cit.) some scholars argue that the contemporary patterns of police 'have tended to converge increasingly around fundamentally similar organizational and cultural lines' (Reiner, 1994 p.720).

As will be suggested later in this thesis, community policing in Ukraine can also be viewed as a return to the earlier (Soviet) forms of communal policing and crime control. The processes of re-working of old ideologies is discussed for instance by Piacentini (2004 p.79) who describes how turbulent changes in Russia have reawakened in some regions Soviet penal traditions. Chapters 4 and 6 of this thesis will discuss whether attempts to develop community-based policing in Ukraine stimulated a revival of Soviet forms and 'evoked' Soviet memories or new sensibilities such as a human right discourse. Chapter 6 will also discuss how some of the processes of control such as law and order politics and

gated communities seemed to reflect some of the themes and meanings of community policing, but also had a locally-embedded character.

The challenges of transforming police-public relations in Ukraine

Legacies of the Soviet legal order

In Ukraine, as some scholars have observed, by the end of the 1990s the reforms had not produced radical changes in criminal justice: the police institutions of the Soviet period remained for the most part intact (Shelley 1999 p.78; Foglesong and Solomon 2001; Harasymiw 2003; Beck 2005). The current concerns that police officers in Ukraine do not take account of the presumption of innocence and rely too heavily on extracting confessions to solve crimes (Amnesty International 2005 p.34) can be traced back to the Soviet legal culture. According to Solomon (1996 p.452), the criminal justice system created by Stalin that persisted until the late years of the Soviet regime was characterised by the ‘criminal law that was severe, extended, partly secret, and influenced by bureaucratic regulations; delivery of justice marked by an accusatory bias...’ The bias towards prosecution and other Soviet legacies continued to affect the criminal justice process in Ukraine after independence (Foglesong and Solomon, 2001 p.67-8).

One manifestation of this culture is the persistence of language and logic of the Soviet law in the new laws adopted since independence. In the words of Solomon (2008 p.6) the new Ukrainian Criminal Code adopted in 2001 ‘reflects the best criminal law scholarship of the late Soviet period’. The Code continues to define crime as a ‘socially dangerous act’, a definition that can be traced back to 1922 (when the first criminal Code of the Russian

Federation was adopted)³. Even though, in contrast to the past definitions, the new Code adds that crime is a violation of the law, the dual definition displays some hesitation to part with the earlier understanding of crime. Until 1958, 'crime by analogy' meant any act considered by prosecutors 'socially dangerous' could be prosecuted even if it was not prohibited by the law (Makepeace 1980).

The so-called 'telephone law', an extra-legal mechanism of exerting pressure upon subordinates that continues to have an impact upon the work of criminal justice professionals (Ledeneva 2008) also has its roots in Soviet history (Finckenauer 1995 pp.45-6; Solomon 1992). This legacy, argues Ledeneva, was created by party interference in the workings of the criminal justice system, a legacy that is difficult to undo (Ledeneva, 2008 p.328). Some of the Soviet criminal justice legacies and how they impact on police conduct with respect to detainees is considered in Chapter 5.

Police reform: the lack of implementation

Police reform was treated as separate from other parts of the criminal justice, but there was no agreement about the way to reform the police (Solomon 2008). The Law on the Police adopted in December 1990, defined provision of personal security of citizens, protection of their rights and freedoms, and lawful interests as the first task of the Ukrainian police. The first Concept (Paper) for the Development of the Bodies of the Ministry of Internal Affairs of Ukraine adopted in 1996 similarly spoke about the protection of the rights of individuals and more localised work of the police and envisaged a gradual release of the police from functions unrelated to crime control and order maintenance. During the 1990s-2000s, a number of structural reforms were carried out and a number of laws were adopted

³ It must be noted that the new Criminal Code contains some new provisions, such as differentiation of crimes depending on the level of gravity, responsibility for crimes against voting, labour, and other rights and freedoms of citizens, responsibility for trafficking of historical and cultural valuables and drugs, tax evasion, prostitution, and some other crimes.

focusing on the issues of fighting crime and corruption and strengthening law and order. However these initiatives had little impact on the practice of policing (Solomon 2008; Harasymiw 2003; Beck 2005). Robertson's review of the impact of two British research projects on police reform in Russia and Ukraine, while acknowledging some achievements at the local level of policing, concludes that 'significant barriers to large-scale policy transfer persist, many of which are largely beyond the influence of local practitioners and western reformers' (Robertson, op. cit. p.1).

The more recent Concept Paper for Reforming the System of the Ministry of Internal Affairs⁴ 'placed more emphasis on the development of a European style service orientation' (Solomon op. cit.). It identified current problems in the activity of the law enforcement bodies, such as the orientation towards formal performance indicators leading to the use of torture, unlawful detention of citizens, abuses of power, politicisation and corruption and the low level of public trust. It also argued that redirecting Ukraine towards integration with Europe dictated the need to depart from the Soviet model of policing and to move from a punitive to a service-oriented activity. Among the principles of reform, it listed the development of civil democratic control of law enforcement bodies to ensure their respect of people's rights and freedoms (Ministry of Internal Affairs of Ukraine 2007). Yet, Martynenko argues that there was no attempt as yet to formulate the fundamental principles of police in Ukraine, what they are for and what moral code they should adhere to. The approaches to governance and reforms of the police are still guided by the traditional 'crime fighting' ideology (Martynenko 2005).

⁴ An early version of the Draft Concept Paper for Reforming the Law Enforcement Bodies was produced in 2007. This earlier version was never approved because of the dismissal of the Minister of Interior, and in May 2008 the President signed an edict for the creation of a Committee to develop the Draft Concept Paper for Reforming the System of the Bodies of the Ministry of Internal Affairs (Yushchenko May 2008). The new version of the Concept Paper was in 2008 at the stage of development.

Soviet criminology: the lack of expertise?

Another legacy of the Soviet criminal justice system is the lack of developed criminological theory and continued dependence of criminological scholarship upon the Ministry of Interior. Criminology (as well as other social sciences) was banned between the beginning of the 1930s and the later half of 1950s (Foglesong and Solomon 2001); while the later development of research on crime since the 1950s was severely constrained by ideological restrictions and censorship. Soviet scholars identified three main reasons for crime: 'moral development of an individual' and atavisms of the capitalist way of thinking (alcoholism, parasitism⁵, recidivism); circumstances pushing an individual to commit crime (poor protection of stock, alcohol abuse, and so forth); and circumstances assisting the success of a crime such as the absence of police patrols, deficiencies in the accounting of enterprises and shops (Solomon 1978 cited in Favarel-Garrigues 2005).

Although some similarities can be found between Soviet and western (North American) criminological research and theory, for instance, research on the criminal implications of urbanisation and mass migration to cities, overall, Soviet criminology did not advance far beyond the multi-factorial theories of the 1970s (Foglesong and Solomon 2001 p.105). Academic isolation meant that Soviet criminologists were not part and not fully aware of later developments, particularly radical and critical strands of criminology (Matrynenko 2002). The impact of these legacies on the capacity of Ukrainian criminologists to influence domestic policy and criminological imports will be considered in chapter 3, which discusses the actors and politics of transfer.

⁵ All healthy working age adults were obliged to work. Not having a job was defined by the Soviet legislation as 'parasitism' which was a criminal offence.

The performance measurers and recording practices of the Ukrainian police

Although practices of non-recording crime date back to the Soviet past, during the post-Soviet years, the number of crimes not recorded by the police has increased substantially, reflecting the effort to cope with the increased performance pressures (Foglesong and Solomon 2001). The non-recording of crime by the police and refusals to open criminal investigations were identified by Mikhailenko & Dzhuzha (2001) among the main reasons for the growing 'dark figure' of crime. Researchers explain such practices of non-recording by the existing system of measuring police performance⁶ (Foglesong and Solomon 2001; Favarel-Garrigues 2000; Goryainov et al 2001; Svezhentseva et al 2002; Shepeleva, 2005). In addition, the increased number of cases of non-reporting crime by citizens and the growing number of mercenary crimes (fraud, contraband, unlawful entrepreneurship, financial and tax fraud) have added to the dark figure of crime (Mikhailenko and Dzhuzha 2001).

The police and human rights

Current research in Ukraine on police violence and abuses of power reveals some patterns inherited from the past (Sobolev et al 2005, Amnesty International 2005); but scholars also note that flourishing corruption leads to greater abuses and violence (Shelley 1999). The aspirations of the new Ukrainian state that the police should protect the rights, freedoms, life and health of citizens is reflected in the new Law on the Police (1991) adopted since independence. The new Constitution adopted in June 1996 declared Ukraine a sovereign and democratic state based on the rule of law and guaranteed its citizens a number of rights and freedoms⁷. Some scholars argued that the Constitution required the government to

⁶ The two indicators used to measure the performance of the police are number of recorded crimes and clear up rates. The police division may be subjected to financial sanctions for non-achievement of 'national average' clear up rates. This leads to non-recording of hard-to-solve crimes and falsification of statistical data in order to create a false picture of achievements in fighting crime

⁷ The document was based on principles stipulated in a number of international legal acts such as the Universal Declaration of Human Rights (1948), the European Convention on Human Rights and Fundamental Freedoms (1950), the

implement certain human right standards (Canton 2006 p.510) and placed a 'considerable pressure' upon Ukraine 'to modernize and humanize legislation governing the administration of criminal justice' (Foglesong and Solomon 2001 p.57)⁸. However, it has also been noted that the state had not had the means with which to deliver on these promises (Foglesong and Solomon 2001 p.67) and that the government's policy priorities were sovereignty and survival (Foglesong and Solomon 2001).

Beck (2005 p.27) notes some recent developments such as the creation of the Ombudsman's Office, oversight of the Minister of Interior by the Parliament, the creation of special committees set up by local authorities to monitor the work of the police and the revised role of the Procurator's Office that should bring greater control over the police. However he also notes the continued lack of independence of the Prosecutor's Office. Amnesty International (2005) commented critically on recent legislative changes that were meant to increase the transparency and openness of the police and ensure the observance of human rights (Amnesty International 2005 p.28). As of 2005, the Ministry of Interior refused to disclose information about prosecutions, convictions and complaints against their employees about torture and ill-treatments (Amnesty International, 2005 p.29). It is also argued that despite the recent reforms the police in Ukraine retained its image as crime-fighters while the ethics of their interactions with citizens has not been broadly discussed and has not become part of these reforms (Matrynenko 2005). There is still lack of clarity on whether or not the new legislative and practical changes are making a difference in terms of control over police and observance of human rights.

International Covenant on Civil and Political Rights (1966), The Charter of Paris for a New Europe (1990), and the constitutional experiences of a number of countries.

⁸ There were other important pieces of legislation, for instance the 1997 Law of Ukraine On Ratification of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment

People's imagination and mental habits and their connection to the government can present an obstacle to new democratic principles of governance argues Los (2002 p.171). For this new governance to take root, she argues, the old habits and imagination need to be reshaped, replaced by 'new liberal mentalities'. But how do these habits of the past shape people's understanding and attitudes towards new vocabularies, policy frameworks and practices flowing from other jurisdictions? In an attempt to explore these questions, this thesis will consider briefly in chapter 5 some manifestations and influences of the collectivist mentality in the setting up of the youth liaison schemes in K and chapter 6 will discuss the 'collective' as an aspect of post-Soviet identity and an agency of social control. The 'collective' is described by some scholars as the core ideological construction that connected the Soviet citizens to the state. The Soviet state used the ideology of a 'collective' to organise and govern society by subordinating individual interests to the 'collective' argue Zdravomyslova and Voronkov (2004). Kharkhordin (1999) provides a detailed analysis of the central disciplining role of the collective in Soviet society. Group coercion and collective action were educating and disciplining mechanisms. The key social institutions that were to be transformed into collectives were the army, the prison, the school, the factory unit and the Soviet office. Further, Kharkhordin argues that mutual surveillance and censure played an important role in the functioning of the collective, while the main punishment technique was naming and shaming in front of others (ibid p.113). Comrade trials, one of the forms of participation of Soviet collectives in social control, can be seen as one example of this method of disciplinary enforcement.

Perhaps more importantly, it is suggested by Karstedt (2003) that collectivism might also play a role in aggravating conflict and violence during transitions. She argues that there is a link between collectivistic and authoritarian culture and lethal violence. She relates this

cultural pattern to inequality and bonding type of social capital, and argues that they also contribute to mistrust and uncertainty. These patterns, argues Karstedt, cluster and divide society at the same time and lead to increased conflicts and violence between groups. Chapters 5 and 6 discuss some evidence from Ukraine that might support Karstedt's argument about the link between bonding capital and lack of trust, but also offer a different way of thinking about the role of bonding capital.

Law and order and the new providers of security

The prioritisation of crime fighting and order maintenance in response to an upsurge in crime, and a desire to turn to autocratic solutions, is most often seen as a threat to emerging democracies (Karstedt and Lafree 2006; Pino and Wiatrowski 2006; Bayley 1997b; Favarel-Garrigues and Le-Huerou 2004; Los 2003; Mawby 2001). The new visibility of crime, the celebration of risk-taking and new consumerism to protect private property leads to a growing demand for protection (Favarel-Garrigues and Le Huerou 2004; Los 2002). This demand is shaped by an array of providers of security who produce risk and create new demand for security technologies, contributing to a 'new risk mentality' (Los 2002; Favarel-Garrigues and Le Huerou 2004). The provision of security and reassurance also becomes a source of legitimacy for political actors (Favarel-Garrigues and Le Huerou 2004). This 'hybrid policing' in Ukraine and Russia is constituted by private security companies maintaining close relations with local police and the State Protection Service of the Ministry of Internal Affairs that also provides commercial services to private clients (Caparini and Marenin 2005; Born et al 2006 p.18). Solomon (2005 p.231) suggests that 'to what degree this was part of the worldwide process of 'multilateralisation' of policing, or a dangerous undermining of state authority tied to corruption, needs careful assessment'. For Favarel-Garrigues and Le Huerou the key problem is that the process of defining the demand for policing and security that should be openly debated as a public good is instead

in private hands. As noted earlier, the impact of the commercialisation of security and policing in Ukraine is discussed in chapter 6.

Compromised institutions and transitional justice

Karstedt and Lafree (2006 p.14) identify compromised institutions inherited from the autocratic regimes as one of the challenges for criminal justice in democracies in transition: this means people distrust these institutions. Indeed, research from Ukraine demonstrates a high degree of dissatisfaction with the performance of the police, low levels of trust, and a lack of confidence in the ability of the police to solve crimes and help victims (Kostenko 1998; Ministry of Interior of Ukraine 1998; Zvekic 1998). Common reasons for distrust are corruption, links with the criminal world, the unwillingness to help ordinary people, rudeness and indifference, abuses of power and unjustified violence, and bureaucratic delays and inefficiency (Svezhentseva 2002; Rushchenko 2001; Beck and Chistyakova 2000; Shelley 1999). The implications of such opinions for police-public relations and public engagement in policing are discussed in chapter 6.

Karstedt and Lafree (2006 p.14) also point out that contentious questions of transitional justice create a challenge for criminal justice in democracies in transition. In Ukraine, as Stan (2009) comments, the addressing of the issues of transitional justice was limited. Secret files were moved to Moscow, while lustration⁹ bills were rejected by the Parliament as controversial. Instead, wide-ranging dismissals of local governors and security chiefs were carried out in 2005. Los (2003 p.161) suggested that in the states where no lustration procedures existed, former secret police collaborators were deliberately placed in positions of authority that made them vulnerable to mechanisms of blackmail. Even though the questions of transitional justice are not a topic of discussion in the thesis, these

⁹ 'In the transitional justice literature, it refers to a means by which some countries deal with a legacy of human rights abuses: through the mass disqualification of those associated with the abuses under the prior regime' (Brahm, 2004).

observations are important in the context of a discussion of mechanisms of blackmail and other ways of exerting pressure on the police in Chapter 5.

Corruption, the 'captured state' and the criminal-political nexus

The causes of corruption and crime in post-communist societies are discussed broadly in terms of cultural/moral and structural/institutional factors. Moral/cultural legacies include the lack of respect for the law (Foglesong and Solomon 2001), widespread corruption inherited from the Soviet system (Shelley 1996); patterns of criminal behavior inherited from the past (Ryvkina 1997); non-egalitarian collectivist value patterns (Karstedt 2003), and the political culture of the country (Grodland et al. 1998). Whilst the above notions see the problems of morality as rooted in the past, these problems are also located in the processes of demise of communism and its moral codes and frameworks and the embrace of purely material values and the visibility of immoral and unlawful behavior of the elites (Ryvkina 1997; Foglesong and Solomon, 2001 pp.25-27; Zaslavskaya and Shabanova, 2001). At the same time, scholars point out structural factors such as old patterns of exchange and networks of support and criminal structures inherited from the past and evolving into new patterns in the post-communist period (Ledeneva, 1998; 2006; Ryvkina, 1997; Shelley, 1998, Los and Zybertowicz, 2000 in Los, 2003 p.151). These patterns are constituted by both networks of support at the bottom and corrupt connections at the top of the 'hourglass society' (Rose 1995). Some authors, like Sajo, reject the idea that corruption is explained by a moral deficit and suggests that it is purely a consequence of an existing structure of opportunity (Sajo 2003). Others refer to concepts combining cultural and structural explanations, for example, Foglesong and Solomon (2001) argue that Merton's concept of anomie and Currie's idea of a 'market society' are appropriate explanatory frameworks of the phenomena of post-communist crime.

Thus theorisations of post-communist corruption and crime largely depend upon whether or not the causes are located predominantly in the past or present and whether or not scholars prioritize cultural or structural factors. A summary of these theoretical frameworks is presented in Table 1.

Table 1 Post-communist corruption and crime: explanatory frameworks

	Culture/morality	Structural factors
Past	disrespect for the law, collectivism and corrupt/illegitimate practices of the past	networks of support and patterns of exchange developed in the Soviet past
Present	moral decline following the collapse of the communist moral code and the rise of consumerism	-new opportunities for accumulating wealth and power -impoverishment and marginalisation of large segments of population -weakening of social control

Corruption among the police is seen as a problem for some post-communist states (Shelley 1999; Gilinskiy 2000; 2005; Foglesong and Solomon 2001; Caparini and Marenin 2005; Gerber and Mendelson 2008; Beck and Robertson 2008; Kolennikova et al. 2004). Police corruption is usually seen as a factor undermining the legitimacy of the police and democratic reforms, and having a negative impact on their relationship with the public.

Corruption, however, often appears to be an unsatisfactory concept to describe specific characteristics of post-communist state and governance (Ledeneva 2008). A range of terms has been deployed to capture the pervasiveness of lawlessness and its far-reaching social and political implications – these included the captured state, privatised state, privatised police state, criminal state amongst others (Los 2003; Kaufmann 2000; Wedel 2001; 2003; Los 2003; Los and Zybertowicz 1997; 2000; Brovkin 2003). State capture, according to Los, refer to the situation ‘where illicit, illegitimate or non-transparent forms of influence

lead to the formation of laws, rules and public institutions in accordance with the private interests of the actors or networks involved' (Los, 2003 p.149); while 'blackmail state' implies the use of blackmail as the governance tool of the state (Darden 2002). Similarly, state-market-crime nexus (Los 2003) or criminal-political nexus (Shelley 1997; Foglesong and Solomon, 2001 p.32) implies the presence of illicit links between various agencies representing state and non-state sectors, most notably the links between organised crime, private security and former state security and law enforcement employees (Shelley 1999).

Parallels can be drawn between the notion of state-market-crime nexus (Los 2003) and radical and Marxist criminological perspectives on crime and policing (Quinney 1970; Reiman 2007); and in particular Chambliss (1974; 1978) whose research focused on the links between organised crime and state bureaucracy in Seattle, and exposed connections between street-level criminal activities and political office and law-enforcement structures. In similar ways, some commentators on post-communist crime point to the interconnectedness of street-level crime and top-level corruption and selective law-enforcement (Hagan and Radoeva 1998; Karstedt 2003). Chambliss attributes these links to the logic of capitalism. This begs the question whether post-communist crime is driven and organised by the same logic? While some researchers trace criminal networks to the communist past, others suggest that transitional societies suffer from criminogenic factors typical of both socialist and capitalist systems (Lotspeich 1995). The issues of police corruption, mechanisms of extortion and state capture are discussed in chapter 5 and it is suggested that Chambliss's perspective on the relationship between law enforcement and crime might be supported with empirical evidence from Ukraine.

Competitive authoritarianism

Political science perspectives on the Ukrainian political order highlight some distinctive features of control under the Kuchma's presidency, distinguishing it from some other post-Soviet states like Russia or Belarus. Some scholars characterise this regime as competitive authoritarianism (Levitsky and Way 2002; Kuzio 2005; Roeder 2002; van Zon 2005; D'Anieri 2003). This regime combines weak but effective democratic institutions (competitive elections) with old authoritarian practices that abuse civil and political liberties (Levitsky and Way 2002; Way and Levitsky 2006). Command/coercion, clientelism, practices of informal exchange, weak law and democratic institutions co-exist although there are broad opportunities for abuses of power. But the media, legislature and other forces represent important sources of opposition and prevent the regime incumbents from exercising full authoritarian control. The competition for power between incumbents and opposition is unfair, but it is real and it generates uncertainty. This regime is also characterised by low level of trust in public institutions. The law and justice are applied in selective ways and the police and other governmental agencies are used as an instrument of selective enforcement (Levitsky and Way 2002; 2006; Way 2004). The police and security agencies are used as tools of extensive surveillance and coercion (including physical coercion) to control opposition, as well as to monitor and encourage loyalty and obedience of subordinates and allies. Kuchma's regime is characterised by Way and Levitsky as a combination of high scope for coercion and low cohesion (Way and Levitsky 2006). Despite an extended security and vast surveillance apparatus, the compliance of subordinates within the state apparatus (the legislature, the Cabinet and regional governors) was low and non-material ties (ideological, kinship, ethnic or other) between Ukrainian elites were weak or absent. In these conditions, the non-compliance of top officials and the rank-and-file may take a variety of forms and police and other security agencies become unreliable instruments of centralised coercion (ibid p.394).

This political science perspective is illuminating for the purposes of this thesis because it helps explain some difficulties of reforming the police in Ukraine in the early 2000s, which cannot be attributed exclusively to the authoritarian obstacles rooted in the Soviet past. Chapter 5 will discuss the impact of some of the features of competitive authoritarianism such as low compliance of subordinates, a vague legal framework, the police's engagement in entrepreneurship, and the use of the police as a coercive tool. The chapter will also consider the impact of low cohesion of the elites and the uncertainty of policy horizons on the K project and the police reforms more generally.

Conclusion

The literature review has highlighted some of the ideas associated with community policing - a mechanism of local accountability, a discretionary policing, a risk management technology and a consumer service. It has been shown that none of these meanings and ideas is unproblematic and that they have given rise to normative debates around the use and control of police powers. Central to this is the question of the extent to which community policing is concerned with human rights, accountability to civil authority, legitimacy and transparency and the rule of law on the one hand and with responses to crime, fear of crime, and proximity and visibility on the other. The emphasis on crime, broad discretion and visibility raise questions about the ways police discretion is used, and how police that is accessible and visible can address and resolve problems of exclusion, fragmentation, inequality and conflict. Community policing remains open to interpretation and might represent a democratic impulse or be associated with coercion, punitiveness or preferential treatment of specific groups. However, the implications of this ambiguity for community policing transfer to former Soviet satellites are far from clear.

The capacity of community policing to travel across borders, and its adoption in the former communist states raises further questions about the meaning and impact of this form of international assistance to police reforms in societies with no democratic traditions. What is attractive for post-Soviet societies in the notion of community policing is embedded in a radically different history of policing and the reasons why it is worthwhile transferring may also be the reasons why it is not transferable. The notions of policy transfer and translation provide some ways in which to explore these issues, drawing attention to agents of and incentives for transfer, and to power struggles and processes of meaning making in specific locations. From this point of view the adoption of 'best policies and practices' is not a straightforward learning of new knowledge and skills but a complex political process. The details of how politics of transfer 'works' can only be explored through case studies and so far there were no detailed case studies of policing transfer to former Soviet states. The literature review has also suggested that there remain important questions regarding our understanding of the differences between post-Soviet states and the UK with regards to the styles and methods of policing which presents considerable challenges for policy transfer between these jurisdictions. Furthermore, previous research indicates that community policing meets with various local obstacles and resistances in 'transitional' and 'failed' societies (Brogden and Nijhar 2005). However, this important critical commentary raises further questions. First, details, processes and agents of transfer remained largely outside of the scope and frames of Brogden and Nijhar's analysis. It remains unclear why particular community policing initiatives in post-Soviet states 'fail'. Second, if community policing transfer is problematic in post-Soviet societies, is it mainly because of structural factors such as the lack of legal basis, resources and training, or others factors such as inappropriate measures of the local context, lack of public confidence, or failures of implementation? These questions require a further critical interrogation of 'stories' of community policing in post-Soviet world.

Post-Soviet studies, in their turn, have highlighted the slow pace of reform of the law enforcement institutions and a number of factors that have complicated this process. These included Soviet legacies, new visibility of crime, corruption and state capture by private interests, commercialisation of policing and privatisation of space. While police corruption has been an ongoing concern, there has been growing attention to the issues of abuse of power and violations of human rights, with human rights campaigners and international agencies playing a key role in raising these concerns. Taken together these studies highlight the centrality of the ideas of accountability, human rights-awareness and external oversight as key priorities for police reform in post-Soviet states. The processes of donor assistance have also been a controversial issue with some scholars suggesting that this process has created a relationship of dependence between the donors and the local civil society agencies weakening the capacity of the civil sector to be an independent voice and a space of free debate and contestation. These contextual factors, particularly the impact of corruption and state capture and the role of civil society in the processes of donor assistance to police reform have been largely overlooked in post-Soviet research and are poorly understood.

The contested character of the ideas of community policing, the complexity of police reform in the former Soviet societies and the problematic nature of donor-recipient relations in these societies suggest that any attempt at transferring policing in this context faces with challenges and difficult choices and requires a critical assessment, regardless of the apparent transparency and simplicity of the claims it makes. A critical analysis provides an opportunity to look beyond the postulated principles and ideas and explore the ways in which the politics of community policing transfer meets the local political, institutional, and socio-cultural context.

Chapter 2 Methodology

This chapter will describe the aims and methods of the thesis and will discuss the methodological issues arising from it. I was involved in the K research project this thesis revisits as a UK-based project coordinator. In this thesis I re-examine the data from the project and my own experiences and recollections and critically reflect upon this experiment in policy transfer.

It is important to avoid confusion between this study and the research project that it revisits. The present study will be referred to further in the text as ‘the thesis’ or ‘this research/study’, while the project that is being revisited will be referred to as ‘the K project’. This chapter will begin by providing a brief description of the K project and explaining what is interesting about it and why it warrants revisiting. The chapter will then describe how this study revisits the K project, the issues arising from the researcher revisiting past research which she was part of, the purposes and strategy of gathering additional data, the methods of processing and analysis of the data, the issues of translation, access to data and ethical issues that arise in the course of the current study and the ways they are addressed.

The K project

The project on ‘Introducing Context-Specific Community Policing in Ukraine’ was a three-year project (2000-2003) focused on building a ‘model of best practice’ for improving the relationship between the police and the public in Ukraine and enhancing co-operation between them. With that purpose, the project introduced and evaluated a number of context-specific forms of community policing within two limited geographical police areas in the Ukrainian city of K. The project was funded by the Foreign and

Commonwealth Office and developed and implemented by a research team from the University of Leicester in collaboration with the National University of Internal Affairs, Ukraine (Beck and Chistyakova 2001a;b; 2003).

The project had four objectives:

- To identify and understand the context within which community policing might take place within Ukraine.
- To introduce a number of context-specific forms of community policing within limited geographical police areas.
- To evaluate the effect such schemes have on the relationship between the community and the police, and on the levels of reported and recorded crime.
- To develop a new module to be taught at K University of Internal Affairs on 'Understanding and Implementing Community Policing in Ukraine'.

In Phase I, large scale crime and policing surveys were carried out in the two research areas covering questions about victimisation, fear of crime and the relationship between the police and the public. In Phase II, several schemes of community policing were introduced including Neighbourhood Watch, target hardening and burglary reduction, beat officer/public meetings, school liaison schemes, and a 'Crimestoppers' initiative (described in more detail below). The schemes were introduced within two areas of K city: one urban and one suburban, to enable comparisons between two geographically, socially and economically distinct areas. In addition, crime prevention publicity materials were distributed in the areas. This stage also involved some reorganisation of the local police, with extra-staff added to the police divisions and three new roles of crime prevention, youth liaison and community development coordinators introduced, and a special training package developed and the training delivered to participating officers.

The following schemes were introduced at the second stage:

- Neighbourhood Watch and burglary reduction

The Neighbourhood Watch (NW) scheme was organised within multi-storey blocks of flats, which is the typical urban and suburban residential setting in Ukraine. The main idea was to encourage the engagement of residents in keeping their blocks safe and to report any suspicious and disorderly individuals and events to the police. Each block elected a coordinator whose responsibility was to distribute crime prevention literature, pass information about violations of order (anti-social behaviour) in the entrance or anything suspicious to the police, and coordinate target hardening initiatives. Target hardening included building rooms for concierges in the entrances, installation of a secure block entrance doors and locks, lighting and chains/locks on the doors of the most vulnerable residents.

- Beat meetings

Monthly beat meetings were organised in the neighbourhoods where the local beat officer and a new Crime Prevention Coordinator talked about crime and policing in the area and answered questions from the public. Crime prevention literature and contact cards were distributed among the residents and a property marking campaign was organised.

- Patrols

In addition, the participants patrolled in small groups (2-3) at night around their blocks wearing high visibility yellow jackets and armbands. Patrols also walked around cafes and discos known to be local crime 'hot spots'.

- School liaison

The youth liaison work consisted of three types of activities: police visits to schools and nurseries, sports and recreational activities for children, and coordination councils at schools. The new Youth Liaison Coordinator (a police officer) was responsible for developing links between the police and schools and nurseries, through regular visits to schools and visits to problem families, delivering talks, and distributing crime prevention and safety literature. An NGO coordinating work with young people was to assist in the organisation and delivery of the youth liaison work, joining the police officer on visits to

schools and nurseries, and helping to organise various events for children. Sports events, quizzes, games, and children's' shows/concerts were organised where police officers took part. A psychiatrist and specialist on drug addiction were also invited to talk to children. In addition, seminars were organised at schools and nurseries to discuss issues of crime prevention and safety.

- 'Stop a Criminal'

The Ukrainian version of the UK's 'Crimestoppers' – an anonymous telephone line for people to report crime - was set up in K. The K police headquarters provided a room for the central office and all the incoming calls were answered and responded to from there. There was an operator answering the telephone and writing down the information, and two Crimestoppers Coordinators who checked the information, decided whether it was worth further investigation, and sent relevant information to each of the experimental divisions. They then received feedback from the stations about the results of any action taken. They were also responsible for inputting information collected into a computer database. The scheme was publicised via the local media, leaflets and posters in the metro, an advertising boarding on one of the main avenues, and notices on the side of taxis and of two K trolleybuses.

The implementation of the schemes was followed by Phase III – an evaluation, which was the final phase of the project. The surveys were repeated in both areas and the results were compared. In addition, several interviews gauged the views of the participants about the project. The final report that had evaluated the implementation concluded that overall the project had proved a success. Both the survey and qualitative data demonstrated noticeable improvements in the relationships between the police and the public in the experimental areas. The final conference that followed recommended that the model developed in K should be disseminated broadly in Ukraine. The Minister of Interior, who was present at the conference, was visibly impressed by the evidence of success. Two months later in

May 2003 the Ministry of Interior's conference that had considered the evidence from the project recommended that this experience should be disseminated in other areas in Ukraine. However, as will be discussed in later chapters of this thesis, 3 years later there were no signs of dissemination and no other projects were ever set up.

Cases of initiatives that are initially perceived as a success, but eventually lose their momentum and are soon forgotten are not uncommon. Such cases provide, as much as more successful interventions do, opportunities to enquire into the mechanisms that shape the take off, development and decline of such collective undertakings. What is additionally interesting about this case is its uniqueness in the post-Soviet space – very few projects of this scale ever attempted to pilot in practice a western model of policing in this region.

The researcher's interest in the case was not accidental, as she was one of the team who shared with the others the three-year experience of doing the project, and who also saw the project as an opportunity to explore the social dynamics, mechanisms and difficulties of implementing reforms in the region. The insider knowledge of the project and access to the data were the arguments that justified the choice of this case for the PhD study. What follows is an explanation of the aim and objectives of the thesis, and how it is going to build on the data from the project and on its own original data to achieve those objectives.

What this thesis is about

The overall aim of this thesis is to critically revisit the K research project in community policing. The project K will provide an empirical lens through which to explore how community policing can be problematic in a post-Soviet society.

The thesis asks the following empirical questions:

- What were the origins of the K project, the reasons why particular actors were involved in it, and how this configuration of actors affected the outcomes?
- What assumptions underpinned the K project's research and its design and interpretation of evidence?
- What were the obstacles to and difficulties of implementing the K plan for police reorganisation?
- What were the difficulties of improving the relationship between the police and the public, the challenges of convincing the public to get involved in crime prevention and safety issues and the potential consequences of public engagement in policing?

The theoretical trajectories adopted by the thesis

The thesis questions the K project's narrative on developing community policing in Ukraine as consensual co-production of order and safety by the public and the police, and explores how and why community policing can be problematic in a post-Soviet context. The key assumption of the K project was that broadening police discretion in K and bringing them closer to an undifferentiated 'public' should improve their capacity to prevent crime and serve public needs. In addition, the project has construed itself as a 'partnership' between the Ukrainian Ministry of Interior and the British academics and practitioners in which the UK partner has offered to provide expertise and 'best practice' of policing to Ukrainian partners.

To critically examine this narrative of community policing transfer, the thesis explores, first, the politics of the experiment, by considering the groups involved, the history of their involvement and the distribution of roles and responsibilities. In this, the thesis borrows partly from the framework developed by Dolowitz (2000). This analysis is interested in

understanding the origins of the project and the capacity in which each of the parties (including the academic entrepreneurs, the funder (the Foreign and Commonwealth Office), the administrating body (the British Council), the Ministry of Interior, the local police, NGOs and local academics) were involved and could influence the project. By examining who was involved and 'why transfer' and asking whether the parties had the same capacity to influence the project, the thesis questions the narrative about the project as an unambiguous transfer of 'best practice' of policing.

Secondly, the thesis will explore the philosophy, theory, and research approaches adopted by the project. The purpose of this analysis is to examine whether the philosophy, theory and research were internally consistent, and second, whether the adopted approaches were appropriate given the aims and objectives to explore the context for community policing in Ukraine. The thesis will first look at the extent to which human rights and democracy were part of the overall philosophy of the project given its original claim that these principles were fundamental aspects of the proposed project. In particular, the thesis will discuss how the policies of democracy and human rights promotion abroad can be problematic. It will draw upon the debate about the problematic relation of community policing to democracy discussed in the literature review, in particular the argument that community policing has the potential to serve as a legitimating resource for democratically and legally uncontrollable, pervasive, oppressive and punitive approaches to policing (Kappeler and Kraska 1998; Hughes 1996; Carson 2004a; 2004b; Loader 2006). In reviewing the K project's theory of community policing, the thesis will draw upon the discussion of the multiple and often conflicting meanings of community policing and will ask whether the K project was sufficiently clear in its interpretation of community policing and in its priorities. The thesis will then review critically the K project's understanding of the local context in light of a realist approach to evaluating interventions (Pawson 2006) that takes into account the dynamics of human interpretations, responses and reactions to the

intervention as it unfolds, and the broader institutional and systemic factors. The thesis will also critically explore the relation between theory and research within the K project, by drawing attention to the project's 3-phase methodology and its intention to base its second phase of research upon 'grounded action' research. Further, the thesis will revisit the project's intention to follow a realist approach to evaluation. The thesis will also explore the 'action research' aspects of the project and will ask about the role of the experimental communities in it. Finally, the thesis will look critically at the interpretations of survey data by the project and will explore the limits of the data in capturing the local context of policing in K.

Thirdly, the thesis will revisit the implementation phase of the project in order to critically explore the K project's assumptions about the police and its relationship with the public. First, the thesis will revisit the difficulties of implementing the K police reorganisation plan and will ask whether these difficulties can be understood in terms of bureaucratic inertia. It will examine the impact of performance indicators on police work and will ask why this system has persisted despite the apparent recognition of its ineffectiveness by the policymakers in Ukraine. Can this be explained by 'bureaucratic resistance' to change? The thesis will then consider a proposition that hidden interests and dimensions of power, rule-definition and policy formation in Ukraine might explain why certain formal rules persist, and how informal influence upon police work is exercised. Corruption and state capture are the concepts that will inform this analysis. Attention will be focused on a range of rent-seeking practices of police officers pursuing either personal gain or benefits for their superiors in the police hierarchy, in an attempt to understand the implications of these practices. The thesis will also consider how Soviet legacies might affect the style of policing. In exploring these phenomena, the thesis will draw upon a range of literature on policing in post-Soviet Russia and Ukraine and on broader post-Soviet analyses. It will also draw upon interviews with former participants in the K project, to understand how

these phenomena have affected the processes of implementation of the K project, and the police's relations with disadvantaged and vulnerable 'publics' in K. Further, the thesis will draw upon political science analyses of elite fragmentation and short policy horizon in Ukraine (Levitsky and Way 2002; Kuzio 2005; Roeder 2002; van Zon 2005; D'Anieri 2003) to question the feasibility of multi-agency partnerships and viability of the K project generally. Via this range of analyses, the thesis will question the assumption that broader police discretion in Ukraine will lead to a better service of the public and to consensual co-production of safety and order.

Fourthly and finally, the thesis will revisit the K project's assumptions about 'the public'. These assumptions were, first, that the residents in K formed a 'public' with quite uniform understandings of crime and disorder and similar expectations of the police (in terms of reducing crime and disorder). Secondly, it was presumed that by sharing information and developing positive contacts the police could improve their relationship with the public and build public confidence. Finally, the project viewed non-governmental organisations as a facilitator of this process, a 'conduit' between the police and the public. These assumptions are revisited in light of the existing research on public attitudes towards the police in Anglophone societies, in particular, the argument that the police can do little to affect public confidence, and that it is difficult to secure and maintain public engagement. Against this background, the thesis will explore the issue of public engagement in crime prevention and order maintenance in Ukraine, by asking three interrelated questions: first, the difficulties involved in improving the relationship between the police and the public; second, why it might be difficult to 'convince' people to engage in crime prevention activities; and third, what are the implications of such engagement.

In search for answers to the first of these three questions, the thesis will explore whether there was sufficient evidence to say that police-public contacts developed by the project

affected public trust and confidence. The thesis will then look at possible explanations as to why, according to the K survey data, the level of trust in the police in the experimental areas in K has not increased; it will consider 'vicarious' knowledge and the police-public encounters within the project (drawing upon project materials and interviews with former participants), and stop and search policies. The thesis will then attempt to uncover differences (that remained largely invisible within the K project's analyses) in the relationship between the police and different sections of local population and the possible tensions between different groups. The thesis will then look at the role of some of the Soviet legacies such as memories and fears and will discuss whether they could affect public willingness to contact the police. It will revisit beat meetings in K to explore police-public interaction during meetings and, in light of this, the extent to which these meetings could be expected to evolve into 'problem-solving' forums. Taken together, these analyses will challenge the assumption that more frequent contacts with the police should increase public confidence and trust. They will also question the conception of the 'public' as an undifferentiated group sharing a uniform understanding of crime, safety and order.

The next question that the thesis attempts to answer is broader and is concerned with the conditions that promote or inhibit public engagement in crime prevention and safety issues. The thesis will ask whether it is reasonable to expect people in Ukraine to engage in voluntary activities and will attempt to identify the factors that might inhibit this engagement. In exploring this question, the thesis will draw on the debate about long-term shifts in civic engagement in the US and UK (Putnam 2000; Hall, 1999) and will attempt to explore what might affect civic engagement in post-Soviet Ukraine. The thesis will look at how 'collective' rather than 'community' is part of Soviet legacies and will ask what, if anything, has come to replace the Soviet collective in the post-Soviet period. The question of civic engagement will be further examined through a discussion of existing conceptualisations of social capital and what should, or could be considered 'social capital'

in Ukraine. The thesis will review critically the distinction between ‘bonding’ and bridging capital (Crawford 2006) and will discuss the ways in which a study of bonding capital could contribute to understanding of civic activity in Ukraine. It will then revisit the involvement of the two NGOs in the K project and review it in light of these analyses, discussing the potential contribution of non-governmental sector to social order. This analysis will question the assumption that the local public should be capable and willing to engage in crime prevention and order issues, and that the non-governmental sector’s role in local safety and crime control is to facilitate links between the police and the public.

The final question this thesis will ask is about the normative aspects and implications of public engagement in policing and order issues in post-Soviet Ukraine. The thesis will ask when such engagement may not be desirable, and what potential negative implications of some forms of engagement are. In particular, the thesis will discuss public tolerance towards certain illegal practices and question whether this requires re-thinking of approaches to crime control and order maintenance in Ukraine, in particular, the policies of addressing low-level crime and disorder. The thesis will then revisit citizen mobilisations (patrols) and ‘gated communities’ in Ukraine to consider the ways in which such developments might be problematic. Via this analysis, the thesis will challenge the assumption that public engagement in crime prevention and order is always unambiguous ‘public good’.

What aspects of Project K are not being used and why?

The thesis and the K project are premised upon different theoretical and methodological assumptions. The main question that guided the K project was ‘How can community policing be developed in Ukraine?’ The thesis is not asking this question and is not

adopting the lines of enquiry or perspectives on data that stem from this question. Instead, the thesis asks: 'How can community policing be problematic in Ukraine?'

This means that the thesis adopts an overall critical stance towards the theoretical and methodological position of the K project, and on this basis offers a critique of its assumptions and findings, for example, its conceptualisation of police-public relationship, how it might be reformed, and its reporting of success in developing crime prevention schemes in K. In particular, the thesis offers a critical analysis of the adoption and implementation of community policing schemes, such as police reorganisation, youth liaison, patrols, Neighbourhood Watch and community meetings.

More specifically, the thesis and the K project are different in their understanding of the 'context' and how it might be measured. While the project is trying to measure the 'context within which community policing might take place within Ukraine', the thesis is trying to explore whether and how the local context of policing means that the adoption of community policing is problematic. The thesis is not adopting the view that local context of policing is best conceptualised and measured via large-scale surveys of the police and the public. Instead, the thesis suggests that a broader range of qualitative approaches would be more likely to capture the complexity of the context. The thesis is not adopting the assumption about 'the public' as a homogeneous group that is characterised by a common understanding and interest in crime prevention and order maintenance. Instead, the thesis suggests that both survey and interview data reveal tensions and divisions between younger and older residents and between 'ordinary' residents and the former prisoners-residents of the 'colony' in K. The thesis does not interpret public opinions about crime, criminals and nuisance in the area of residence as straightforward evidence that community policing is needed, or can offer a solution to these problems. Instead, the thesis suggests that such opinions reveal deeply embedded stereotypes treating certain groups and problems as

'criminal' and might mean that community policing has a potential to exclude certain marginal groups and adopt punitive approaches to local order issues.

The thesis relies on a range of sources to discuss the governance of policing in Ukraine, a range of literature and in-depth interviews collected by the researcher being the key sources. The K survey data play a relatively minor role in these analyses, and are relied upon where the thesis develops its critical analysis of the K project.

What aspects of Project K are being used in the thesis and why?

The thesis uses empirical data from the K project as evidence of how community policing can be problematic in Ukraine. In particular, it uses survey and interview data to support the argument that the data had a limited capacity to capture the context of policing in K. For example, Chapter 4 that provides a critique of the philosophy, theory and research of the K project, refers extensively to its survey data. There is a discussion of a limited capacity of survey questions to explore the relationship between the police and the public. It is also pointed out that it was difficult to interpret the comparison between 'before' and 'after' survey data because it remained unclear what mechanisms contributed to the outcomes. It is also noted that comparison of some of the questions from the project with the British Crime Survey was problematic, because of the difference in the meaning of offences and their definitions (for example translation of 'street hooliganism' as 'minor assault'). The chapter also critiques interpretations of some of the data, for example, the data on 'willingness to cooperate' and 'trust', or for example the interpretation of the question about the situations people encounter in their area of residence – these are interpreted in the K project as a 'low-level anti-social behaviour' that 'can disturb social order' (Beck and Chistyakova, 2001, p.29) and required greater attention of the police, the approach, it is argued in the thesis, probably more consistent with zero-tolerance policing

than with 'human-rights aware' models of policing. Chapter 4 also critiques the K project's inattention to some parts of the data, for example, it is argued that local histories of policing which were captured by interviews were under-explored. Other aspects of the use of the data are also discussed, for example the extent to which the data informed implementation, whether the police were able to make use of the data and how many people had access to the data (see Chapter 4).

From a somewhat different perspective, Chapter 6 of the thesis looks at the survey and interview data to examine whether the data on public views and attitudes towards the police reflected issues that were not noticed by the K project because of its tendency to see the data as 'problems for community policing'. For example, Chapter 6 revisits the data on public trust and confidence in the police (pages 251-256). It highlights the significance of 'vicarious knowledge' and of local encounters with the police and challenges the K project's assumption that more frequent contacts should improve public views. Further in the Chapter (pages 259-262) it is pointed out how divisions between sections of the local population in relation to public order and policing make the notion of the 'local public' problematic. The K project did not acknowledge or explore this problem of its conceptualisation of community policing, even though it reported that the respondents' views of the police depended on socio-economic status and age (Beck and Chistyakova, 2001). The thesis also looks at the 'beat meeting questionnaire' data (pages 267-268). The data were gathered by the K project to monitor how well the meetings 'worked' as a mechanism of local consultation. The thesis uses the data to question the assumption about crime-focused police-public meetings as a forum to identify and resolve local problems.

A question one might ask is how can the thesis criticise the K project's methodology and its use of survey data and at the same time use these very data to support its own arguments? The answer to this is that surveys and interviews are not seen in this thesis as a

source of data that can only be valid in conjunction with one particular theory. While the thesis critiques the use and interpretation of survey data by the K project, it does not suggest that survey questions cannot be used as measures of police-public contacts or public attitudes towards the police. What is criticised is the theory that guided the interpretation of the data and the over-reliance of the K project on quantitative measures. The K project's analysis was guided by a consideration of the extent to which the data revealed the 'problems for community policing' – the crime and disorder issues that the 'community policing' initiatives in K were meant to target. In contrast, this thesis relies upon the K survey and interview questions as a source of data to the extent to which they reveal problematic aspects of the K project's narrative about community policing.

When the thesis uses quotes from the interviews that were quoted in the K project reports, this is specifically referenced to make it clear (see footnote on page 175). At the same time, some of the texts of the interviews and survey data gathered by the K project were not used in the K project's reports but are used in the thesis. It is acknowledged that these data were not gathered by the researcher as part of this thesis (see footnote on page 175).

Unlike this thesis, the 'K project' was not a single document. This thesis required bringing together and synthesising a number of documents and pieces of information of various styles and genres. The original K project proposal was treated as the main source of information about the philosophy, theory and methodology of the K project. The two main reports on surveys (Phase I and Final) were used to critique the project's understanding of the context for community policing and its interpretation of survey data. The reports were documents rich in presentation of quantitative data but with relatively little discussion of the data, which is explained by the genre and purpose of the reports, but often made it challenging to engage with the arguments of the project, as most of the time these are very brief statements or comments. This also means that critical engagement with the K project

required a substantial amount of additional analytical work, to reconstruct its tacit assumptions, and understand the place, purpose and use of the data.

Other pieces of information were gathered from brief reports received from scheme coordinators, working notes, and texts of interviews. Finally, the thesis analysed texts produced by the project, such as the final book, and a few brochures and leaflets. These latter documents, as noted earlier, were not treated as sources of information by the K project but represented its working documents or outputs (training materials, brochures describing work with schools, the final book, and leaflets). These materials are treated by the thesis as discourses that contain some of the project's assumptions, arguments and language.

For the purpose of greater clarity, the data sources and the types of analysis utilised in the thesis are summarised in table 2 below:

Table 2 Data/methods used in the thesis

Data sources	Type of analysis
Secondary data: Surveys 2000-2002	Examining representations and interpretations of the data in the project reports
Interviews 2000-2002	Examining actors' subjectivities (perceptions/feelings about crime and policing, perceptions/evaluations of the project) Examining local histories of crime and policing Examining histories of the project Examining the project's theory of change (the effects/outcomes of the project)
Texts 2000-2002: <ul style="list-style-type: none"> • The original bid • Phase 1 report • Interim report • Phase II proposal • Progress report • Final report • Implementation reports submitted by participating NGOs Other texts: The book published by the project team (in Russian): Povolotskiy et al (2003)	Examining interpretations of the data in the reports Examining histories of the project Examining the project's theory of change (the effects/outcomes of the project)
Observation	Using recollections of the events of the project to corroborate the interview and documentary data Using recollections as a way to uncover other layers of social reality (for instance a richer understanding of the local context)
Primary data: Interviews 2006	Examining actors' subjectivities (reasons for taking part, perceptions of the project) Examining histories of the project Examining the project's theory of change (the effects/outcomes of the project)

The choice of methods

The K project adopted a position of advocacy of a community policing philosophy presenting it as an unquestionably good practice for Ukraine. It was important to critically examine this claim. In view of this rationale, it was reasonable to start with the project's own story about what was intended, what was done and what was achieved. This story was accessed via the documents produced by the project – the original bid, the reports and the

book. These claims had to be evaluated against the available evidence that came from the project itself (in-depth interviews and survey data), and additional evidence gathered after the end of project (interviews conducted in 2006) as well as making use of observations that occurred during the implementation of the project (between 2001 and 2003) and during the second (return) visit in K in 2006. In addition to these sources, the credibility of the project's claims and the adequacy of the theoretical construct that it relied upon ('community policing') had to be evaluated against the available academic research on community policing and police reforms in the post-Soviet region and more locally in Ukraine. For example, research on community policing transfer to former communist states highlights the restricting powers of cultural factors, history, legal and organisational limitations (Brogden 1999), and the weakness of local communities (Wright 2001 p.169). Research on policing identifies factors impeding the process of police and security reform in former Soviet states such as corruption and extortion (Shelley 1999; Gilinskiy 2003; Foglesong and Solomon 2001; Los, 2003; Kotkin and Sajo 2002), performance management and use of discretion (Sobolev et al 2005; Shepeleva 2005; Rushchenko 2005), informal links with the criminal world (Sagalaev 2006) and the use of police authority to advance private material and political interests (Kosals 2006; Gerber and Mendelson 2008).

Multiple sources of data were used, including data from the project itself (survey and interview data and texts of reports), observations and interviews gathered in 2006, as well as the review of other available literature and research on relevant topics. Interviews were treated as a source of data on the subjectivity of actors, oral history and as a documentary source (Talbot 2007). Texts of the K project reports were similarly treated in a dual way as theories of change (the ways the theory of community policing was linked to the project's activities and the empirical data) and as documents (providing a history of the implementation of the project). For example, when a project report claimed that the

introduction of the schemes of community policing had led to an improvement in the relationships between the police and the public, that claim was treated as part of the K project's theory of change. When a project report described how research was done, how the schemes were introduced, and how the police were reorganised, and described the difficulties that the project was confronted with in doing this, this was treated as a history of implementation. Finally, when a report talked about the reasons for choosing methods of research, ways of reorganising the police or schemes, that evidence was treated as part of the reasoning of the actors involved.

Observations made during the implementation of the project (during visits to research sites in K, at meetings with local participants and researchers, observations of the dynamic of everyday life in the experimental areas in K) provide additional perspectives on the researched events, cultural stereotypes, operation of power, people's reactions to the project, and how the project's activities interacted with everyday life in these areas.

For the purposes of the present study, texts from the project are an important source as they represent the arguments and explanations that are being revisited and criticised. However, they may be seen an unreliable source about what actually happened (what schemes were developed and what was actually accomplished and achieved) because of possible bias driven by the desire to present the project as a story of success. It is argued here that the use of multiple sources of data such as the researcher's own recollections (observations) and the interviews carried out in 2006 allow for cross-validating such claims. This triangulation or methodological pluralism (Walklate 2000) is an important way to ensure the validity of the data. The research relies on the use of a variety of research techniques and data coming from 'different phases of fieldwork, different points in time, accounts of different participants, or using different methods of data collection' to corroborate the data (Walsh 1998; Talbot 2007 pp.25-6).

So in the current study, data from the published reports on the schemes introduced, for example, are cross-checked with the researcher's memory of the events and with the interview data gathered in 2002 and 2006, where participants were asked their opinions about the schemes and where they also described what was done and how. It is possible thus not only to compare textual accounts with interviews and observations, but also to compare accounts of different participants and to compare data collected at different points in time. As well as ensuring validity of the data, triangulation also allows us to 'uncover different layers of social reality' (Walklate 2000 p.193). This empirical strategy, as Walklate also highlights, uses both quantitative and qualitative methods and the movement between these sets of data helps to make sense of the different layers of social reality (Walklate *ibid*). This is important in this study that revisits critically both qualitative data and quantitative (survey) data; for example, while in some interviews concerns were expressed by the members of the public about going out after dark the survey data could be consulted to see how widespread such concerns were; on the other hand when the survey data showed that technical equipment was the problem prioritised by the police officers the interviews with them could be examined to understand the situations they encountered on an everyday basis that made the lack of equipment particularly problematic.

Analysis of documents

Two types of documentary evidence were accessed in the study: the texts of selected laws and the Ministry of Interior's decisions, and the texts of the documents (reports) written by the K project team. Some issues and problems related to each of them are considered below.

Analysing the texts of laws and other official documents in Ukraine as a source of data about actual constraints or incentives faced by the actors could be misleading. The law that is generally a universal regulator in advanced liberal democracies does not have the same power and mechanism of operation in a society like Ukraine that is pervaded and dominated by unofficial rules. Still, law does matter and its language is of significance because it serves as an instrument of power¹⁰ (Solomon 1996; Ledeneva, 2006). For the purposes of the present study it was important to look at some of the laws preceding and accompanying the implementation of the project to have an idea of the legislative activity in relation to the questions of cooperation and partnership between the police and the public. In particular, the 'Law on Public Participation in Maintaining Public Order and State Borders' (2000) and 'The Programme of Development of Partnership Relationships between the Police and the Population' (2000) that preceded it were of relevance here. It was also important to look at the text of the Ministry's decision adopted in May 2003 two months after the end of the project in order to examine its language and assess the ways in which the Ministry intended to disseminate the results from the project and the actions that it planned to take.

The reliability and validity of official crime statistics are well recognised problems in the UK (Bryman 2001; Maguire, 2006) but are even more problematic in the post-Soviet states, where the expectations of performance are known to have a very strong effect upon the construction of such data (Goryainov et al. 1999); an additional problem in Ukraine is that there is no systematic collection of such data at the level of police divisions (Beck and Chistyakova 2001a). Therefore, this type of official documentary evidence was of limited

¹⁰ In the USSR, argues Solomon, the law was 'a tool for the leader' (Solomon, 1996 p.153). The rules of the Soviet system were highly codified and the codes were treated as comprehensive (Danilenko and Burnham 1999). In the post-Soviet years, the law has become a legal instrument manipulated by political and economic actors and therefore the knowledge of the 'letter of the law' is really important to enable the sophisticated manipulation of the law (Ledeneva 1996; 2000; 2008). The important transformation of the informal practices in the post-Soviet period was, according to Ledeneva, 'the emphasis on the letter of the law and the increasing expertise of players in its manipulation' (Ledeneva 2006 p.190).

value and potentially misleading. The limitations of official police data are explored in some detail in chapter 5. Official data were of limited value in this study also because the most detailed and full account of the events was documented by the project itself. These documents thus were inevitably the main source of documentary evidence about the history of implementation – the chronology of the actions and events documented by the project and narrated into a story. They were also treated, as mentioned above, as a way to access the subjectivity of the actors and the ways the project analysed the data it gathered in terms of the theory of community policing.

It is recognised that the use of the narratives about the practices and events that were part of the project is to some extent problematic. Sayer (2000 pp.142-3) commenting on the problems of narrative (versus analysis) argued that narrative has a problem of linearity, that is neglecting synchronic relations (the configurational dimension) at the expense of temporal successions (the episodic dimension) and that it under-specifies causality in the processes it describes. This criticism can be applied only to some parts of the reports produced by the project, where it actually told a story of implementation (in particular, the interim report, the progress report, some parts of the final report); other parts were written in a more 'analytical' mode. However, as far as the narrative parts of the K reports are concerned, the present study was interested more in the actual documentation of the succession of events than in causal analysis, which is accessed through other parts of the reports and from other sources. This chronology of events was important in order to be able to, for example, compare the actions that were planned with the actions that were actually taken, and the reasons given for amending the original plan. Another problem could be the selectivity and representation of the events by the project. This, as mentioned above, is to some extent addressed through a combination of different sources of data that are used to cross-check the evidence.

Observation

The role of observation in this study and the ways it occurred is different from what is usually recommended as techniques of observation. It is typically a planned and structured process that usually involves the recording of observations in some way or form at some stage of the process (Mason 2002; Bryman 2001). This research, being unable, for obvious reasons, to perform contemporaneous observation of the K project, can nevertheless take advantage of the researcher's recollections of the project.

The researcher's observation of the events of the project and the real life settings in which they took place was a natural rather than specially planned process; it was simply an unintended part of the duties performed as project coordinator. My role within the K project was one of a UK-based coordinator responsible for developing the research methodology and instruments, data collection and analysis and report writing, liaising with partners, developing and organising training events and interpreting and translation. Part of these duties were also regular (about 4 times a year) visits to K., Ukraine for project team meetings, discussion of data collection, observation of implementation, and meeting local partners. While there are clearly some, not insignificant, disadvantages to such source of data as recollections – most obviously the lack of planning and of focusing attention (on particular events or people or settings) the absence of records, and the time span between the project and today which raises the issues of memory (addressed separately later in the chapter) there are also some advantages. During team meetings in K I had, as a matter of course, access to all venues and events (e.g. police stations, city and regional Headquarters, homes of the local police officers and academics, places of recreation, lunches and dinners and other 'cultural' events). This was mainly dictated not by the research function but by my role as an interpreter. Because of that and the unintentional nature of the observation, I did not face the problem sometimes encountered when the 'researched' are aware of being

observed. Brewer (2000) distinguished between different types of observation and one of the roles he identifies is a complete observer who is a participant taking on the role of observer but not identified as such. This probably describes most closely the nature of my observations in K, although it must be emphasised that non-identification was due to the unintentional nature of the observation rather than 'covert' observation.

Although some of the impressions and memories faded some others were still very clear at the time of conducting the present research. These observations, although not always easily amenable to recording and analysis, contributed to the overall sense and visual image of the place, the people, relationships and dynamics that later inspired and informed the present analysis. Some observations turned out to be particularly illuminating of the world of local policing and power. Hierarchy and privilege, and the politics of status, gender and exclusion were clearly visible on a number of occasions and in a number of settings during team meetings in K, in the organisation of meetings with local participants, researchers and the public, and particularly in the organisation of cultural and recreational activities. These recollections have helped to visualise and make sense of the distribution and some of the strategies of power in the researched setting, which, combined with other data, informed a critical interrogation of how police behaviour was theorised in the K. project.

Being a native speaker and sharing a common political and cultural background helped, so it seemed, to capture cultural meanings more easily and also helped establish a degree of rapport with the local participants, particularly the NGO leaders. However, this did not necessarily resolve the problem of trust. As became clear from the interviews carried out in 2006, and as some of the researcher's personal experience during her work as project coordinator suggested there was a suspicion that the project team might have had a hidden intelligence-gathering agenda. This, however, was itself an important observation revealing some of the stereotypes at play in the politics of security. But there was also a sense of

difference between the more familiar organisational environment (academic/research environment the researcher was mostly familiar with) and the police environment, with more rigid hierarchical rules and more clearly pronounced gender stereotypes. This signalled limits to the shared cultural background.

It would also be appropriate here to reflect upon the researcher's own 'self' in the research process. Many researchers argue for the importance of acknowledging and using the 'self' in the research process (Liebling 2001; Jewkes 2006; Talbot 2007; Piacentini 2004; Rawlinson 2008). The emotional experience of a researcher Rawlinson argues rarely makes it to publications, yet it does affect our research and thus needs to be acknowledged. Similarly Talbot (2007) argues that our analysis is affected by our normative judgements that in turn emerge from our experience. The interest in doing this research, and the judgements made by the researcher were certainly shaped, to an extent, by experiences of work for the K project: the experience of being 'the interpreter' (and indeed being introduced as such in numerous official situations); the experience of a Russian in a Russian-speaking and yet an Eastern Ukrainian city, the experience of doing research for a UK University on a yet little familiar topic of 'policing' and so on. And somewhat more broadly, judgement and perspectives adopted in this thesis were influenced by the researcher's experiences of her long journey from Russia and through Eastern Europe to the UK, her long-standing academic interest in the processes of post-communist transition and her concern about changes in post-Soviet societies and beyond that she had been witness to.

It is important to reflect upon the issues of interpreting and translation in relation to the current research. Interpreting is so consuming and exhausting an experience that from the point of view of observation it can be seen as a limiting factor. On the other hand the processes of interpreting and translation reveal linguistic and cultural differences.

Rawlinson (2008 p.307), reflecting on her research experiences in Russia and the Baltic states, notes how the interpreter's cultural background can make them act as a filter transmitting the 'right' messages, and how her research benefited from 'cultural analysis' of the interviews provided by her interpreters. This was about how questions were received, answered or evaded. Similarly, in the experience of the researcher, it was not just what was said that was of significance but how, and the body language involved. For instance, on one official occasion at the Ministry of Interior with the media present, a high-ranking official was expected to give a speech. The text of the speech that he had not seen in advance (which was a usual practice), was on this occasion prepared for him by the local project coordinator, who made sure the document gave various promises of support to the project. It was very amusing to observe how, during the speech, the speaker's expression was noticeably changing showing surprise and unease yet clearly he had little choice but to go on and finish the speech. This situation was later on often remembered and joked about between the researchers.

The significance of language and communication is noted by Robertson reflecting on her research on community policing in Russia (Robertson, 2006 p.143). The issues encountered were of a socio-cultural and not simply linguistic nature; for instance, finding a way to translate 'Neighbourhood Watch' into Russian without evoking associations with spying on neighbours. Similar problems were encountered in K where Neighbourhood Watch was introduced around the same time. It was also difficult to translate 'community'. This is mentioned elsewhere: Lacey and Zedner (1995; 1998) in an Anglo-German study note that the meaning of community in crime prevention was very different in the two countries. Instead, therefore the terms of 'population' or 'the public' were used; community policing thus was translated as 'cooperation between the police and the public'. This different expression of the idea of 'collective' in post-*communist* societies was itself symptomatic - it signaled the lack of association of collective with the place of

residence/locality and the lack of recognized social life autonomous from the state. But it also had implications in terms of the capacity to translate the idea of community policing into Russian (or Ukrainian). There were problems also with the translation of some offences, for instance the definition of 'street hooliganism' in Ukraine is very broad and includes 'public humiliation, verbal abuse, bullying, and physical violence without clear motives' which clearly makes 'common assault' a poor equivalent – this again reflects the cultural differences in the perceptions of seriousness and significance of certain types of behaviour. In this research, revisiting these problems of interpreting and translation are of special interest in as far as the whole of the K project is seen as a work of 'translation'.

Researching corruption

Corruption is one of the central themes in this research and it is thus necessary to mention problems associated with attempting to discuss this issue, which is notoriously difficult to research. The low visibility of police work (Reiner 2008) makes direct access impossible. At the same time, the 'blue code' of silence - unwillingness to report the unethical behaviour of colleagues (Klockars et al 2000; Westmarland 2005) creates difficulties with interviewing: the respondents would be unlikely to answer questions about themselves or what is actually going on in their organisation. There is also difficulty of defining and quantifying corruption (Miller 2003; Newburn 2000).

In this research, the issue of corruption was accessed both through secondary and primary data. In the secondary data corruption emerges as a matter of concern (the majority see the police as corrupt) rather than as a direct experience. The interviews with police officers conducted in 2000 contained some questions on corruption at the very end, such as, 'how much should a policeman be paid so that he does not take bribes?', 'how widespread is this phenomenon?' and 'what does the public/the colleagues of a corrupt policeman think

about him?' Despite the absence of any direct evidence, the concerns about corruption could not be taken as simply a myth, for the reasons mentioned above. In interviews gathered in 2006, the theme of corruption was discussed at length with some of the respondents. In all instances the respondents themselves raised the issue (unprompted) giving examples of bribery and extortion, most of them not from personal experience; on one occasion a further question was asked by the researcher inviting the respondent (a local criminologist) to reflect upon the nature of corruption in Ukraine. Sometimes the same corrupt practice was mentioned by several respondents, both in 2002 and in 2006, for example, an informal arrangement between beat officers and local alcohol producers, although this in itself does not yet guarantee truthfulness of these accounts. Indirect but compelling indicators of corruption could be the evidence of material wealth in the absence of legal means of obtaining it. Rawlinson (op. cit.) gives an example of a judge denying the problem of corruption but owning an expensive imported car he could not afford with his salary. In K., such examples of an obvious gap between the official salary and the visible wealth were many, from expensive cars to newly refurbished offices, to houses owned by the local police chiefs.

Gathering and interpreting evidence of corruption is notoriously difficult and as Talbot (2007) describes in her research, it was important to triangulate data to reveal different points of view on the same object. Similarly with the present research, it was necessary to rely both on the interview data and on available academic research on corruption in the region (which will be discussed in Chapter 5).

Interviews with former participants (June 2006)

New data were gathered in June 2006. The key rationale for the additional data collection was to enhance the capacity of the researcher to develop a critical approach to the original project. It could be argued that the researcher could critically revisit and discuss the K project just using the data from the project itself. In principle such a study was possible and the data could have been sufficient. However, it was thought that revisiting the site three years after the end of the project and meeting the people who were involved could provide the researcher with unique data that would benefit the study - greatly adding significantly to its originality, providing new insights into what happened and new points for critical analysis. These data would essentially add other (in addition to the researcher's own) critical voices to the analysis and allow them to be heard. They would, in the spirit of the critical/public criminologies and the politics of life stories (Plummer 2001) engage other participants in the conversation about the project. Another argument in favour of this was 'revisiting' in the literal sense - going back to the site of the project, meeting with and talking to the original participants would provide the researcher with ethnographic material - the sense of the place and its dynamics, and the capacity of this sense to bring back recollections.

The researcher travelled to K in June 2006 and spent 10 days meeting with and talking to former participants of the K project. It was planned to meet with and interview as many K project participants as possible. Seven of them were located, and all agreed to be interviewed. Amongst them were the local project coordinator and a local academic police advisor, two former heads of the police divisions of the experimental areas, a police officer responsible for youth liaison, and two NGO leaders assisting with Neighbourhood Watch and Youth Liaison schemes. The researcher had contact details of some of the former participants and others were accessed with the help of the former local coordinator. In

addition, upon returning to the UK, the researcher interviewed the former principal investigator. The purpose of these interviews was to gather the views of the former participants about the project, their role in it and their present day reflections upon these experiences. It was decided that in-depth, semi-structured interviews would be the most useful method to gather these data. The researcher thus had a list of themes that served as guidance, but there were no standardised questions that followed in a specific order. Rather the interviews were in a form of a conversation around the range of topics of interest. When a respondent talked about things not directly related to the question - rambling, or going off at tangents, (Bryman 2001) this was not discouraged and sometimes was even encouraged. Not only did this allow an insight into what was relevant for the respondent; more importantly, when the conversation was allowed to flow freely many important and relevant issues of significance, of which the researcher was little aware, came up, for instance the themes of the 'pyramid of extortion', blackmail, the Soviet style of police reforms, and the short time horizon.

The list of themes included: motivation for involvement in the project; what the project was about; the respondent's role in the project; their day-to-day activities; the main achievements of the project; obstacles/problems; conflicts/disagreements; how the schemes ended; anything surviving beyond the project; thoughts about success/failure of the project; benefits of the project; feasibility/desirability of further projects. Interviews were arranged at the respondents' convenience usually in public places (cafes and parks). Each interview took on average approximately 2 hours but some took up to 4 hours. All but one interview was recorded. In one case, the respondent did not want the interview to be recorded. Instead, the researcher wrote notes after the interview. In another interview, the respondent at one point asked to have the tape recorder switched off. It was turned back on again after the conversation moved on to the next topic. The researcher also took notes of conversations that took place off the record and observations made during interviews and

her experiences of being back in K. All the respondents were informed prior to interview of the purposes of the interview and the intended use of the data, anonymity and confidentiality and their right not to answer questions they did not wish to answer and stop the interview at any point.

Being able to find seven former participants and do the interviews with each of them was certainly a better than expected outcome. It was possible to conduct lengthy interviews because most of the respondents were happy and willing to discuss issues at length and were relatively unrestricted in terms of time. Perhaps not unexpectedly, 'unsolicited' and 'off the record' accounts provided most revealing and valuable information (Bryman 2001). In some parts the conversations repeated arguments and observations that were articulated in the original interviews and documented in the project reports and in this sense supported the original data. In other parts the new interviews helped to clarify the original data, where some issue was mentioned briefly in the original interviews or reports and the new interviews presented an opportunity to discuss this in detail and clarify the points of view expressed, connecting the first set/secondary and second set/primary data. Extensive parts of interviews were reflections on the project in general, its value and its problems, and policing and crime in the context of events in Ukraine since the end of the project, as well as on the Orange revolution and post-Orange revolution situation. This is reflected in how data are viewed in this thesis – the time dimension within which the project is located is expanded to reveal its link to the events two-three years later. In the post-Orange revolution Ukraine of 2006, the interviews were filled with still fresh recollections and experiences, and the sense of disillusionment and bitterness was often clearly present there; the themes of the project were thus interwoven with accounts of the Revolution. This potentially added a further dimension to the analysis, although the relevance and the link of these events to the project had to be carefully examined. This

again allowed the researcher to build a richer and more nuanced picture of the context, which was essential for further critical analysis.

In terms of analysis of these data, the researcher used a combination of narrative analysis and grounded theory approaches. The use of narrative analysis is justified by the type of analysis, which relies on narrative type of data. That is, the discussion of the normative questions in this study relies on narratives representing different normative statements or positions. At the same time, the interviews were analysed in a 'grounded theory' way (Brewer 2000), where theory is constantly generated on the basis of observations and continuously revised as new data are obtained. Gradually themes were identified that were further investigated as elements of the local context, local practices of policing or legal context. These data were also analysed from the point of view of identification of the motivations, assumptions, beliefs and theories that the participants brought into the project.

Revisiting original interview data

The original K research used structured interviews: all respondents were asked the same questions in the same order. No special coding procedures were used to assist the analysis of the data and it should be added that only a few small fragments of the data were used to support the survey findings in the Phase I report; thus large amounts of interview data remained unexplored.

In this thesis, these data were approached in a somewhat different way. They were treated as a set of data relatively independent of (rather than supporting/illustrating) the survey data. The intention was not to be driven by preconceptions about crime and policing but see what ideas emerge from the data (grounded theory approach). There were two sets of

interview data: those collected in 2000 (14 interviews) before the start of the project and those collected in 2002 (18 interviews) when the implementation phase ended.

The interview frameworks provided a starting point for developing a list of categories. The categories did not always match exactly the questions but the questions served as indications of what sort of more general categories could be formulated, such as 'local histories of crime and policing', 'police's work with the public', 'the need for cooperation between the police and the public', and 'cooperation at present'. Some of the questions were the same or similar in both sets of interviews; there were also a number of questions in the second set of interviews that were different: they were about the participants' views of the project. Some questions could be grouped together under more general themes; this allowed having broad categories which could accommodate data fragments from both sets of interviews. Then using the 'cut/paste' technique in Word for Windows the researcher brought together fragments from interview transcripts under the general framework. This method of coding (rather than using software) was seen as most adequate to the tasks of the present study. The researcher was concerned with preserving as much (con)textual information as possible and some of the concerns with the use of special software for coding and retrieving qualitative data relates to the possible loss of the narrative flow of interview transcripts and events and decontextualization of the data (Bryman 2001). At the same time it was important to keep this process as flexible as possible to be able to change codes as and when this seemed justified. It was also significant that the amount of the data collected did not necessarily justify the use of software. In addition, Word for Windows has coding and retrieval features that perform such tasks very well and are very simple to use.

Under each category, the researcher ended up having around 20-30 fragments discussing issues related to this category. The same pool of data was used for multiple purposes, for

instance to extract descriptions of local crime and policing. The use of quotes, sometimes quite lengthy ones, is justified by arguments that support narrative analysis: the narratives resist fragmentation and thematisation and had more research value as a whole piece (Bryman 2001). For instance, narratives about local histories of crime and policing contained within them suggestions about sequences of events and links between phenomena that could only exist and make sense as part of that narrative, as will be seen in the chapters that follow.

Secondary analysis of the K survey data

Revisiting the survey data was not aimed at in-depth or sub-set analysis. As mentioned above, the task was to generate a new perspective on the data. The analysis thus did not use the survey data as such - the SPSS files that contained coded answers to the surveys - but focused instead mainly on the texts of the K project reports that analysed the data. It was focused on scrutinising the ways in which the quantitative data were interpreted. What the analysis was looking for was the adequacy of the type of data to the tasks of the research and the plausibility of the interpretations of the data. The thesis first questioned the very justifications for the use of survey data in the kind of project that was implemented in K. It was looking at the limitations of survey data for the purposes of understanding the local context of crime and policing. The analysis was also looking for the ways in which the type of the data (questionnaire survey) shaped the original researchers' understanding of the problems. In order to do so the researcher was looking into how the questionnaires were designed and what sorts of questions were selected, and at the wording of the questions. At the same time the researcher was recollecting the process of survey design - the ideas and preconceptions that guided the K research team in developing the instruments of research. Further, the researcher reviewed the interpretations of the findings that were provided. The purpose of this was to see whether plausible alternative interpretations were

possible. The analysis also looked at whether the causal explanations were supported by the survey data, and whether plausible theoretical explanations were provided for the data. Finally, the researcher reviewed the conclusions and recommendations made on the basis of the survey analysis, and the type of measures or changes that were proposed, from the point of view of their desirability and feasibility.

Problems of secondary analysis

The purpose of secondary analysis in this study is to generate a new perspective on the survey data (Heaton 2004). It is also meant to move from an essentially descriptive focus of the original reports to re-thinking the data from a theoretical standpoint (Hakim 1982 p.149). However secondary analysis here extends to qualitative data (original interviews) and original observations (recollections) as well as texts that were not 'data' in the original research - the research proposal and the reports.

The use of secondary data raises issues of the impact of the researcher upon the production of the data. Fielding suggested that an advantage of secondary analysis may be that the researcher and his/her research agenda are less likely to have an impact upon the production of the data (Fielding 2004 p.100). This is only partially true with respect to the current research: the researcher could not change questions in the original questionnaires or modify texts of interviews and therefore the new research agenda could not have an impact upon the production of these data. However, the researcher could and certainly did have an impact upon the production of other pieces of the data such as recollections. Although the impact of the researcher is impossible to eliminate completely, and this is true for any research, the use of triangulation in this study (original and new data gathered by the researcher; quantitative and qualitative data) was a way to reduce possible bias.

The central problem with the secondary analysis of qualitative data is the relationship between the data and the context. Is the analysis of the data detached from their original context valid? It is argued that in qualitative research the research context (the relationship between the researcher and the researched) and social context in which the research takes place are the crucial elements in the interpretation of the data and that this contextual information is inaccessible in secondary analysis (Blommaert 1997 cited in van den Berg 2005 p.5). Since the context in which these data were produced is impossible to retrieve, the analysis cannot be judged in accordance with the usual principles of qualitative data analysis (Fielding 2004 p.99). Van den Berg draws 'minimum guidelines' on what contextual information is required in order to make secondary analysis of interviews feasible (Van den Berg, 2005 p.10). Some authors, however, see secondary analysis justifiable only if used for the purposes of methodological research (Mauthner 1998 cited in Fielding 2004 p.99).

The researcher agrees with Fielding that in primary data analysis, a similar problem of lack of contextual information may arise; it cannot be simply presumed that at the time of data collection the researchers had unrestricted/full access to or full knowledge of the social context of their research. Heaton puts forward a similar argument saying that, as any other kind of empirical study, secondary analysis depends 'on the researcher's ability to form critical insights based on inter-subjective understanding' (Heaton, 1998 p.4). The fact that many of the researcher's subjects were accessed via texts of interviews produced as part of the original study did not preclude a possibility of developing critical insights into the reasoning of these subjects. The researcher also agrees with the point of view that it is helpful to shift attention from context as something static and fixed and bounded, to the process(es) of the identification and construction of context. This, it has been argued, means understanding the process of reusing qualitative data as re-contextualising these data (Moore 2006). Thus the original data are treated in this study as re-contextualised

data. The critical revisiting of the K data was a process of rediscovering the context: becoming more aware of the significance of the time and space in which the research was located; thus while some 'pieces' of the original context may no longer be accessible such as, in particular, events that the researcher did not observe because she was not there, the context of conducting interviews and gathering survey data (which were carried out by other people), the researcher becomes more aware of other aspects of the local context (K as part of Eastern Ukraine at the beginning of 2000). One way to access the original context was the second set of data gathered in 2006 when some of the original participants were interviewed; through their recollection of the events of the project. The researcher was also aware of the fact that her knowledge of the post-project developments in K and Ukraine could affect her views of the original data, and so did the reflections of the former participants in 2006. This is seen as part of the process of re-contextualising the data. In this sense the researcher being part of the original research team is an advantage - in terms of the capacity to retrieve some of the original context and access the original data (see also Heaton 1998 p.4).

Memory and truth

It is important here to look at the issues of memory – the problems that could arise from the fact that some of the data are based on recollections of events that happened several years ago. To begin with, thinking of memory as a simple collection of facts/past events, some problems with such collections and our capacity to remember are immediately evident. Recollections fade – and this was all happening nearly 8 years ago. Recollections are limited in terms of what they can capture – 'I remember A thought that introducing X would be a good idea but cannot remember or do not know exactly why they thought so'. Recollections can also be confused in terms of the sequences of thinking and what was the main consideration behind a decision – 'was the decision regarding A made before or after

B was considered?', or 'was B or C the key consideration behind this decision?' Written documents may further add to the confusion because they tend to create a misleadingly oversimplified and linear picture of events, but one that may become difficult to separate from the recollections of the actual events.

Plummer's (2001 p.233) discussion of the issue of memory raises relevant methodological concerns here: he asks in what ways a person remembers their past, how good the memory is and is it partly a fiction? This discussion departs from the simple concept of life story as 'sedimented memory'. He argues that life story work involves recollecting, remembering, rediscovering and constructing history. These questions are relevant to the present study as far as the data that are used in it are recollections: recollections of the researcher and recollections of her respondents (particularly the interviews collected in 2006 when the participants talked about what happened to them/the project in 2000-2003). These kinds of recollections are what Plummer calls narrative memory: they are narratives of certain events in the past, they are selective stories that 'seem to have taken on a life of their own' (ibid 235). The researcher's work on the respondents' interview data can also be called 'secondary memory', something that involves critical work on primary memory (ibid 236). The argument is that there are different kinds of memory, and that memory is not a simple recollection or retrieval of the events of the past, but an active process of selection and construction, structuring and shaping our experience that is influenced by setting, society and culture. The question thus is how memory or stories can be evaluated? It is a question of truth and validity of stories – must they be true and what makes them valid (ibid 238)? According to Plummer there are ways of differentiating between such constructions as more or less truthful and valid.

In this thesis, the central aim of re-collecting the past was not to measure objective events, not to represent what was 'going on in (the) life as closely as possible' (ibid 240), which

would characterise a positivist approach to storytelling. The main aim was to learn about the participants' experiences, their interpretations and perceptions of the past. This approach is much closer to what Plummer calls interpretive paradigm and the narrative theory of truth; what matters here is how people recall different aspects of their past (ibid 241) and the reflection of their experiences in the stories they tell, in what sense these are true is up to the interpreter to discover. From the researcher's point of view, insightfulness, sincerity and persuasiveness were the key criteria of value of these narratives. There were, on the other hand, ways of validating the factual truthfulness of representations of the events of the project: eight people were interviewed in 2006 and asked about the same events and these recollections could be cross-checked with each other, with the researcher's own recollections of the events and with the data and documents available and gathered during the lifetime of the project. Plummer's linking of life stories to policy and politics and his examples of critical and radical criminology are also of relevance here: it is about 'giving flesh and bones to the injustices and indignities of the world' (ibid 248), and enabling *all* voices to be heard. Here the stories about police officers committing suicide are no less truthful than the stories about them extorting bribes or beating detainees. It was important in this thesis to be able to use the stories told by respondents as repositories of meanings – of what law and order meant to them, and how these meanings were linked to what mattered to these people, to who they were and where they were going; it was important how the recollections of the project were enveloped in the narratives about Ukraine, the Orange revolution, the past and the future. These narratives have connected and brought together stories told by different people, and have helped to get a sense of the moral dilemmas and struggles they were confronted with collectively. From these accounts emerge the researcher's normative questions and normative critique of the K project.

Being self-critical

It has been argued that criminology should be reflective (Nelken 1994) that is, critical not only of what it studies but of itself, its value-ladenness and of its own mistakes and biases. It is often the case that scholars are critical of their own earlier positions (for instance Young 1975; 1986; 1992) and they also argue for a self-critical analysis of criminology's development in order to 'break the chains of past historical errors' (Taylor et al 1975 p.102). Many secondary analyses are self-critical if, as is often the case, performed by the same researchers (Heaton 2004). Being self-critical is thus, on the one hand, an outcome of an evolution of one's theoretical and methodological positions and, on the other hand, a necessary vehicle for recognition of errors, refinement of theory and for research to move forward. This study is self-critical to some extent – the researcher was part of the research she revisits, and a co-author of all of the K project reports. Criticism of the researcher's previous work is taken here as a way to revisit, reconsider and revise one's own past positions and analyses. It is also an opportunity to acknowledge and demonstrate the ways our positioning affects our studies; recognition of the importance of such values and interests however does not invalidate our studies (Melossi 2008). While recognising past errors of judgement, the critical analysis should also acknowledge the specific positions from which such judgements were developed and also acknowledge the merits of the original research. It can also be a way to uncover new approaches to analysis of past data and of the relationship between the researcher and the data (Porter 1994). It can be argued that such analyses are themselves biased, as the researcher might be inclined to represent their own past work in a more favourable light. But it is important to recognise the advantage of self-critical analysis insofar as the researcher has a better understanding of their original position and arguments than anyone else who would criticise the same work and thus may be in a better position to criticise it.

Transition to the role of a critical researcher

A major challenge was for the researcher to change the way of thinking about the data and the project. This was not an automatic shift. The first role of the 'research assistant' within the K project was to carry out instrument design, data collection and analysis within a conceptual framework that was developed by other scholars. As such the researcher was constrained by this role in terms of her capacity to make choices and bring her judgement to bear in terms of the research. That role required the use primarily of her technical knowledge and skills (how to design a questionnaire, analyse quantitative data and report findings). It did not require (or required to a much lesser degree) her expertise and thinking in terms of appropriate theoretical approaches and most importantly to think beyond the narrow policy goals (what works) about the political meaning and role of this research, the choices it made, and the desirability of social changes it was proposing. The three-year involvement in the K project in the capacity of a research assistant made the researcher identify herself with the project; it also made her accustomed to thinking about community policing and policy transfer in a narrowly instrumental way, which is primarily concerned with the capacity of the intervention to deliver expected results.

Even though the researcher was at the time aware of some critical literature on community policing, it was not easy to relate this directly to what the project did. It is important here to mention that when she had started her work as a research assistant in the K project the researcher did not yet have knowledge of the broader area of criminological scholarship that would enable her to think more critically about her own role and the approach that the project was taking. Her background in social science research was heavily influenced by the positivist tradition typical of social science in the former Soviet countries. This meant

that for her starting this PhD research involved the process of simultaneously changing her role in relation to the project and the data, and changing her own identity as a researcher, as well as gradually becoming more informed/aware of the larger body of criminological knowledge and scholarship. This was a process that manifested itself in how the researcher's approach to the definition of the problem and the choice of conceptual framework changed over a period of five years. The initial understanding of what the thesis was about, although meant to be a 'critical revisiting', was still heavily influenced by the positivist background of the researcher: in particular, at the beginning the researcher saw her task as identifying the variety of factors that affected the process of implementation and thus being able to identify why it did not work. The researcher also struggled with the understanding of the notion of 'revisiting' the data: what exactly did it mean and what was new about it? The concern was about not being repetitive and producing just another version of the original study. So the question the researcher struggled with was what was original about the new research?

The researcher's initial motivation to do a thesis that would revisit the K data was shaped by the sense that the original data were under-explored, and that much more could be said about the project, what it was trying to do and why it did not succeed (or succeeded only to some extent), through a more thorough examination of the data. It was much less clear at the time exactly how this could be done. So the first two years of the doctoral study were the years of searching for a new conceptual framework, idea or 'grand-theory' that would give the new research originality of focus and approach and would allow for seeing the data from a different angle or in a new light. One of the ideas was thinking about and framing research questions in terms of 'evaluation research'. Another idea was to make 'policy transfer' such a lens, or overarching framework that would make the revisiting more coherent and would differ at the same time from the approach of the original research. Still, the researcher found it difficult to fit her thinking about the project, the

problems it encountered and the issues that seemed to be relevant to it, into one overarching framework. At the same time it was gradually becoming clearer that it was important to look beyond the narrow questions of causal explanation and critique. This was not an easy transition but the advice and suggestions given by her supervisors gently but persistently pointed towards the desirability of departing from a way of thinking in terms of 'theory' of community policing towards 'what was really happening'.

Another major challenge for the researcher to deal with was her identity, an issue that she was not fully aware of at the beginning of the process. Assuming the role of a PhD student revisiting a study she was originally part of required a certain identity shift. While she was becoming more familiar with critical literature on the subject and the normative concerns such literature is concerned with, the researcher became more aware of the mode of thinking in social sciences quite radically different from the one she was familiar with in the past. It became clear that taking a normative turn would open up the narrow questions dictated by the K project's conceptualisation of community policing, placing the K project within the broader context of policies, politics, practices and academic debates about contemporary crime control and social change. The issues of a shift from the role of a researcher employed to perform certain tasks of policy-oriented research, towards the role of a doctoral student reflect broader dilemmas emerging from the debate about public sociology (Burawoy 2004; Garland and Sparks 2000; Hughes 2007; Chancer and McLaughlin 2007). In these terms, the process of revisiting the K project was a process of moving between different modes of criminological work. Questioning the limits of the frameworks that characterise a policy-oriented mode of empirical enquiry and bringing normative questions into focus enables the researcher then to bring these two modes of work back together. This also provides an opportunity to think about the political and policy standing of the study and how it could engage in a dialogue on criminological issues of a broader relevance. Research into policing and police reforms in Ukraine (and more

broadly) has always been clearly normatively driven and shaped, but it was important in this thesis to relate normative with causal concerns. Finally the normative questions about the project, its politics and the type of policing it promoted began to make sense as the central thrust of the process of 'revisiting' the K project.

Ethical aspects: consent and anonymity

This thesis uses both primary and secondary data and there are ethical issues that need acknowledging and addressing related to both of these sources of data. In Ukraine and other parts of the former USSR, at the time of the original research, the norms regulating social science practice were less formalised and perhaps not as strictly observed as they have been and currently are in the UK. However, the principles of anonymity and confidentiality were not much different from that practiced in the UK and were normally adhered to, as far as the researcher is aware from her six years of personal professional experience as a social science researcher in Russia. Researchers were expected to inform research participants about the purposes and who was conducting the research. Researchers were also expected to inform participants about how the data would be used. When asked to take part in a survey, potential research participants would also be informed that their answers would be kept fully anonymous and the data would only be analysed in an 'aggregate' form and their identity would not be revealed. When asked to give an interview, potential research participants would in similar ways be informed about the purposes and intended uses of the information, and to what extent the data would be kept anonymous and confidential. If sensitive information was provided and when participants were unwilling for their identity to be revealed the participants would be guaranteed confidentiality of the data. The requirement to inform participants of the right to refuse permission or withdraw from involvement in research was not as strictly followed in Ukraine at the time of the original research as in the UK and were more at the discretion of

individual researchers. Participants would normally be informed about the primary research for which the data were collected but not about the possibility of subsequent re-use of the original data, or about the possibility of archiving the data. The tacit assumption was that when participants give their consent to use the data for primary research they also give their consent for re-use, or secondary research.

The usual procedures were followed during the original survey and interview data gathering in Ukraine, that is the subjects were fully aware of the purposes of the original research and gave their consent to take part in the study. These data from the original research (including survey data and in-depth interview transcripts) were only used in the thesis in an anonymous form. Only the researcher had access to the interview transcripts which were stored securely, and pseudonyms were used at all times when these data were quoted. The survey data that were in the possession of the researcher were in a numerical form in SPSS files and were not traceable back to any individuals. A problem with the re-use of qualitative data (and this applies to quantitative data too) might be that when consent was obtained in the primary research, the respondents were not aware of a possibility of the data being reused in the future, or at least did not give their explicit agreement for re-using the data (see, for instance, Bishop, 2005 p.9). It has been suggested by Heaton and others that because it may not be possible to obtain consent to re-use data, 'a professional judgement may have to be made about whether re-use of the data violates the contract made between subjects and the primary researchers' (Hinds, Vogel and Clarke-Steffen 1997 cited in Heaton 1998 p.5). In this thesis, because the data were strictly anonymous, the researcher believes that the contract made between the primary researchers and research participants was not violated. The researcher obtained permission from the principal investigator of the original project to use the original data for the purposes of secondary analysis as part of her PhD research.

When collecting her own original data in 2006, the researcher followed ethical guidance that academic researchers are expected to adhere to in the UK, such as British Society of Criminology's code of ethics for researchers. Participation in interviews was based on informed consent. Participants were fully informed that the data were gathered as part of a PhD research and what the research was about. Participants were also informed about their right to withdraw from the research and not to answer any questions they did not wish to answer. The researcher made every effort to ensure that the interview schedule (Appendix 1) did not contain topics that were likely to cause distress to the respondents. Permission of the participants was sought to use tape recording equipment. No tape recording was used on one occasion when the respondent was unwilling for the interview to be tape recorded.

This is a difficult area of research given the hidden nature of many phenomena related to corruption, secrecy and the effects of politics in the operation of the police. Some of the interviews contained sensitive information and ensuring confidentiality of the data was an important consideration in this study. Due to uniqueness of the K project anonymisation of the location and of the project was difficult. However, this did not in view of the researcher compromise confidentiality of the data. Confidentiality was ensured by the use of, where appropriate, pseudonyms. Pseudonyms were used to anonymise the identity of the respondents when citing any potentially sensitive information, particularly comments referring to illegal and shadowy practices. No reference was made in such cases to the position of the person if such reference could make them identifiable, and only fragments that did not reveal their identity were used.

Some information was provided 'off the record'. This information was used but was treated again as strictly confidential. The provision of 'off the record' information was entirely voluntary on the part of the participants and at no point over the course of the interviews were the participants under pressure to provide any sensitive information. It can

be argued that when such information was provided it was the intention of the participant to give the information to the researcher but they did not want to be identifiable as the providers of such information. Therefore, it can be argued that when such data are kept as strictly confidential and are not traceable back to the individual, the use of these data is consistent with the UK social science codes of ethics. This is also consistent with other cases where researchers made use of 'off the record' comments treating such data as strictly confidential (for instance, Talbot, 2007).

Every effort was taken over the course of the study that the data were stored securely. During her field trip and when transporting the data out of Ukraine, appropriate measures were taken by the researcher to make sure the security of the data was not compromised. The researcher has a long experience of travelling to and from Ukraine, is well aware of standard procedures of custom control in this country and is confident that such procedures do not normally represent a risk from the point of view of transportation of data. Special care has been also taken that all tapes and transcripts were stored securely in the UK, and were only assessable to the researcher.

Conclusion

The thesis was aimed at revisiting a past action research project in Ukraine in order to review critically its claims of success, understand the lack of lasting impact and reveal the processes and mechanisms underpinning such failure. As this chapter has demonstrated, there were a number of methodological challenges associated with this type of work. Many of them arise from the questions of validity of evidence or knowledge generated on the basis of secondary analysis of data, particularly when such data are qualitative in nature as in this case. The central problem with secondary analysis is the lack of access to the original context that in this case was less problematic since the researcher was part of the

original research. This however has raised further issues in terms of the objectivity of such analysis, the capacity of the researcher to recollect past events and the impact of the researcher on this process. Although such impact could not be eliminated entirely, it could be acknowledged and addressed via triangulation of the data and the collection of new data in 2006. A dilemma associated with the analysis of one's own past data is the stance that the researcher adopts and the need to dissociate oneself from the past work while still being able to take advantage of insider knowledge and recollections. It is argued here that the process of addressing this dilemma helped to illuminate important normative and moral concerns that need to be asked with respect to policy transfer projects. It has also been shown in this chapter that in this research the issue of translation was significant not as a linguistic but as a socio-cultural issue that has important implications in terms of the limits of transfer and therefore is addressed in the course of the analysis. Finally, the research faced the difficulties associated with researching hidden practices such as police corruption that required, in addition to data triangulation, reliance on the available academic research on the topic in order to advance critical analysis of the K. project.

The analysis in this thesis is presented in the following order: the following chapter (3) looks at the politics of transfer: the key actors who were involved and how their motivation for taking part and the relationships that were developed between them affected the outcomes of the project. Chapter 4 revisits the K. project research within the context of policing in K. and evaluates the claims that were made on the basis of this research. Chapter 5 then goes on to look at the process and outcomes of the implementation of the K. project, starting with police reorganisation. The plausibility of the theory of police conduct that underpinned the plan is considered as is the plausibility of alternative explanations of police conduct. Chapter 6 continues this analysis by looking at how the project attempted to engage the public in policing, and examines the plausibility of the theoretical claims and ideas that underpinned the schemes of community policing. Finally, the concluding

chapter summarises the previous analysis and offers a discussion of the normative issues of transferring community policing to Ukraine.

Chapter 3 The K project: its origins and actors

The section starts by exploring the origins of the K project and the reasons why particular actors were involved in it. The aim is to begin to look beyond the K project's conceptualisation of community policing at the actors' reasons for being involved, their social positioning and understanding of the project, and their relationships with other actors. This enables the researcher to draw attention to the unintended effects and consequences of individual and social circumstances that underpinned the project. The study thus acknowledges that there are 'socially situated, imperfectly knowledgeable actors', whose 'every 'solution' is based upon a situated perception of the problem it addresses, of the interests that are at stake and of the values that ought to guide action and distribute consequences' (Garland 2001 cited in Hughes and Rowe 2008 p.318).

There are three reasons for drawing attention to actors. First, the accounts of 'convergence' versus 'national differences' (as discussed in the literature review) tend to overlook the unpredictability of the actions of key actors and the unevenness of local policy and practice, which might challenge the (deterministic) narratives of policy development uncovering different rationalities underpinning the local governance of crime and disorder (Edwards and Hughes 2008). Thus it is important to explore what the actors think about the policy or practice they intend to develop and implement.

Second, some analyses of policy failures in transitional and failed societies emphasise structural and cultural barriers to policy implementation; from this perspective the project of community policing is seen to have been largely unsuccessful (Brogden and Nijhar 2005) and reform efforts seem to have been plagued by common legacies and structural problems. However, such a view might overlook significant differences in local conceptualisations of policy. Wedel's political science analysis of foreign policy and

foreign aid failures in Eastern Europe and the former Soviet Union emphasise the crucial role of the actors responsible for delivering aid and the relationships between them upon the policy outcomes (Wedel 2005). While recognising the impact of such common legacies and structural problems, it is important to focus on the level of actors and look at how they understand particular policy projects.

Third, the 'translation' perspectives as well as the realistic approach to evaluation (Pawson and Tilley 1997; Pawson 2006) also suggest that interpretations of policy by actors are of key importance in terms of outcomes. These perspectives challenge the notion of policy as a continuum of progressive and rational processes of solving problems and implementing aims and objectives, by highlighting the work of translation involved in transforming theory into policy and policy into practice. In addition, studies of policy transfer draw attention to the circumstances of transfer, its messiness, and the role of unintended consequences, serendipity and chance (Jones and Newburn 2004 p.18). These perspectives again suggest the importance for this study to examine actors' rationales for developing and taking part in the K project.

It is worth noting from the outset that in the UK each police force can develop their own overseas contacts and there has been no central coordination of assistance to former Soviet countries, which means that there have been many 'individual organisation' level driven initiatives (visits, exchanges, training). Similarly, in Ukraine, initiatives of the Ministry of Interior are a result of the involvement of a number of people with different views of what the initiative means and how it should be implemented.

The K project – a story of academic entrepreneurship

The K project can be described in two words as ‘academic entrepreneurship’. Dolowitz specifically draws attention to the role played by the academic entrepreneur (Dolowitz, 2000 p.18); providing advice to national and local governments is an essential part of their professional career and their status as academics gives legitimacy to the policy proposals they develop.

The academic entrepreneurship that this research explores was an international collaboration of academic entrepreneurs who attempted to develop and implement a demonstration community policing project in Ukraine that could potentially evolve into a large scale policing policy change. The story of entrepreneurship begins in 1998 when AP, a police researcher and lecturer from the University of Internal Affairs in K, won a Chevening Scholarship and came to the UK to do his masters degree in policing. As the scholar remembers, he knew very little then about community policing but was interested in the topic and decided to write about it. The following describes how his decision was made:

When I came to England I knew very little but I've heard that there was such a model as community policing. When I came I tried to focus on this and build my dissertation on this. When I suggested to PI [the student's supervisor] that perhaps I could do my MA on community policing, he was very interested, because then this model was already very popular in Britain, and we briefly discussed with him how I could write such an MA (AP 2006)

Community policing by that time was widely practised by police forces in the US and UK; in Britain, these ideas had already become very influential in the thinking of the chief police officers (Newburn 2007) and it began to have an international reputation of ‘best

practice' in policing. In 1998 (the year when AP was writing his thesis) the introduction of the Crime and Disorder Act had placed statutory duties upon the police and the local authorities in the UK to create crime and disorder reduction partnerships that emphasised local problems and local responses to them (Newburn 2002). Academic and policy entrepreneurs from the US, UK, the Netherlands, Norway, Sweden and Canada had by that time begun to recognise the appeal of philosophies of community policing and community-centred criminal justice in the transitional countries of Eastern Europe and the former Soviet Union. Project Harmony, an independent US think-tank, was in 2000 awarded funding for a two-year Community Policing Training Initiative (CPTI) and established a Community Policing Center in Lviv as a permanent resource base for community policing and training materials for western Ukraine. In 2000 a 3-year British government funded project in the area of penal reform was started in K and was meant to demonstrate the value of community supervision to practitioners, the judiciary, procuracy, politicians and the public (Canton 2006). A whole range of training programmes and exchanges were offering skills in community policing to Russian, Mongolian, Lithuanian, Estonian, Polish, Czech, Hungarian, Bulgarian and Ukrainian police officers (Brogen and Nijhar 2005 p.5). AP's academic supervisor, PI, had already been involved in research on policing in the post-Soviet countries, and was interested in further expanding and developing his research in this area:

...I had been involved in other projects in Russia and Ukraine before that one so we had some work and links with Omsk and also with Kiev, I've had a sort of emerging area of interest in post-Soviet policing... (PI 2006)

After community policing had been agreed as the topic for AP's thesis, PI became aware of a Foreign and Commonwealth Office (FCO) initiative 'Assistance to Support Stability with In-Service Training' (ASSIST) which aimed to promote community policing and human rights as the central ideas for reforming the police in Ukraine:

...luckily at that time there was funding available from the Foreign Office – the ASSIST scheme, wasn't it?...It was the British Council who put me in touch with them. I did not know it existed. But it was the British Council who said: look, there is this fund available to try and help police developments in Ukraine and indeed other countries. And it was a very big fund at the time (PI 2006).

PI's expertise and track record of research in the area and the previous experience of work with the British Council, who administered projects in the area on behalf of the Foreign Office, improved the chances of the 'community policing' project obtaining funding.

In both cases of community policing and police training projects, the idea was raised initially by Ukrainian academics. Thus it might be misleading to think that the flow of aid has been mostly shaped and driven by the interests and concerns of donor governments and aid agencies. These examples confirm an earlier observation that 'customer demand' plays a role in the contemporary policing export (Brogden and Nijhar 2005 p.4; Sparks and Newburn 2004 p.3). However it is important to note here that in these cases demand did not come directly (as it could have been in some other cases) from practitioners.

When PI and AP began to discuss the future project, there quickly emerged the understanding that they should try to develop a pilot of a Ukrainian version of community policing, and see whether it would work or not. The ASSIST fund provided an opportunity to do so: although it mainly provided funding for training purposes it also supported 'stand alone flagship projects'. As AP recalled, PI suggested:

...to try to adapt it to Ukrainian context. I said I was very interested, 'let's write it up'. We wrote a brief proposal and the British Council said: 'yes, this is very interesting; we are ready to consider this topic, please prepare a detailed proposal' (AP, 2006)

An advantage of the project in view of its authors was its obvious novelty: the earlier attempts to transfer community policing were mainly in the form of training (courses, exchanges) but there were no pilot community policing projects at the time in Ukraine, and there were few and far between in Eastern Europe. As PI (2006) recalled:

...in Eastern Europe virtually nobody at that point was really trying out large-scale community policing style... I think there was some work that was actually done in Poland ...and I think there was also...some Swedish work that was going on in Latvia or Lithuania But I think we were really the first to go in and really on quite a big scale, to say what would work from within the model of community policing that is used in the west.

AP's views (certainly shared by many Ukrainian academics and expressed by some other participants in the project) with respect to training courses provided by foreign agencies were quite sceptical:

And what they give money for now – training, seminars – everybody is fed up with this, tired of this. Along comes a man, nobody knows what he studied there...gave some talks, issued diplomas: 'participated in a number of seminars' (AP, 2006).

Certainly the authors' aspiration was that the K project should be different, in that it would attempt to identify and prioritise the real needs of the recipients. This was one of the largest of Beck's projects and the only one that was going to pilot a range of schemes of community policing; another similar 3-year project that was implemented in Russia between 2001 and 2003 was based on a similar philosophy of cooperation between the police and the public focused on piloting burglary reduction schemes (Beck and Robertson 2003; Robertson 2005). For AP this was an opportunity to be involved in a large-scale international action research project in a leading position of local coordinator, which could also help his further career at K. University.

After a detailed proposal was drafted, AP made a phone call to Ukraine to discuss the idea with his superior, a senior academic at K. University. The idea was to implement the pilot in K with the University playing the role of the local partner providing logistic support and liaising with the local police and other local agencies (AP 2006). It was also important to secure the formal agreement of the Ministry of Internal Affairs (MIA). The academic - OY - almost immediately guaranteed the University's and the MIA's support, on the condition that the University would not be expected to contribute any funding. As the official recalled, he accepted the idea immediately when he understood that it did not require a financial contribution from the University. Certainly for OY the financial aspect and the fact that the University did not have to search for funding was the crucial factor in terms of the feasibility of the project; when asked (in 2006) about difficulties or obstacles encountered by the project he replied:

No, we did not have big difficulties in implementing the project because we were not required to spend a lot (OY, 2006).

Although the K project could not promise great financial benefits to the recipients in Ukraine it was going to cover most of the costs related to research and implementation, as well as consultancy fees and costs of the training visit to the UK for the Ukrainian trainers, police officers and a consultant. OY (2006) was also confident about the support of his superiors in the MIA:

I knew the opinion of the officials, and of our rector and of the head of the regional headquarters, and the officials from the Ministry, that they would like the idea.

He explained that the idea seemed very similar to what he had thought would be beneficial for the Ukrainian police, such as police working with the support of the public (OY, 2006).

Certainly the issues of public participation in order maintenance and the partnership between the police and the public were at the time issues that were being discussed by Ukrainian police academics and policymakers. Some attempts were undertaken to re-conceptualise the relationship between citizens and the police and develop legislative provisions to enable the development of a new kind of relationship between them. In 1999 the 'Concept (paper) for the Programme "People and Police are Partners"' (Ministry of Internal Affairs 1999) was adopted followed by the 'Law on public participation in the protection of public borders' (Ukrainian Parliament 2000). The Concept Paper stated that to achieve the partnership relationships required, among other things, the use of 'positive forms and methods of cooperation', and the 'implementation of scientific recommendations and foreign expertise in partnerships between the police and the public'. The 'Law on public participation' drew mainly on the Soviet experience of public patrols and points for public order, but there was not much evidence to suggest what would be appropriate and what would work in the new conditions. An idea of a British-Ukrainian project drawing on the British experience and on research of local conditions in Ukraine appeared against this background a timely initiative which could provide empirical evidence for developing policy in this area.

Another factor was important in OY's decision: the fact that AP was his former student, someone who worked under his command and had a good reputation. The official mentioned that:

AP had been studying there for a long time and I trusted him immediately when he said there was an interesting experience of the British police... (OY, 2006)

In addition, this project promised to be a new and interesting research experience. It is important to take account of the general atmosphere regarding foreign aid at the time when the project was initiated. The end of 1990s was the time when 'triumphalism' regarding aid provision ('big dreams and schemes') has been replaced by a period of 'disillusionment' (Wedel 2005). The donor activities were often seen as low impact and there was a widely-shared perception that the reality of the donor aid often had nothing to do with the officially declared aims. The donor aid came to be seen as beneficial in a very concrete way: hard currency that it brought; '...the payments to hotels, restaurants, taxis, translators...inadvertently contributed to the local economy' (Wedel 2005 p.38). There was growing scepticism about training provided by western consultants. Judicial training courses and seminars on conflict resolution have become, notes Carothers (1998 p.11) 'a cottage industry'. In a similar vein, AP commented on donor training programmes:

...it is clear that all these projects are financed in order to have some degree of control, to be aware of the situation about what is going on in one or another country, and in order to pay a salary to their own academics. That's it. For their travel, business trips and living expenses in their own country (AP, 2006)

In contrast to this view about previous work, however, AP saw the future K. project as something that was going to make a difference and do some useful research-based work in K. This view was shared by his K Boss, OY, for whom the distinctiveness and attractiveness of the project was its 'realism'. As he emphasised on a number of occasions in 2000-2002 and reiterated in 2006,

...this project was unique, because it was not limited to training. Unfortunately the American side, and the Council of Europe as well, they do things massively – trainings, trainings, trainings...huge money is being spent on the trainings. But the trainings do not always take account of the specifics of our real life. But this project, its brilliance was that it had several phases, including a research phase,

and we were not acting blindly, but did fieldwork, and this was great. So I am a supporter of such projects.

Thus as follows from this review of the story of academic entrepreneurship that preceded the emergence of the K project, the key factors in making the project happen were the availability of funding for community policing research from the FCO and three academics: a UK academic who was interested in testing the philosophy of community policing in the post-Soviet context, a Ukrainian academic who was equally interested in playing a key part in implementing such a project in his country, and his superior at K. University (a senior academic as well) who found the idea sensible and feasible and whose agreement provided the needed Ukrainian partner and the support of the MIA.

Having provided the description of the origins of the K project and the key rationales of the academic entrepreneurs that initiated it, this chapter now moves on to look at other actors who had a significant influence or involvement in the initiative. It will look at their rationales for being involved or providing support and how they saw the project; it will also draw attention to the relationships between them. The actors include the heads of the experimental police divisions, the K police University, the Ministry of Internal Affairs, the British Council, the local NGOs and the academic researchers.

Police professionals - the heads of the experimental police divisions

Professionals and administrators, as Dolowitz (2000 p.17) argues, are 'crucial in the process of conveying the detailed information to policy makers in their own and other political systems'. The crucial difference in the case of the K project was, however, that it originated as an academic driven project, and therefore it is them, and the police consultant

from the UK, who had the role of 'explaining' and 'conveying information' about policy to be implemented to the police professionals in K.

There is little doubt that when first invited to take part in the project by K. University, the heads of the police divisions were interested and willing to be involved. The main incentive seemed to be their curiosity about this academic exercise, the excitement of being part of this research experiment, and, as will be obvious from the following discussion, other benefits of being part of an action research project.

VM, the head of the rural division who was interviewed in 2006, recalled that he was driven by an interest in comparing the Ukrainian and UK approaches to, and practices of, policing (VM 2006). He was attracted by the possibility of learning from the project what the public thought of the police in the area; in his words, it was important 'to learn the truth about ourselves':

I was then the head of subdivision, and I was interested. Because I wanted to know the truth about myself. We have carried out sociological surveys. On the whole territory, we had so many indicators. Trust...don't we need to know the truth about ourselves? Public trust towards us, towards the beat officer, towards the head of the subdivision, towards the police in general...and then it was interesting to look and the dynamics...three years later we took a look and we could see how we had moved forward... But we have done a survey, have written good books, there is a textbook, a very good one, for cadets, for policemen, and they read with interest about these various forms of relationships with the public (VM, 2006).

Although he had spent many years in the division prior to the project, VM was about to undergo changes in his professional career: during the third year he left his post to take up a senior lecturing position in a police training institute in K. Prior to that he had defended his PhD, where he examined the relationship between the police and the public in Ukraine.

In this sense, his interest in the educational and research value of the project was certainly not accidental. Thus the main value of the project for him was the research findings about his division, and the improvements in the ways in which police cadets are trained and the knowledge that they can receive. In his own words,

when you are equipped with knowledge you can realise yourself because you know something. And it is better to do this course than not to do it...And this course is based on practical examples, on research, on models of British policing... (VM, 2006)

Although he thought cooperation between the police and the public was highly problematic in Ukraine he believed in the value of gradual incremental changes in the mindset and attitudes of the future police officers through learning about new styles and progressive models of policing. For VM, therefore, the project was a short-term experiment that would develop policy recommendations and educational materials rather than leading to immediate and radical change in the division.

Before leaving his division, VM provided sustained support to the project during its first year of implementation, making sure his officers were available to work in the schemes, trying to maintain the interest and motivation of his staff, demonstrating interest personally and being involved in many activities during the UK team visits to Ukraine. Somewhat in contrast to this was situation in the urban area. Although when the project started, the then leader of the division was apparently interested in the project, very shortly after the start of the project he was promoted to a higher position. This was then followed by further changes of the head of this division so during the lifetime of the project several people occupied this position for short periods of time. This was typical of the high turnover rate of managerial staff within the MIA at the time. Each new leader knew their tenure in the post would be short term. Chapter 5 discusses in more detail how high staff turnover and a

short policy horizons meant position-holders could not develop sustained interest and commitment to the role or engagement with the problems of the organisation. It was unclear whether or not the heads of the urban division in their brief encounter with the project had some real interest in it. OY, the local consultant, felt that the short length of appointment certainly affected negatively the motivation in the urban division to support and be involved in the project. This view agrees with the opinion expressed by the NGO leader MG (2006) that in the urban area, there was less commitment and support for the Neighbourhood Watch activities on the part of the police division. OY made the following comment on the matter:

It is important for the heads of subdivisions to have a strong motivation. We saw, when VM was the head of D area that business was going well, and we saw what was happening when there were frequent changes of heads of K division, so the role of the head of subdivision is very important (OY, 2006).

K University

As the local partner in the project K University was the key strategic actor in K. The University was expected to liaise with the local police and the Ministry of Interior, and with other local agencies who could potentially be participants in the community policing schemes. This partnership provided opportunities for the project that it otherwise may not have had: it ensured the support of the Ministry, agreement of the experimental police divisions, provided consultancy and advice, venues for the project meetings and various kinds of organisational support during project team visits, and an opportunity for the project team to benefit from the expertise and help of the team of criminologists at the University.

As discussed earlier, OY the vice rector had promised AP the support of the University and the Ministry. However, these decisions depended on the head of the advisory board of K University - BD. BD was also a 'people's deputy of Ukraine' (member of parliament), the Head of the Parliamentary Committee on legislative provision of law enforcement activity, and vice president of the Ukrainian Association of Criminologists. His reputation, position as a deputy and his support for the project were obviously vital in terms of ensuring the Ministry's support, and access to data and people. During BD's presence at project meetings he appeared very supportive of the initiative being developed under the auspices of the University. From interviews, personal observations and conversations, he appeared to be a highly influential figure in favour of innovative ideas that played a key role in establishing the reputation of K University. His name was mentioned in a number of interviews and VM talked about the importance of BD's backing of the project. In VM's recollection, doing surveys of public attitudes towards the police was risky for him, but knowing of the support of BD was encouraging:

When they took these measures...if the Minister could see these measures, how many people knew the head of the police...they could even sack me. But I took the risk. Thanks to such a Titan as BD, the person who wanted such changes sincerely.... (VM, 2006)

The Ministry of Internal Affairs of Ukraine

The end of 1990s in Ukraine was a time when crime and security occupied central agendas in policy making. According to official data overall crime rates more than doubled over the previous decade (between 1989 and 1999). Not only was there a 'real surge in property crimes' (Foglesong and Solomon 2001 p.21) but also the change in the structure of crime (Levy, 2000). The visibility of new behaviours (drug addiction, 'organized crime') and the sudden media attention given to these issues, as well as the loss of an overall sense of

security and stability of life contributed to the growth of the general sense of anxiety, insecurity and fear (Favarel-Carrigues 2005; Los 2002; Canton 2006; Sapsford and Abbott 2006; Shlapentokh and Shiraev 2002). The perception of the surge in crime and the awareness of the 'dark figure' of crime had their own effects on criminal justice policy and practice (Foglesong and Solomon 2001; Canton 2006). In addition, the law enforcement bodies had experienced in the post-independence years an unprecedented decline in funding and resource provision, loss of personnel and a decline of morale making it increasingly difficult to cope with the increasing demands generated by the new levels of crime and fear (Foglesong and Solomon 2001).

Insecurity and fear of crime were seen as factors limiting the willingness to liberalise and democratise post-socialist societies (Caparini and Marenin 2005) and Ukraine was seen as less prepared to liberalise its criminal justice than Russia (Foglesong and Solomon 2001). Nevertheless, the end of the 1990s saw nonetheless some attempts undertaken by the Ukrainian government to bring the criminal justice system closer to EU standards, and sought international assistance in doing so. In addition, foreign expertise was expected to add value from the point of view of improving the effectiveness of the criminal justice system and the police in dealing with crime. This included efforts in the area of judicial reform, in particular the demonstration project on community supervision of offenders (Canton 2006), police training in human rights and management projects (Beck et al 2002), and a community policing training Centre in Lviv.

The community policing project proposal developed by PI referred to a recently adopted document – an edict signed by the President of Ukraine, Leonid Kuchma, in September 1996 outlining the need for a targeted programme of research to tackle crime. More specifically, the edict included the importance of 'the acceptance of public opinion in the elaboration of police strategies and priorities, and the use of foreign expertise in the

establishment of links between the police and the population' (Kravchenko 1998 cited in Beck 1999). Thus, it seemed that the government and the Ministry were welcoming the opportunity to use foreign expertise and advice in matters of police reform.

The then Minister Kravchenko was, according to one former participant, 'of all the Ministers, the most progressive' (Rushchenko, 2006). In one of his speeches at a meeting with beat officers in 1999 in Odessa he stated that 'the police officer should not be a scarecrow but a social partner of the public...we never thought about the quality of our work' (Kravchenko 1999). Referring to the presidential edict of 1996 he stated that the beat officer should become the central figure in the police closely linked to the public, and that public opinion should become decisive in evaluating the work of the police (ibid). The perceptiveness of the Minister to reform ideas, and the relative stability of the system of informal relationships within the Ministry had created, in the view of one of the interviewees, favourable conditions for the implementation of the K experiment:

...he was clever and flexible enough to understand that something needed to be done, and this was a period of relative stability...when there was a Minister who had put in place his own people and then they were there...ruling their own mafia (Rushchenko, 2006)

The supportive attitude of the Ministry officials towards the ideas of police-public cooperation was also noted by OY (2006) who said '*the idea was in the air*'. VM (2006) also emphasised that when he was part of the project he felt the support of the head of the Ministry and particularly the head of the regional headquarters.

The British Council

The British Council had been working with the Ukrainian police and armed forces since 1995 through activities in English language training and information services. They provided management of, among other programmes, the ASSIST-funded projects on behalf of the Foreign and Commonwealth Office. The British Council office in K provided administrative guidance and supervision; budget issues had to be agreed with them and meet their accounting procedures. They expected periodical reports on progress and outcomes, and their representatives were present and gave speeches at the most important events. They also provided advice and organisational support, for example, a meeting with local NGOs was organised with the help of the British Council at their local office in K. Finally, they provided support during the research team meetings in K.

Despite the largely administrative role that may be seen as peripheral to the project, their impact was significant in a number of ways. First, they made the decision to implement the project, and ultimately had ownership of the project and its outputs. Obviously, grant-making and grant-giving decisions themselves are affected by a complex web of influences and although it is impossible within this study to identify particular influences behind the FCO decision to fund the community policing project, it is important to acknowledge them. Second, the British Council provided general management, including the roles and responsibilities of the participants, the timetable of events, and gave advice on various issues related to implementation, not least the selection of NGOs for the project. Third, they influenced the way the team reported on progress, directly (via agreeing reporting requirements) and indirectly (via perception of what was expected). Fourth, the additional budget for the purposes of implementation had to be negotiated with the British Council.

The priorities of the funder and changes to these priorities were obviously factors upon which the project team and the Ministry of Interior had no influence whatsoever, nor could

they forecast such changes hence these were the factors of uncertainty. The ASSIST programme of funding was introduced with the election of the Labour government in 1997 and was associated with the 'ethical' turn in foreign policy when the then Foreign Secretary, Robin Cook, announced the prioritisation of the promotion of human rights abroad (The Guardian 1997), as a result of which the funds earlier allocated to train foreign police and military forces in technical skills were reallocated to train them in community policing and human rights. However, no one could forecast how long the new priorities and the funds allocated to meet these would last, and indeed as hindsight subsequently showed they did not last long. In this sense applied research can be compared to trying to track a moving target (Peers and Johnston 1994 cited in Kelly 2004 p.522), 'given that priorities of funders can change and what was once a central project becomes peripheral' (ibid).

The NGOs

Reflecting upon the ways the NGOs came to take part in the project, it should be pointed out that with the extent of poverty in Ukraine at the time people could not be expected to contribute their time as unpaid volunteers. As local coordinator, AP, pointed out in 2006, none of the residents he had thought could be expected to be involved on an unpaid basis. NGOs would agree to work for a modest remuneration.

Most NGOs experienced financial difficulties. According to one of the NGO leaders who worked for the project, with very little support from the government, she saw foreign grants as the only way to survive as an NGO (TL, 2006). But the sense that NGOs had certain financial expectations also affected judgement on their performance. The local coordinator, AP, commented that two organisations (of the three hired) worked well

because they were sincerely interested and not so much concerned about money, while the third organisation:

... wanted perhaps to earn more than to work, all the time were asking about the budget, but there was no real work, no willingness to work on a voluntary basis. (AP, 2006)

Further, the NGOs were attracted to the project by the prospect of relative autonomy in developing the schemes they were expected to coordinate, the Neighbourhood Watch and Youth Liaison schemes. Whilst they were expected to focus on crime prevention and cooperation with the police, at the same time they could and were expected to draw upon their own experience, expertise, knowledge and skills. Both MG and TL had experience of work with children and young people. For instance TL recalled:

...because I dealt then with the rights of children, rights of socially vulnerable groups...I was interested in this project also because they said: 'this is a project about relationships between the police and the public, this is for young people...'...I wrote how I saw this problem - work with preschool age children, and I was also interested in primary school, because secondary schools usually attract more attention and they were part of the project as well - teenagers and their problems; so I wrote a project about work with nurseries and pre-school children, work with parents, and primary school (TL, 2006).

Some questions can be raised in relation to the selection of the NGOs and the relationships between them, the British Council and the project. While the engagement of foreign donors and advisers with local civil society agencies is generally thought to be a positive factor supporting the development of the civil sector and democratisation in the former communist countries (Carothers 1998; Nanivska 2001; Kobzar 2006; McFaul 2007) it has also been argued that the impact of foreign advisers on the NGOs may be far from unproblematic (Narozhna 2004; Pishchikova 2004; Palyvoda 2001; Henderson 2003;

Wedel 2005). In particular, some scholars raise the issue of unequal relationships between the donors and the recipients of aid (Henderson 2002). As Henderson argued, those NGOs who already have good reputation/track record with the foreign aid providers have greater chances of receiving further support (ibid); she also argued that instead of promoting cooperation between agencies such selection establishes unequal, vertical relationships (ibid. p.162).

In the case of the K project, it would appear on the surface that the participation of the NGOs was entirely a matter of their choice and they were selected on the basis of their good record of activities and because they had the required skills. A meeting of the local NGOs with the project team was organised at the British Council office where NGOs were invited to discuss their potential role and provide a written document outlining this vision. The final decision as to who would suit best was made by the local coordinator in consultation with the British Council (AP 2006). The British Council who apparently had good knowledge of the NGOs in K effectively played the deciding role and from the point of view of the local coordinator, they were very helpful in selecting 'the right people'. However, this situation appeared to be different from the perspective of the NGOs themselves, for whom the selection criteria and the meaning of the project in which they were invited to take part were far from obvious. According to MG, she felt drawn into a project she knew little about and was at the beginning reluctant to be involved in it, seeing the work with the police to be ethically problematic. The decision to take part was not easy, as she was not sure about the actual intentions of the project team and whether it would do any good for the local people:

Respondent: I found myself in the project thanks to the British Council. In December 2000 we (the NGOs) were all invited to a seminar, there were around 25 NGOs, and then PI, MW, and you came along, and AP...And you talked about the project, that it had already started..

Interviewer: That is when you first heard about the project?

Respondent: That's when I first heard about the project...

Interviewer: And what were your first thoughts and feelings? What did you think of the project?

Respondent: Frankly? I thought 'the secret service agents have come'. The Foreign Office, they deal with foreign affairs. We perfectly understand. They need information about our power structures...At the beginning I thought: I do not want to help. ... you pressed hard that the public should obey the police and become those...long arms and helpers of the police. Spies and so forth....I am not against them taking care of order in their schools...But...not to teach them this stupid Stalinist system, when everyone is reporting on everyone. I was against this... But then I thought: why not to try to do something good for our people. We discussed this with the team and wrote a draft of a project... (MG, 2006)

Not only does this fragment demonstrate the difficult ethical dilemmas faced by the NGOs who are invited to participate in international initiatives, but also shows how the understanding of the intentions and the idea of the project by a local NGO leader was obviously different from what the authors of the proposal had in mind. These variations in translation, as suggested earlier (Pawson and Tilley 1994; Pawson 2006; Lendvai and Stubbs 2007) need to be examined in order to understand reactions and resistances that might be the outcome of some translations.

The interview data also suggested – as mentioned above - that financial considerations played a key role in decisions to take part. In the words of TL:

Before this project, I won two American grants, so I was familiar with this system, and these were difficult years financially, and for an NGO to stand on their feet, to do some good for the people....once I was walking down a street and I was

thinking: I want to help those children, I am spinning around doing my best but I cannot do much – there is no money, what can I do?’ and I come to the conclusion that we need to earn money, the NGOs, - without this it is unrealistic to work...when money comes from a foreign donor and you understand that this is such a great help, this is like a breath of fresh air, you have your plans and you can fulfil them...And when I heard ‘the British partners take part...’ my first thought was...I was not concerned about prestige but about finances (TL, 2006).

Although as evident from the interview above the NGO leader hoped that with the foreign funding she could fulfil her plans, it is obvious that in this situation they were not the grant holders. The NGOs worked as salaried staff, so inevitably they would have less control over the agenda, what would be going on and what they would be expected to do.

The researchers

The relationships between research and researchers on the one hand and practice and policy makers on the other is one of the questions in this study. The K project highlighted the problems of translating academic knowledge into policy and practice, a process long known to be fraught with difficulties. One of the K scholars who was involved in the K project noted in a monograph published in 2001, ‘[in our country] criminology was a juridical discipline, it was quite closed, corporative, it was developed under the supervision of the central committee of the communist party, to meet the scientific needs of the law enforcement structures of the state – the Ministry of Interior, the Prosecutor’s office’ (Rushchenko, 2001 p.11). Not surprisingly, given this mandate, criminology in the Soviet Ukraine focused on the micro-level: family, workplace, and schools, and factors such as alcoholism, domestic disputes, poor education, delinquent peer groups, bourgeois propaganda, negative family influences, lack of parental supervision, recreational facilities, and poor enforcement of alcohol laws (Finckenauer, 1995 p.75). As follows from the overview of the development of criminological research in K by Foglesong and Solomon

(2001 pp.105-107), despite the fact that independent Ukraine inherited in 1991 a 'theoretically and methodologically limited criminology', the institutional development of the discipline in the following decade was in their view 'remarkable'. They noted the advanced level of applied research of the laboratory and the preference for quantitative methods such as surveys.

Although the choice of the survey method by the authors of the community policing project was not itself dictated by the expertise of the criminologists in K, their preference for such methods of research was not accidental. The project was of an applied nature and the aim was to produce practically useful knowledge for the Ministry of Interior; such knowledge, almost inevitably, would come in a form of quantitative measures. It is also important to recall here the view at the time of the Ukrainian government, outlined in the Presidential edict and cited in the project bid, on the need 'to collect data on the problems of crime in each 'town, district, populated area and working collective' (Kravchenko 1998). In this sense, the project's methodology fitted with the political priorities and the mode of criminological work in Ukraine.

The K criminologists that were involved in the design and collection of data for the project were at the time also involved in research that drew heavily upon survey data and quantitative measures; one of them for instance studied public trust in the police, research that relied on a combination of quantitative measures of trust and made extensive use of statistical measures of association to explore the factors that affect trust or distrust in the police (Svezhentseva 2002); another scholar researched latent crime, again relying on victim survey data, and tried to examine and evaluate the 'dark figure' of crime using both survey and official statistics and interviews (Rushchenko 2002).

The social sciences of the former Soviet states inherited a technocratic orientation towards the service of specific policy needs and the reliance on exact 'scientific' methods (surveys) to measure social reality (Filippov 1993). 'Permissible' sociological research encompassed practically useful and ideologically harmless studies, and only during the perestroika years was the socio-critical function officially permitted by the Party (Nikitin 2001). The researcher's familiarity with the methodological and theoretical developments of Soviet sociology, particularly the Novosibirsk Economic-sociological School, with its focus on economic sociology and stratification (Zaslavskaya 1999), comes from her educational and employment background. This is why her academic profile was seen as matching the role, in particular the knowledge and experience of developing and conducting survey research, combined with language skills and familiarity with the post-Soviet context. Similarly, the K criminologists were experts in applied social research. In general their role was that of ensuring that the collection of the data in K was performed technically correctly and that high quality survey data were available for analysis.

International research projects had often been seen by researchers of crime in Ukraine in the 1990s-2000s through the lens of financial benefits and academic status involvement in such research could bring, but they also noted the progressive potential of such aid efforts:

...For countries like Ukraine, pressures from the West are a positive factor. For example, now the human rights problems are at the centre of attention. Campaigns against torture in Ukraine... now they invest money there, and this is an incentive for doing research...Our [researchers] have recently won a grant to do a programme on mobile groups - visits to district divisions of police, inspections. They bought a car with the grant money ... The idea is very simple and clear and it even received support from the Ministry (Rushchenko, 2006).

The main tasks of the K experiment, according to them, was to operationalise the main elements of the 'system of relationships between the police and the public' and identify the

main indicators to use in field studies; to obtain 'before and after' measures, to give an overall evaluation of the changes and to measure the effectiveness of introducing each of the specific innovations (Rushchenko and Svezhentseva 2003). As well as being positivist in its methodological approach this position can be recognised by an orientation towards measurable outcomes and the policy needs of the government, which is characteristic of much evaluation research that purports to be objective and politically neutral (Armstrong and McAra 2006), or politics free policy relevant crime science (Hughes 2007).

However, there seemed to be little engagement of Ukrainian criminologists with political processes shaping criminal justice policy and practice and perhaps there was an insufficient awareness of these factors. Criminologists working for the Ministry of Interior found themselves in a position of expecting 'a task' to be given to them from above. Commenting on the need to combat corruption in the police Rushchenko (2006) noted:

...serious work needs to be done, including sociologists...one cannot combat corruption through punitive measures. To change these relationships in such ways that would reduce opportunities for corruption. But one needs to take specific life situations...to give the task to sociologists to design the relationships in this sphere that would reduce the possibilities for corruption.

The local criminologists found the ideas of the community policing project convincing and progressive. Interviewed in 2006, Rushchenko talked about community policing as a departure from the repressive and punitive function of the police towards building new relationships with the public which he thought was 'a new and interesting idea, a breakthrough'. In terms of specific practices and techniques of crime prevention he did not think there was anything new in community policing that was not tried in the Soviet past. It was more the philosophy, the idea of cooperation with the public that IR found new and different. Chapter 1 mentioned the rhetorical power of community policing in the post-

Soviet context that emerged as an alternative to the repressive policing of the past, an idea that also drew upon the difference between historical and social realities of the UK and USA on the one hand and Ukraine on the other. This difference infused the idea of community policing with novelty and made it interesting.

The local criminologists' understanding of community policing¹¹ as a reality of western societies was detached from specific contexts but drew upon their views of the nature of American and British societies and the literature on western policing that was available to them. They recognised the impact of class differences and saw community policing as consensual policing of middle class white areas (Rushchenko and Svezhentseva, op. cit. p.178), the observation many English-speaking criminologists would probably not disagree with. However, it seemed they were not familiar with the criticism of the divisive and exclusive potential of this model of control. Instead, they commented that the expansion of the middle class in Ukraine should provide grounds for closer 'public order' cooperation between the police and the public (Rushchenko and Svezhentseva, in *ibid*). The idealisation of the middle class as 'law-obedient' and supportive of the 'core values' of society (*ibid.*) - an argument that was convincingly challenged recently by Karstedt and Farrall (2003)) - led the Ukrainian scholars to argue that, as Ukrainian society becomes wealthier interactions between the police and the public should be widening: residents would be increasingly cooperative and willing to report anti-social behaviour, suspicious persons, youth gangs, and anything else they found suspicious and important for public order.

This obviously implied that community policing in Ukraine was a matter of the distant future as at the time of the study the majority of the population remained poor and it was

¹¹ The researcher refers here to a chapter co-written by Igor Rushchenko and Yulia Svezhentseva in a collection of papers (Povolotskiy et al 2003) published by the K University (in Russian) at the late stage of the project.

too early to speak of a formed lifestyle, psychology or culture of 'a middle class'. More critically, this left unanswered the question of policing of the poor, the 'underclass', ethnic minorities, young people, drug-addicts and other 'marginal' groups. The repressive style of policing some groups was not mentioned as a possible problem of community policing that needed addressing.

However, the authors then suggested that even in the absence of a developed middle class there were opportunities for closer cooperation between the police and the public in Ukraine. They argued in favour of a more extensive legal regulation of some types of conduct that were currently not seen as violations of criminal law but could potentially lead to crime (noise, regime of selling alcohol, drinking, drug dens, and rubbish collection). However they did not address the potential limits of legislative regulation in Ukraine in the absence of effective mechanisms of enforcement. Moreover, this commentary showed no awareness of criminological criticism of zero-tolerance and similar strategies of policing. The authors failed to note the dangers associated with providing the police with additional legal and extra-legal powers, the dangers that would be aggravated by the lack of professionalism, low pay and the lack of oversight and control.

Certainly the position of the criminologists within the Ministry of Interior, their role in the project and the purpose of the publication limited the extent to which community policing could be viewed critically by the authors. One could hardly expect a left radical critique. Although they were interested in the project as a 'sociological experiment' they were sceptical about the chances of it being translated into a large scale policy change. Rushchenko (2006) commented on the endless fruitless reforms undertaken by the Ministry of Interior that did not take account of the realities of policing nor made use of the expertise of sociologists. In addition, the climate of political instability and uncertainty added to the sense that it was difficult to expect any reforms to have a lasting impact.

It is difficult to comment on the degree of influence of this group of criminologists on various aspects of the law enforcement policy and practice in Ukraine. There was anecdotal evidence of internal rivalries between groups of academics, particularly between the capital and K but how much each of the individuals or groups of academics contributed to policy debate and change (for instance if those in Kiev had a greater opportunity of making an influence¹²) and how much this internal debate mattered remained unclear and requires further research.

Elected officials

Elected officials, if they played a role, were not the main driving force behind the project, contrary to the argument put forward by Dolowitz that they are the principal group in this process (and maybe they are in the UK). Local deputies in K provided some material and financial support to specific schemes, particularly Neighbourhood Watch and Youth Liaison. In a document 'The programme of action to organise children's playground' that describes the action that took place during the implementation of the scheme in March of 2002, the invited guests included two local deputies (to city and district councils) and several media representatives (Anon 2002). As was commented by MG in 2006, the project presented an opportunity for the deputies to earn a good reputation during the electoral campaign (they could be seen on TV or in the press supporting an important international initiative) and this situation was used by the NGO to obtain funding for cultural events and enhance the publicity of the project. It should be noted that the theme of corruption of elected representatives and public servants was mentioned in interviews. The motivation of the deputies in this case as suggested by the NGO leader was primarily

¹² For example the concept paper 'The People and Police are Partners' was developed by a group of academics headed by Professor Kondratiev from the National Academy of Internal Affairs of Ukraine based in Kiev.

personal gain rather than an interest in taking forward a particular policy of which they were little aware:

We had two deputies in Kominternovski district, and ...four city council deputies, with whom we worked...this was their area. The district deputies were the most humane – but they did not have money at all, they did not have a penny to repair roads, roofs, anything... city deputies had some money, but they...were more corrupt...and people's deputies were even more corrupt...but they had money, their own money, to develop the territory...and they wanted to win the elections...so we used this situation... (MG, 2006)

An interview with another coordinator, TL, suggested that the involvement of the deputies was seen as a good help but not necessarily driven entirely by personal career motives:

When we worked on the project, [our new mayor MD] was then a deputy and MG contacted him about presents for children. It was very easy to reach him, and he promised to help and kept his promise. Later, after the project ended, he continued to send presents to our organisation... (TL, 2006)

Conclusion

This chapter looked at the origins of, and the key actors that were involved in the project and their reasons and rationales for being involved. It has demonstrated that the K project was driven primarily by the interests of academics taking an opportunity to carry out and participate in an international research project. It represented a form of academic entrepreneurship, as opposed to a large scale policy transfer.

The project was the outcome of a specific configuration of actors. Central to this was the coalescence of an academic interest, donor funding priorities and the policy priorities of the recipients (the Ministry of Internal Affairs) that at the time was developing the concept

of partnership between the police and the public and needed scientific evidence to demonstrate that they took account of foreign expertise in this area. Certainly an argument could be made that Ukraine lacked expertise in this area and required the advice and assistance of foreign experts. In this sense, it can be argued that the underdevelopment of criminological expertise in Ukraine meant that the Ukrainian government needed to import such expertise (Edwards and Hughes 2005). But it can also be argued that for Ukraine, the need to demonstrate the willingness and capacity to adopt European models of governance was important to legitimate its desire to develop closer links with the EU. In that sense the project had a 'demonstration' value for the Ministry. This is in agreement with findings by Canton (2006) from a study of penal policy transfer from the UK to Ukraine. The choice of the UK as a country from which to transfer such expertise was in this case an outcome of academic entrepreneurship and availability of funding, but Ukrainian academics and policy makers also developed collaborations with partners from the USA, Germany, Poland and other European countries.

While the combination of academic interests with political and policy priorities worked as a catalyst for the project, other factors such as the capacity in which some of the actors were involved, perhaps inhibited its capacity to make a lasting impact. For the NGO sector and the local academics, funding was the stronger incentive to get involved. The NGOs were less concerned with the production of evidence and more with being able to carry on with their own work and agendas. But this also meant that the capacity of the researchers and NGOs to engage with the project in some critical ways was quite limited and reduced opportunities for an open debate around the issues of reforming policing.

Sustained support or the lack thereof at the level of divisions also proved to be a crucial variable. Such sustained support was unlikely to continue in the long term due to high staff turnover, particularly in the urban areas. Even in the area where such support was

available, it was not in the authority of the division leader to decide whether or not they wanted to keep investing in any of the schemes or activities. Therefore as a local practice the project was not sustainable. The uncertainty of future funding also meant continuing research in this area was unsustainable.

For some practitioners and local researchers, the value of the project was not so much the sustainability of new practices, but the capacity to demonstrate different ways of thinking about doing the work of policing. This was seen as a worthwhile investment in the skills and knowledge of the new generation of officers, and in the academic and policy debate. But what 'community policing' should mean in Ukraine remained unclear. Defined in terms of 'partnership' between the police and the public, cooperation, a departure from the punitive policing of the past, or a British model, it had a variety of meanings and associations for the local participants and the research team, and some even understood it as an attempt to rebuild the 'long arm' of the state. These understandings were shaped by a variety of experiences, opinions, and points of view, including the views of Ukrainian history and the views of the nature of policing and society in Britain. In addition, there were mixed motivations for being involved or supporting the project. Also, importantly, these views and motivations, and the combination of participants were not constant but changing over the course of the project.

One of the key questions was also the capacity of the UK exporters to communicate their expertise and 'best practice' to the local participants, and the capacity to make sense of the accounts of the local experts and of the local system of policing (Canton 2006). It was not easy for the project team to gain a comprehensive understanding of Ukrainian policing as there were only a few sources of information available at the time. On the other hand, for the local participants, the source of information about community policing was the account of the principal investigator and a UK consultant mediated by two coordinators translating

it into Russian. The question is where the limits to this translation of expertise and practice were and to what extent was a common understanding achievable?

Overall, the project was driven and influenced by a combination of processes and forces working in an often uncoordinated fashion. As a local research project in community policing it had the necessary ingredients to fit with the political stream, and as an academic enterprise it was a success, managing to convince the funder and the MIA of its worth, gaining access to data and sites, generating data and carrying out research in the little previously researched area of policing in Ukraine. Politically, it gathered some local support and created a certain amount of publicity and some interest from the leadership of the MIA and among police professionals in other areas of Ukraine. Despite this, it had little capacity to generate long-term policy changes, mainly because of the lack of sustained political and financial support, but also because of little investment in generating a debate about what community policing might entail in Ukraine.

This chapter highlighted some of the implications of the configuration of interests and actors that initiated and were involved in the project. It described a range of groups brought together in this action research - academics, practitioners and policymakers with often diverse interests and agendas, with some of them more closely engaged in research and others in practical processes and actions. The following three chapters will take a closer look at these components and processes, starting with the research and then moving on to the processes of implementation. The next chapter will revisit the research component and will critically review the research strategies that were employed.

Chapter 4 Revisiting K: theory and research

This chapter revisits the research component of the K project. The aim is to review critically the assumptions that underpinned the research and its design and interpretation of evidence, and the relation between the chosen design and the purposes of the project. As suggested in the previous chapter, the ways research ideas originate, the contexts in which they originate, and the configuration of forces, actors and interests involved in the research process all have important implications for what kind of uses are made of the research and what kind of impact it will have. Hughes's (2007) reflections on the role of contemporary criminology seem particularly relevant here. His argument is that criminology is confronted with new challenges in the contemporary world, characterised among other things by a retreat of liberty and human rights and increasing autonomy of capital and corporate interests (ibid 2007). Drawing on Burawoy's (2004) idea of public sociology Hughes develops and adapts it further to argue for a public criminology that is reflexive, transparent, applied and evidence-based, committed to empowerment, human rights and justice (Carrabine et al. 2000 in Hughes op. cit. p.203). This implies work with various forces, agencies (state and non-state) and publics, and the role of translating various discourses on crime and order to inform policy. In this, both quantitative and qualitative studies and conceptual, theoretical resources and normative concerns have a role to play (ibid). Hughes also addresses critically alternative schools of thought and their claims, among them an 'anti-social crime science' that applies scientific method for the purposes of crime prevention and reduction (Tilley 2005 in Hughes op. cit. p.199), and purports to be politics-free and policy relevant, but offers potentially hegemonic and technical solutions and tends to be subservient to the specific interests of the client (Hughes, op. cit.; Bottoms 2001 in Hughes op. cit. p.200).

These reflections and concerns, although they do not mean to deny the value of ‘policy criminology’ as a specific form of criminological labour (Hughes, op. cit.), should alert researchers engaged in applied research and research that is intended to serve some policy needs and interests about their position and the role their research plays. They should ask themselves about their theoretical, methodological and not least normative and political position. Within the post-communist context, questions should be asked about the role and impact of the transfer of criminological knowledge and expertise and its interplay with the legacies of the previous political system, and with new politics and discourses on crime, law and order. What role does a particular research project play in this context and how can it increase its capacity to make an impact?

With these concerns in mind, this chapter aims to highlight key issues related to theoretical choices, methods and policy strategy employed by the K research team. The chapter starts with the description of the theoretical, research and policy perspectives of the K project and then moves on to critical analysis.

The K project’s theory of community policing

The argument for choosing community policing as a model to pilot in Ukraine was that academic literature often considered it to be the best approach for modern policing (Beck 1999). Community policing was at the time widely seen by police practitioners and many academics in the UK and US as ‘best practice’ in policing and as a model to transfer to transitional and failed states to assist in their democratic transitions. It was mentioned in chapter 3 that the themes of crime prevention, police ‘service’, attention to the public and its needs, human rights, and partnerships with the public were the aspects of police reform prioritised in official speeches by the Ukrainian government. It is worthwhile noting the types of reasoning that underpinned most typical critiques of policing in Ukraine at the

time. First, it was the reasoning that contrasted Soviet legacies with the principles of liberalism and democracy, such as human rights and democratic accountability of the state institutions. Secondly, the service of the needs of the state was contrasted with the service of the needs of the public. This was part of a broader 'free market' ('shock therapy') neo-liberal rhetoric that the market, rather than the state should take decisions on the needs and demands of consumers. The third influence was the broad discursive turn in the western policing narratives that have been described as late modern transformations in the grand narrative of crime control (Kappeler and Kraska 1998) and reflected shifts in late modern governance of crime as discussed in the literature review of this thesis. These involved a transformation of crime fighting rhetoric into market rhetoric and the reconstitution of the police as scientific problem-solvers and community care-takers (ibid; Kelling and Moore 1988; Moore and Trojanowicz 1988) and those who should be accountable to their clients, consumers or customers (Clarke et al 2007; Manning 1992; 1993).

Community policing at that time had become the most frequently discussed topic in Western and particularly US academic policing literature; its rhetoric, principles, definitions, implementation and evaluation were the central themes (Moore and Trojanowicz 1988; Bennett 1993; Manning 1993; Sherman and Eck 2002; Rosenbaum 1998; Skogan 1994; McElroy 1998; Mastrofski and Greene 1993; Sarre 1997; Bayley 1994; Crawford 1997). As noted in the K project's proposal for funding, 'Read any recent academic literature on policing and inevitably the term "community policing" will be discussed and often considered to be the "best approach" or "philosophy" for policing modern societies' (Beck 1999). For the principal investigator, the rhetorical and ideological power of community policing and the messages it conveyed triggered his interest in doing research on this topic. He explained that:

... it was very much part of the western rhetoric of policing saying that community policing is the model that everybody should follow. And it is very difficult to argue against the theory of community policing. Coming up with local solutions to local problems. You know. Working together with the community. You can't disagree with that (PI 2006)

The theme of transfer of community policing to former communist states was a new emerging area of academic interest, but yet little explored through empirical research. Bayley (1989) evaluated community policing in Singapore, and community policing in South Africa in the 1990s (van der Spuy 2000), which was then the best known example of community policing 'transfer'.

The problems of policing in Ukraine were understood in the K proposal in terms of the difficulties of reforming traditional criminal justice institutions that were resisting change, rising levels of crime, and public dissatisfaction with the police. This was based on a preliminary review of the limited literature available, before going to the country. As was noted by the principal investigator,

...there was quite a big piece on looking at the current state of the Ukrainian police and the traditional approach which was that the police are very much there to make sure that the government is secure, and that the public are seen as the potential threat to the government, and so it is interesting to see how that relationship would change, but we had a big piece in there explaining what existing research had been done in this area, which was pretty limited as I remember, there was Gilinski's work and Shelley's book was around that time. And she had a chapter I think in Mawby's book on Policing Around the World (PI, 2006)

The sources on post-Soviet policing that were consulted were critical of the then state of policing, seeing it as strongly affected by and struggling to rid itself of its totalitarian

legacies (Shelley 1996; Gilinski 1998; Mawby 1999). In addition, the proposal pointed out the difficulty of operationalising 'the practical elements of a democratic police' and suggested that examples of good practice from abroad could be studied and adapted to the local context (Beck 1999).

The plethora of messages carried by the notion of community policing meant that to find a broadly shared definition was a difficult task. There was little agreement in the literature about what this philosophy entailed, although the view of the authors of the proposal was that 'consultation and cooperation' encompassed most of its meanings (Beck 1999). Perhaps more importantly, the summary of community policing provided by Bennett (1994) suggested what operational strategies of community policing might be employed to implement the principles, such as consultative groups, foot patrols, community constables, and Neighbourhood Watch. The intention of the authors of the proposal was to introduce in K some of the 'tried and tested' forms of community policing and then evaluate the effects on the relationships between the police and the public. It was emphasised in the proposal that such forms must be context-specific, in order to construct meaningful and appropriate initiatives (Beck 1999). As was explained by the principal investigator,

All the research prior to that, particularly the US research, has shown that the context was critical to all of this. You can have this theory but how is it working in practice with all of these different levels of policing, salaries, morale, attitudes towards the police and the public and all these issues (PI, 2006)

Whilst a range of institutional, organisational and cultural factors were mentioned in the 2006 interview as possible elements of the 'context', at the stage of writing the proposal it was obviously much less clear what should be counted and measured as the context for community policing in Ukraine and there was the question of how to explain what was going to be measured and how. The approach chosen was to focus on measuring what the

police and the public 'thought about crime and policing in the area', and measuring the levels of recorded and reported crime. It was explained that it was important to learn from the public 'how they view the problems of crime, what they think about the police, would they be interested in becoming involved in 'community policing' style activities?': on the other hand it was seen important 'to ascertain what police officers think – how they view the public, do they see themselves as servants of the people or the state, what do they see as their own and the state's priorities for the police in the future?' (Beck 1999) In choosing this way of measuring 'context', the proposal followed a standard approach of evaluating community policing and crime reduction interventions where survey measures of perceptions and levels of crime and attitudes towards the police precede, accompany and/or follow the programme (although they may be combined with a set of instruments to evaluate the process) (Rosenbaum and Lurigio 2000; Skogan 2004; Cordner 2004; Myhill 2006). This choice should not be surprising, keeping in mind the traditional preference for quantitative methods of evaluation, particularly among policy-makers (Kelly 2004 p.522). In addition, local crime audits became a statutory responsibility of the police and the local authorities in the UK since 1998. The intention of the K research team was also to be able to compare the data from research with other crime survey data such as the British Crime Survey (BCS) (Beck and Chistyakova 2001a).

It was hypothesised that after the appropriate forms of cooperation were developed, the new closer contacts between the police and the public should lead to greater awareness, the building of trust, drawing attention to public needs, and the prioritisation of crime prevention. The schemes of community policing in K were expected, at least in the longer run, to have crime prevention and reduction effects. Building confidence and trust on the one hand, and crime prevention and reduction on the other, were seen as mutually reinforcing aims (Beck and Chistyakova op. cit.). Hence measuring victimisation rates and concerns about crime 'before and after' constituted a part of the methodology. In the short

term, however, it was expected that greater awareness and trust should lead to increased reporting and recording rates and therefore it was also intended to measure changes in those rates.

Research methods

The following section will describe the main elements of the K research, which include the choice of the experimental areas, the three-phase research methodology and methods and rationales behind them.

Choosing the experimental areas

For manageability, as was explained in the bid, it was decided to concentrate on just two areas within the quite large city of K. It was decided to choose two contrasting, rather than similar, areas, one urban and one suburban. It was explained in the bid that 'such a choice will help to evaluate the distinctions in the implementation of community policing in practice between an inner-city area (with a relatively high crime rate and a transient local population) and a suburban area (with a relatively low crime rate and a reasonably static population)' (Beck 1999). Such a rationale, as was explained by the principal investigator in the 2006 interview, was based on what was known about rural-urban differences from western research:

...the literature has often shown that community policing is strongest in areas where there is less urban conflict that goes on... and so we wanted to test whether this would be the case with community policing as well ...that we try in a very difficult urban space and then in a much more stable rural space and see whether we'll learn what we've learnt in the west, which is there is a difference depending on these two areas (PI, 2006).

The 3-phase research design

The research was designed as a three-stage process: first, the initial study of the context, second, the implementation phase, and third, the evaluation phase. Phase I research was intended to, firstly, drive the implementation phase. It was going to define what it was that the public wanted from the police, and on the basis of this understanding the second stage had to be constructed. Secondly, Phase I research was going to serve as a benchmark for the Phase III evaluation. In the words of the principal investigator,

...we then had quite a big section on research methods... Mapping out this idea of doing the pre and post surveys of the population to see whether the project is making a difference or not. And then we had the middle bit which was to be decided once we've done the surveys. ...we were very driven by the idea that the first survey should drive the agenda for the second year. The public should tell us what they want. And the police should listen and then we should design some projects and hopefully we'll begin to do this. (PI, 2006)

The quantitative design of the data collection was rationalised in terms of the principles of community policing – that the voices of all the segments of the community should be able to be communicated to the police, but also because of the need to collect data from large communities and for the data to be statistically representative:

Clearly I think one of the key components of community policing is the ability of the local community to communicate with the police...Often that's done through public meetings but then there are other channels as well... focus groups I think would have been a difficult way to get what should be representation of what the public are thinking. From my perspective the quantitative approach was the best way to find out the information we needed to drive the next step of the project which was designing new...new schemes (PI, 2006).

Thus the assumption behind choosing the large-scale standardised questionnaire survey was to ensure representation and avoid bias – that is that the model to be introduced reflected the views of all the residents of the given community and not just some fraction of it. It was decided that this survey would need to ask questions first, on public concerns about crime, and second, on their relationships with the police. The survey for the public included questions about victimisation experiences of the respondents in the last 12 months and their concerns about crime/fear of crime, as well as measures they took to protect themselves or their property from crime. The second set of questions about the relationships with the police included contacts with the police, evaluation of the police work, satisfaction with the ways the police treated them, and willingness to cooperate in the future (Beck and Chistyakova, 2001a). The survey was to be repeated during the third (evaluation) phase of the project. A similar survey was designed for the police officers from the experimental units. They were asked about crime rates in their area; types of nuisance/anti-social behaviour often encountered in the area, the measures people should take against crime, estimations of the levels of recording of particular types of crime, respondents' perceptions of how well they did their job, contacts with the public, and attitudes towards co-operation in the future. In addition, it was decided to carry out several in-depth interviews with randomly selected members of the public and police officers (7 members of the public and 7 officers in each area) to better understand the perceptions of crime threats in the area, concerns about crime and police-public relations (Beck and Chistyakova, op. cit.).

The second phase was going to be 'based upon a grounded action research methodology' (Beck, 1999). At this stage, the schemes of community policing were going to be developed. This phase was going to benefit from the findings of the Phase I surveys and interviews in constructing the plan of implementation and deciding upon the specific schemes. Another important prerequisite for stage II was going to be training of the police

officers in community policing; a small group of trainers were going to be trained in community policing in the UK and then develop and deliver training to the experimental divisions in K. Once the Phase I research was completed and the police officers had learned the new skills, the second phase could begin. It was proposed that initially 'the research team will play a significant role in getting the schemes 'off the ground'' (Beck *ibid* p.7) but then the local officers would have to manage the schemes themselves to generate sustainability.

Finally, the third stage of the project was going to be an evaluation that would be able to show whether or not the schemes had any effect on police-public relations in the areas. With this purpose it was intended to repeat the Phase I surveys of the police and the public. It was also planned to gather crime data from the experimental areas and compare them to the data gathered prior to the start of the research.

The policy strategy

The K project was going to develop a 'model of best practice' for policing in Ukraine and thus the demonstration value of the project was an important component in the policy strategy. It was noted in the bid that relationships would be maintained with a range of media in order to generate publicity for the project and draw attention to its results (*ibid*). The final conference was also going to play a role of disseminating findings, drawing the attention and generating the support of the key stakeholders and policy communities in Ukraine - police practitioners, academics, government officials and community groups. It was envisaged that the knowledge that was going to be developed in K would ultimately be taken up by the local participants and be transferable more broadly in Ukraine. In addition, the aim of the new training module was going to be 'to provide a mechanism to train

present and future police officers on how to implement Ukrainian style community policing' and thus would ensure the long-term sustainability of community policing.

What follows is a critical analysis of the normative, theoretical, research and policy aspects of the K project. It starts with looking at the normative principles that underpinned the project and will show that these received little consideration in the body of research and considers the implications of this.

A critique of the philosophy, or normative foundations of the project: a lack of debate

The K project was one of a large number of projects where the funder prioritised democracy and human rights promotion. It would be difficult to expect at the end of the 1990s a different normative foundation for a project piloting a model of police reform in a former Soviet state. The bid mentioned Ukraine's apparent commitment to the values of democratic police reform and human rights (Beck, *ibid* p.1), that were also seen as 'the fundamental aspects of the proposed project'.

However, the later documents (Phase I report and Phase II proposal) do not appear to devote much attention to a discussion of these principles and how they might be related to and enhanced through the development of new models of police-public relations (Beck and Chistyakova, 2001a;b). These principles were still stated in the introduction to the Phase I report, but the following analysis seemed to be disconnected from these statements. The reporting of the crime survey data and contacts between the police and the public was followed by the diagnosis of the relationship between them in terms of 'little positive contact', 'lack of information sharing' and 'low levels of reporting', which, it was proposed, would be addressed through schemes of consultation and cooperation. But there was no discussion of how the proposed schemes would contribute to more democratic or

human-rights oriented policing. It would appear that the implicit assumption was that such links were self-evident. It can be argued that in a predominantly applied and action research context there was not much space and time for an extended discussion of the normative aspects of the project, and therefore most attention was focused on more practical aspects. However, this logic may overlook the fact that this might be equivalent to replacing the normative agenda with predominantly technical concerns, such as developing crime reduction schemes and advice or target-hardening initiatives. The emphasis on the transformation of a 'police force' to a 'police service' meeting public needs again diverts attention from issues of democracy and human rights. In this context, the matters of relation to and contribution of the proposed reforms to democracy and human rights' promotion may simply become of secondary order or ignored altogether.

Democracy and human rights' promotion through police reforms are not straightforward and unproblematic issues (Bayley 2001). Therefore it is essential that projects that claim to promote such principles discuss how this should happen. Although definitions of democratic policing often assume that respect for human rights is one of its elements, in practice the tension between the powers of the police to enforce the law and maintain order on behalf of the majority and individual human rights is one of the fundamental problems of policing democracies. In post-Soviet societies, given the legacy of decades of state oppression and neglect of the rights and freedoms of individual citizens, one might argue that the transition to democracy is unthinkable without making human rights the main yardstick of success in police reforms. From a different perspective, if one takes a look at the policies of democracy and human rights promotion these two do not always go hand in hand. Some police aid programmes can serve as an example of how democracy promotion efforts can go wrong, strengthening the police forces that are not democratically controlled and increasing their capacity to commit human rights abuses; they see for instance the US police aid to El Salvador in the 1980s as such an example (Carothers 2004 p.16). From this

point of view, it cannot be assumed, as multiple examples indeed demonstrate that every well-intentioned police aid/reform programme in the former Soviet countries leads to better human rights standards, or greater democracy.

The question of how to develop a community policing in Ukraine that is sensitive to human rights and democratically accountable could be discussed within the K project in more depth. It was important to discuss how the proposed activities were going to be different from the forms of community policing practiced in the Soviet past, which, as suggested by Bayley (2001), could be used by the state for co-optation and top-down regimentation. The potential of community policing to serve as a legitimating resource for increasingly democratically and legally uncontrollable, pervasive, oppressive and punitive approaches to policing and crime control (Kappeler and Kraska 1998), is the reason why, in a post-totalitarian state in particular, but in any other place as well, normative considerations should prevail over technical questions of effectiveness of crime prevention and reduction. The danger of the rhetorical power of community policing ideology is its appearance as a proven good model or practice not requiring further normative discussion, the only question being thorough implementation. This may lead to an uncritical acceptance of various crime control rationales that could be seen as part of a 'good and proven model' of policing, as exemplified by the following: 'We do not have to reinvent the wheel to prove that some of these tested and proven ideas could have immediate benefits for other countries...This could lead to safer futures for our communities and increased effectiveness for our police' (Ferreira 1996).

In contrast, the importance of discussing and defining principles is emphasised by Wright and Mawby (1999 p.335) who argue in relation to policing in Hungary, that defining principles of policing in democracy 'begs many questions about the nature of democracy, which is a contestable concept both in terms of its meaning and its manifestations'. But

agreement about principles, they suggest, can lead to changes in practice (ibid p.348). Therefore, in reforming a post-communist police (force), starting with recognition of the requirements of professional conduct that conforms to international human rights standards would represent significant progress.

The K research team, while arguing that context-sensitive forms should be developed, at the same time often acted in a manner that implied that activities of crime prevention and consultation in themselves had the potential, or the capacity to trigger positive changes in the approaches to policing in Ukraine. What was perhaps less prioritised was the public debate that should accompany such developments, and what was less clearly articulated than it could have been was the meaning of and priorities in the proposed reforms. This led to the ideas most intimately associated with crime prevention schemes, such as crime prevention, safety and order, to come to the forefront whereas the notions of rights and democratic accountability of the police remained at the background. The underpinning assumption was that of a tacit correspondence between the postulated principles of community policing and its operational strategies, which is achieved once the respective strategies are introduced. This is a false premise however, because operational strategies are open to interpretation and differ in the details of their implementation, and these differences mean possibilities for interpretations of community policing that might be very different from postulated or intended ideals. Following from this point, there was also a lack of explicit recognition in the strategies developed in K of the conflict between liberal (sensitive to individual rights) and democratic (based on democratically legitimised community norms and values) principles of governance, i.e. of the issue of how to balance community interests and needs with individual rights and freedoms.

A critique of theory

This section examines first what kind of theory guided the K research and second, how theory was related to research. At one level, it might be questioned whether community policing is a theory when it is widely recognised that 'it was never clearly defined' (Newburn 2007). The principles of consultation and cooperation emphasised in the bid describe the ideas the police should believe in and follow in the everyday conduct of their duties and in this sense community policing 'is better regarded as something the police aspire to than an accurate description of policing practice' (ibid p. 612). Community policing was accordingly defined in the proposal as 'a belief or intention held by the police...' (Beck 1999 p.2) As an approach that prioritises the needs and wishes of the community or the public and assumes that the police should become more accountable and responsive for what they do for the community (rather than the state), and that the community or the public on the other hand should be more engaged in the issues of order and crime where they live, this philosophy no doubt represents a progressive democratic alternative to traditional policing approaches in the former Soviet states. Its progressive potential may also lie in the aspiration to create a new basis for social cohesion, togetherness and social capital building in societies where there has been a widespread perception of loss of social and communal links during transition. On the other hand, it can be argued that this approach constructs the community and its wishes, and local problems, predominantly in terms of crime and its control, which reinforces the view of the centrality of crime, security and control for both the public and the state in the emerging democracies, and that alternative ways of conceptualising citizens which are not crime and safety centred should be sought. Also, the dangers of authoritarian communitarianism (Hughes 1996; Carson 2004a; 2004b) should be borne in mind in the post-communist context. It is thus best to keep an open mind to these different potentialities, rather than

automatically assume the progressive or regressive effects of community policing in post-Soviet states.

The difficulty of theorising community policing from the normative point of view is that this notion has come to encompass a broad variety of often conflicting claims and demands. When introduced in the post-Soviet context, there needs to be a theory of 'where the police came from', that is the model or philosophy that is the starting point of reform. First, as has been noted earlier, there was little theory and research about the Soviet police at the time of the study, and the available sources drew a contradictory picture, with Shelley (1996) mainly focusing on continental, communist and colonial traditions, Gilisnki (1998) drawing attention to violations of human rights, and Galeotti (1997) suggesting that Soviet society was an under-policed one. Although the predominant view was that of an authoritarian policing model, little was known from empirical studies about the reality of everyday policing, and the ways in which police resolved the conflicting demands of the state and the public in specific situations. Secondly, the police in transition found themselves confronted with several demands and expectations which were reflected in how the problems of the police were understood in the project. One was the prioritisation of crime fighting and prevention dictated by the rising levels of crime; two was democratisation and the prioritisation of human rights; three was the transition towards a 'service' oriented towards the needs of customers. This new range of roles and demands echoed in some ways recent shifts in policing in advanced democracies, where the police were increasingly seen playing several roles, such as taking care of communities, employing science to solve local problems, and being accountable to their customers (Trojanowicz and Bucqueroux 1989; Goldstein 1990; Kappeler and Kraska 1998; Clarke et al 2007; Bayley and Shearing 1996; Loader 1999).

All that created a problem of normative theory in the K project, which did not explicitly address the conflicting demands of community policing and how these might be reconciled within the project. It was not articulated with sufficient clarity what it was that the project wanted to make a priority; was it for instance public cooperation with the police in fighting and preventing crime, or the police transforming from crime-fighters to servants of customer demands, or the police becoming more democratically accountable to citizens, and how the tensions between such different demands could be resolved.

A question could also be asked as to how realistic is it to expect that a belief or an aspiration about police and public conduct that has emerged within a specific social, cultural and institutional setting can be 'transferred' to a different setting (Hughes, McLaughlin and Muncie 2002; Stenson and Edwards 2004). As local, cultural values it could be claimed that they are not transferable. Further, as again shown in the literature, the principles of community policing are open to broad interpretation (as discussed in Chapter 1) and it depends on the place and situation whether it is understood as consulting with the public, taking account of wishes, or collaborating in problem-solving. The question is then what factors shape interpretations and what role researchers and practitioners can play in 'interpreting' community policing in a particular location? The possibility of broad interpretations of the principles of community policing also means that research teams that engage in such experiments can be expected to prioritise as a research task clarification of such principles in a specific place, what they would mean and how they can be promoted. What happened in the K research, however, was that the understanding of the context, and the identification of the context-specific model the researchers were going to introduce, was focused mainly on the identification of operational strategies that seemed practically feasible in K.

In most general terms the theory that guided the K project was the assumption that the learning of the principles of community policing (through training courses) and the introduction of operational strategies (such as beat meetings, Neighbourhood Watch, patrols etc) should lead to a change in the philosophy held by the police in Ukraine from a state-centred ideology to a 'community policing' one. The second theory (or group of theories) was that the schemes should lead to changes in the relationship between the police and the public, resulting in more close and trustworthy relations. For example, it was hypothesised that when people would become more aware of policing initiatives, they would be more likely to see the police taking crime seriously, and this in turn would lead to increased satisfaction with the police (Beck and Chistyakova 2002). Finally, there were several crime prevention and reduction theories. For example, it was hypothesised that as a result of the new crime prevention initiatives people would be more aware of crime and crime prevention, would be more likely to contact the police with information, take more crime-prevention measures, and get involved in crime prevention initiatives. Local crime problems would be identified and the police would have a better capacity to deal with them more effectively, target hardening and signage would deter would-be offenders, and all this, in turn, would lead to crime reduction effects (ibid).

It is not uncommon in community policing projects to expect multiple benefits. In a large review of research on public engagement in policing, Myhill (2006 p.49) lists ten potential benefits of community engagement. However, it is easy to see difficulties such theories encounter in a specific context where conflicting expectations underpin theory and practice. Should the police focus their effort on developing better means of communication with the public, on perhaps engaging more people in crime prevention schemes, or encouraging them to report more crime, or maybe on raising awareness of the officers of the rights of people they stop and search? Unless the guiding principle is identified, it is unclear what should be the preferred course of action and why.

In addition, difficulties of theory can be seen in the situation where the experiment is carried out as 'an addition' to the core traditional practice of policing. Why would a police officer make an extra effort to engage in community policing initiatives when they see no financial incentives or other apparent benefits from this work and when this is not part of their 'core' duties? Why would they want to receive more reports from the public when this threatens to worsen their performance figures? The responses to community policing in K will be discussed in more detail in the next chapter, but these examples serve to illustrate that the theory of learning good principles and practices of policing does not consider conflicting priorities and demands and a whole range of factors that may have significant impact upon police conduct. The public, in turn, make their minds up about what is going on, and take decisions to engage or not to engage for a whole number of reasons, such as the reputation of the police, good or bad experiences, the availability of time, awareness of the initiatives in the area, and interest or a lack thereof in matters of crime prevention. From a realist standpoint, it is the reasoning of those touched by the initiative, their interpretation and understanding of the programme, their responses to the programme in attempts to reshape it, their individual capacities, the relationships between them, as well as broader institutional and systemic settings, are the factors that shape and influence the fate of interventions (Pawson 2006). Although these observations seem fairly obvious it was difficult to foresee such failures until the programme was in action. The scarcity of the knowledge of the local context in this case could be an argument in favour of a grounded theory approach. For example, rather than starting with the assumption that broader police discretion would lead to improved relations with the public, the purpose of gathering and analysing data would be to understand what is going on in police-public encounters, and what problems emerge from such encounters.

This brings up the next element in the theoretical framework of the project, the notion of the 'context' of policing in Ukraine. This notion that figured in the title of the project was given central significance in the explanation of the theoretical position and was an attempt to avoid criticism that local conditions and circumstances were often ignored in attempts to transfer policies. It was noted in the introductory part of the bid: 'There is simply no point in proposing that a system of policing can be imported wholesale from one country to another. What is much more realistic is to look at some of the guiding principles and examples of good practice which can be studied, considered and then adapted to meet the local context' (Beck op. cit. p.2).

As explained earlier, the 'context' was understood as 'what the public and the police currently thought about crime and policing in their area', and secondly, levels of reported and recorded crime within the research areas. The question here concerns the appropriateness of such definitions of context in the research situation of the K project. Of course there cannot be a recipe for what constitutes 'a context' in each specific intervention and location. There is also little doubt that if the intervention was aimed at improving the relationship between the police and the public, it would be important to learn what they think about each other. However it is the overall approach to defining the context that is questionable, in particular, the understanding of the context as a static property that could be 'completely grasped' beforehand, before starting the process of implementation, and that the large-scale survey and statistics of crime would be the appropriate instruments to obtain these data. From the perspective of realistic evaluation that takes into account the dynamics of human interpretations, responses and reactions to the intervention as it unfolds, and the broader institutional and systemic factors (Pawson 2006), such interpretation of the context would be too narrow and static. Secondly, quantitative methods are clearly the least appropriate method where the intention is to learn about the meanings of crime, policing and the relationships between the police and the public. In the

K project, as explained earlier, the choice of a large-scale survey method was dictated by the intention to collect data from as large a cross-section of the population as possible. Such standardised approaches however tend to 'sacrifice explanatory penetration in the name of "representativeness" and "getting a large enough sample"' (Sayer 1992 p.245).

Finally, the last point in the critical revisiting of the theory is the consideration of the role of theory in relation to research in the K project, and whether this role was appropriate given the nature of the research. It could be argued that in research of an exploratory nature such as the K project, where little was known from previous academic research about the nature and operation of policing in Ukraine, an inductive study, where theory is the outcome of research (Bryman 2001 p.10) would be more appropriate. Indeed, in the bid, it was stated that 'The second phase of the research will be based upon a grounded action research methodology' (Plop. cit.). It could be argued, however, that such an intention was in contradiction with the overall approach taken by the project, which already took a theory, and even a group of theories, as discussed in detail earlier in this chapter, as its starting point. Moreover, the grounded action research of the second phase was to be preceded by Phase 1 research of the local context. This of course poses a question about the relationship between theory and the Phase I research on the one hand, and the 'grounded action research' of the second phase. Grounded research according to its proponents does not start with hypotheses or research findings, it starts with a research situation that leads to an emergent theory (Glaser and Strauss 1967; Glaser 1992), so both methodology and theory develop gradually as data and interpretations accumulate. Then it must be concluded that the three-phase approach taken by the project contradicted the 'grounded research' approach, because hypotheses were already there and because empirical data were going to be generated before starting the phase II research. In this situation, what grounded research is trying to do would be difficult to achieve during Phase II, because the researchers were already guided by theory and earlier findings, unless of

course they would decide to completely dismiss or disregard the previous hypotheses and findings and then the question would be what their value was? Thus it has to be concluded that the relationship between theory and research in the K project was not clearly defined.

In what follows, the research methodology of the K project is critically revisited, where the points raised within this section are further discussed. First, the following section sets out criteria for revisiting the research methodology.

Criteria for revisiting the research design/methodology of the K project

Two methodological assumptions are revisited: first, the claim that the research was based on a grounded action research methodology and second, the intention to follow the realist approach to evaluation.

It was explicitly stated in the bid, that 'The second phase of the research will be based upon a grounded action research methodology' (Plop. cit. p.6). It can be argued that the K project was in its intentions close to an understanding of 'action research' as research aimed at producing 'practical knowledge that is useful to people in the everyday conduct of their lives' (Reason and Bradbury, 2001 p.2). Indeed, the aim of the project was to develop knowledge in order to improve the practice of policing in Ukraine. Further, many understandings of action research emphasise its experimental and self-reflective character, an inquiry consisting of cycles of action and reflection that inform both action and theory (Ladkin, 2004; Reason and Bradbury 2001; Torbert 2001), and that involves a definition of the problem, specification of a plan of action, application of action to the problem and evaluation (McKernan 1996). The K project had an experimental character and a 3-stage 'research-action-evaluation' research design, which implied the stages of research to define the problem, action to change the situation and then evaluation to establish the

effectiveness of the action taken. But would it fit the above understandings of action research as cycles of action and reflection? It is argued here that although claiming to follow an action research strategy the K project was not however engaged in action-reflection cycles and therefore could not achieve what such a strategy aims to achieve.

Secondly, as a project that tried to understand and possibly transform the variables that govern the conduct of the experimental individuals or communities, the K project was typical of the majority of interventions in criminal justice that are concerned with changing human behaviour (Tilley, 2000 p.98). This raises questions about participation and the role of the experimental communities in the research. First, how participative and collaborative was the K project? Was it the type of research where all participants were fully involved in research decisions (Heron 1971; Reason 1994); to what extent was it 'for and by' the people? Second, how emancipative was it, in the sense of increasing awareness, creativity, self-transformative capacity of individuals and groups (Torbert 2004)? The K research will be judged in this chapter from the point of view of the above principles of participation, collaboration and emancipation.

Thirdly, the K project had an intention to follow a realistic evaluation methodology (Pawson and Tilley 1997; Pawson 2006), that is the intention was not just comparing before and after survey data, but also try to identify mechanisms and contexts leading to specific outcomes (Beck and Chistyakova 2001a). It was stated in the bid that 'the ultimate aim of the third phase will be to identify what works and in what circumstances' (Beck 1999). This is the last criterion upon which the K project is judged in this chapter – how well the criteria of the realistic approach to evaluation were followed.

Understanding the context

As already suggested earlier, theorising the 'context' as something that could be studied and fully understood before the actual implementation has started seems problematic from a realist standpoint. However such a choice is explainable from a logistical point of view, as it was more practical and feasible to carry out research as a separate phase of the project, with data collection performed in K and analysis in the UK, as opposed to research being an integral part of the implementation that would probably require the presence of the whole research team in K for extended periods of time. Nevertheless, it is important to consider the implications of this choice of method and to point out the contradiction between it and the intention of the project to be 'action research'. In terms of action research, understanding the context would be part of engaging in the cycles of 'action and reflection' as mentioned above. What this would mean, is that 'a person or a group of people takes action, together or alone they reflect on that action, consider a new action to try, and then engage in action again, and so the cycle continues' (Ladkin 2004 p.540). This of course does not mean that such process cannot be preceded by a preliminary survey or a series of interview or other data to gather some understanding of the context. But of course such preliminary research is nowhere near to what 'action research' is trying to achieve.

Looking back at the process of implementation, there were certainly some albeit unplanned processes of 'action research' and learning taking place in K. In particular, in the school liaison and neighbourhood watch schemes where the NGO practitioners worked closely with schools and residents, they were trying to be responsive to the reactions and needs of the groups they worked with and made changes to action as they went along, and this certainly involved some reflection on their part. The thesis will come back to the role of NGOs in Chapter 6, but a couple of examples are pertinent here. MG mentioned that she made changes to the training curriculum for the NW coordinators, responding to their

requests, and TL mentioned her interventions in the work of the coordination councils at schools when she thought they were not actually doing what they were supposed to do. However, such processes were not planned by the research team, there were no attempts to engage the whole teams of practitioners in these reflections, and crucially the researchers were not involved. When the researchers, more specifically the UK project coordinator, were receiving feedback from the NGO leaders on the process of implementation, these data were going to be used subsequently at the stage of final evaluation, but there was hardly any systematic attempt to reflect upon these data and try to consider what new action could be appropriate.

It is important to note the relatively short time-span of the project, with the whole project taking three years and the implementation phase taking under two years. It would probably not be feasible within this life-span to engage in many cycles of action-reflection, so it is a question of what is realistic in practice. In addition, it was a project that was being implemented in another country that created additional logistical difficulties. On the other hand, for many action research projects, three years is the time that is available and it is a question of trying to make the best of the 'action research' methodology within this time frame.

There was an attempt to evaluate and monitor the process of implementation but it was not really consistent with action research methodology. Questionnaires were designed to ascertain the views of the members of the public who were involved in the schemes. In particular, there was a questionnaire for the attendees of the beat meetings, a questionnaire for schoolchildren, teachers and parents, and a questionnaire for Neighbourhood Watch participants. These questionnaires included some open questions to allow the respondents to describe their understanding, experiences or feelings about the schemes. These data were helpful to get an overall sense of reaction to the schemes, opinions about issues to

focus on in the future, and how many people wanted the schemes to continue. However, the process of analysis and interpretation of the survey data was exclusively the work of researchers with no input from the people who were actually completing the questionnaires. It would be possible to make much more of the analysis of these data, however, if it was a cooperative inquiry where 'the community involved in completing these interviews or questionnaires would take part in the sense-making process and for generating the next steps for which such data might be used' (ibid. p.539).

The choice of methods of data collection is the next point to consider. As already clear from the previous discussion, questionnaires on their own analysed, interpreted and used unilaterally by researchers is a form of data collection that is inconsistent with both action research approach and the realist approach to evaluation of interventions. But such methods are often used in combination with other lines of inquiry and there is nothing inherently wrong with the method itself. The question is with the K research, what were the benefits of this method, and what other methods could have been appropriate?

Certainly, given the intention to learn 'what did the public want from the police?' the capacity of a questionnaire survey to answer such a question was rather limited. The respondents were asked about the 'core tasks' and 'major problems' of the police, and also whether they wanted to meet their beat officer more often and were willing to help the police in the future. These were closed questions with the range of possible answers provided by the researchers. These data showed how many people support each of the pre-defined views, but did not allow for much more interpretation than that. This was hardly the best way to gain an understanding of what kind of expectations local people held of the police, particularly given the fact that very little prior research, not counting anecdotal evidence, ever attempted to understand how and what people in Ukraine thought of the police. Not only does a questionnaire force answers into preconceived frameworks of

community policing model (Brogden and Nijhar op. cit. p.65), but it also disregards the differences in types of respondents, the fact that 'the same questions can have a vastly different significance for different respondents' (Sayer, 1992 p.245). Sayer's distinction between intensive and extensive methods of research is instructive in the context of the K research: intensive research - where researchers learn about the substantial qualities of the groups they study, about the properties of structures and institutions, and try to explain the phenomena they observe was the nature of that research, but the questionnaire method was not the method that served these purposes particularly well.

Instead, interviews, focus groups, informal conversations and possibly observations could have been more appropriate methods. In-depth interviews were conducted during Phase I after the main surveys, but only 7 members of the public were interviewed in each area. Their suggestions about future cooperation with the police were rather brief comments that had little if any contribution into the plan of implementation. Focus groups, observations and expert discussions of course would not have been able to provide the researchers with the data representing the views and experiences of the entire populations of the experimental areas, which was the main argument in favour of the questionnaire method. However, they could have provided them with a better understanding of the everyday processes of police work, the police-public encounters, and how they conceptualised order, crime and the police. It could have helped to come up with some new ideas regarding what forms of cooperation would be appropriate, where and why. Certainly ideally it would be best to have all sources of data available, with the crime survey data giving some indication about the distribution of victimisation and the overall willingness of the population to engage in new forms of policing. However in a situation of limited time and resources preference should have been given to qualitative lines of inquiry.

Next, it has been argued that to remedy the complexity and time-intensity of action research it is helpful to use multiple sources of data and multiple informants, and that it also improves the rigour of the study (Dick 1999). This condition was to some extent met within the K project, as both several sources of data (surveys and interviews) and a number of informants (the public, the police and other expert groups) were used. It was already mentioned that a wider range of qualitative data could have been used and that the number of the members of the public who were interviewed (in-depth) at Phase I could have been larger. The research team could have interviewed other key participants in the project such as directors of local schools, housing authority and local authorities. As it became clear at the final evaluation phase, some people who thought they could have contributed to the research felt they were not involved as much as they could have been and that their opinions were not taken into consideration. For example, it was pointed out in interviews in 2002 that local authority representatives were often not invited to beat meetings and that faith groups (churches) were also not invited. On the other hand, at Phase III none of the members of the public were interviewed but only the key stakeholders, as if the opinions of the residents were at that stage less important. The issue of engagement of subjects in the research also needs to be viewed from the point of view of good research practice and this is what the next section discusses.

Participation, collaboration and emancipation

In participative action research, participation of researched communities in the process of research is an essential requirement; its primary task as defined by Borda and Rahman (1991) is the 'enlightening and awakening of common peoples'. The extent to which the inquiry demonstrates good qualities of relational practice, such as democracy and collaboration, is also seen as one of the criteria of the quality and trustworthiness in action research (Reason and Bradbury 2001 p.5). This means first and foremost that means should

be provided 'by which the individuals affected can have a voice in creating governing policies and decisions' (Ladkin, op. cit. p.538).

Clearly, the full involvement and cooperation of the participants which can be achieved in cooperative inquiry in small groups (Heron op. cit; Reason 1999) would not have been achievable in the K project that worked with very large populations. However, there was no reason why fuller involvement and participation of the subjects in research could not be sought in smaller groups of residents who were directly involved, such as Neighbourhood Watch groups, groups of schoolchildren or attendees at beat meetings. Thus a series of focus groups could have been carried out with the Neighbourhood Coordinators or beat meetings could have been used as discussion groups rather than simply a venue for the police to lecture the public on the situation with crime.

It has also been argued that good participative action research should contribute to enlightening and awakening the public (Fals Borda and Rahman 1991) and to increased awareness and creativity (Torbert, 2004) of the subject communities. From that perspective, the research has been partially successful. Information about the project was distributed to the participants via leaflets, local media, at beat and neighbourhood meetings, and some of that included some selected findings from the research. According to the Phase III survey, between 11 and 40 per cent had heard about the community policing schemes, with the highest number (40 per cent) being aware of the Crimestoppers scheme, which was advertised via local transport, and smaller numbers – between 12 and 23 per cent - being aware of the other schemes - Neighbourhood Watch, school liaison, beat meetings, property marking and dissemination of literature. The numbers of those who said they had heard about the schemes, however, does not yet indicate the degree of awareness and the contribution of this information to knowledge and creativity of the members of the public. More specifically, some feedback from the members of a

Neighbourhood Watch group indicated that they felt the project helped them to get to know each other and to get organised and do things together for a common benefit (target hardening in blocks of flats). In that sense it can be argued that the project played the role of a facilitator of community action and had an 'awakening' effect on some groups within the community. There is less evidence to suggest to what extent the members of the local community were aware of the research part of the project. Some of the key stakeholders such as the local authority, housing and schools mentioned in interviews the surveys that had been done in the experimental areas, but since no members of the public were subjects to in-depth interviewing in 2002 the degree of their awareness was not known. It is also not known how (and how well) those who completed the questionnaires understood the intentions of the research. The preamble to the questionnaire contained the following explanation:

'You are asked to take part in the sociological survey conducted by the specialists of the K Institute in association with University of L in the United Kingdom and the K University. This survey of the population is being carried out in order to have a better understanding of the problems of crime and the work of the police in your district. We very much hope for your help and support in this work. The information provided by you will help to change the situation in your district for the better... If you have any questions or suggestions concerning the research you may contact the K Institute on telephone: [number]' (Beck and Chistyakova, 2001a p.83)

In theory the respondents to the survey could thus contact the researchers but no such contact was ever made. Also, findings from the survey were not available to broad audiences and were not the subject of broad public discussion, although there was some limited distribution of some of the findings to the participants in the project. More feedback from members of the public could have fed into the research both in terms of interpretation of their responses and new ideas. This in turn would have increased their

awareness of the research. In in-depth interviews in 2002 some of the key stakeholders suggested that not all local residents understood what the project was about, that many were unaware of the experiment, and this is what the survey data quoted above suggested as well. Also, it was suggested in one interview that the majority of working age residents came home late and left early for work and this presented a difficulty for gathering people to meetings (Head of a village council, male, interviewed by Anon 2002¹³).

Thus more systematic strategies should have been put in place (in terms of engagement with the media, information distributed via leaflets and local posters, information discussed at beat meetings and NW forums) in order to both increase the awareness and ownership of the project and of the research by the local public. Different choices should have been made about the use of the limited resources available to the project in favour of stimulating a broader public discussion and it should have been carefully considered whether target hardening activities should have been as high a priority as they were. As was suggested by the head of a village council cited above:

...there should have been fewer formalities. Fewer pompous, celebratory moments. We should have gone to people and talked to them, tell them about it (Head of a village council, male, interviewed by Anon 2002).

Experimental or realist evaluation?

The project mainly relied on quantitative data and 'before and after' comparison of surveys data as the main approach to evaluation, but there was also an intention to identify the

¹³ Here and further in the thesis, some quotes are cited from the interviews gathered in 2000 and 2002 as part of the K project. Interview schedules were written by Beck, Chistyakova and Rushchenko in 2000 and 2002. The interviews were carried out by students of the K University, but it is impossible at this point to identify the interviewees. Some of these fragments that are quoted here were not quoted in the original study. Translation of the fragments was done by the researcher. These fragments are referenced as '[characteristics of the interviewee], interviewed by Anon, year' to acknowledge that these data were not gathered by the researcher as part of this thesis. In cases where fragments of interviews quoted in this thesis were earlier quoted in the original study, reference is made to the source from which the quote was taken.

mechanisms that led to specific outcomes. The researchers developed a conceptual framework to link the schemes, their objectives, mechanisms, outcomes and instruments of evaluation (Beck and Chistyakova, 2001b). So the project relied on a mixed methodology of experimental and realistic evaluation design.

From the perspective of experimental design, selecting two contrasting (urban and suburban) areas meant that there was no 'control' area. If similar outcomes were identified in both areas it could have had nothing to do with the project because similar changes could have happened in every other area in K. And if different outcomes were identified, it was again impossible to say with certainty that the differences were due to the differences between the areas, since there was only one urban and only one suburban area and no comparison could be made with other urban or suburban areas in K. Thus the chosen sample design was problematic from the point of view of the experimental method of evaluation.

Further, it is questionable whether or not it was possible to produce meaningful interpretations of the outcomes of the experiment when little was known about how specific outcomes were achieved. Tilley and Pawson (1997) argue that from the point of view of realistic evaluation, the RCT or quasi-experimental design has not much meaning or use before non-RCT methods were able to recognise the diversity of combinations of mechanisms, contexts and outcomes, that is, before the theory of contexts that trigger mechanisms producing outcomes within the programme of intervention is sufficiently developed. In the case of the K project, this theory was not sufficiently developed at the point when the experimental design was applied. To make this point clear, consider the ways in which the researchers theorised, prior to starting the process of implementation, the impact of the consultative committees and meetings (Beck and Chistyakova, 2001b). They hypothesised, that, as a result of attending the meetings, people will:

- become more aware of the risks of crime in the area, they will start to take more precautions (avoiding identified risky areas) and this will lead to a reduction of victimisation.
- become more aware of policing initiatives in the area, will be likely to see the police as taking crime seriously and will feel more satisfied with the police
- install more security equipment in their home/work and this will lead to the reduction of crime by target hardening.

Although it is not implausible to suggest that, under certain circumstances, the hypothesised mechanisms will be activated and lead to the expected outcomes, it is also easy to see that there are many points in the process where things can go wrong, or differently. It will depend, to start with, on the decision to attend or not to attend the meeting, the information that the police will choose to provide at the meeting, the way the attendees will perceive the information and decide to act (or not to act) upon it, and the ways the public will perceive the meetings and the role and behaviour of the police at the meetings. All these decisions and perceptions are culturally and socially situated and cannot therefore be predicted without knowing how people in this particular neighbourhood will behave and react to a specific situation. Thus 'in different communities...varying mechanism triggering patterns will occur, producing diverse outcome patterns' (Tilley 2000 p.204).

Hence if the intention was to follow the realist evaluation design the first task of the project should have been identifying the mechanism-context-outcome patterns within the specified populations of subjects, and this could only have been done using qualitative methods of research. The experimental design was set up before theory was sufficiently refined, and relatively less attention was paid to understanding the process of implementation. The instruments for evaluating the process of implementation were designed as a separate set of

questionnaires not linked conceptually to the main surveys, so that there was no common conceptual framework for analysing the process in conjunction with the outcomes. There was no attempt at the evaluation phase to look systematically to see which of the hypothesised 'mechanisms' actually worked in practice. This clearly would have been quite difficult given the design of the process evaluation: people at the beat meetings could not be asked if the attendance of the meetings led them to develop risk-avoiding behaviour that in turn led to a reduced risk of them becoming a victim of street violence. This taken together means that it was impossible during Phase III to say with sufficient certainty what mechanisms were responsible for the outcome patterns found in the K project.

The question is how the research could have been designed differently. Leaving aside for a moment the realities of funding, timescales and other circumstances that affected the choices made by the project team, ideally the research should have started with a range of qualitative approaches including grounded theory, ethnography, conversation analysis and critical discourse and narrative analysis. The data could include interviews, observations, documents, video and tape recordings, and other media (Kelly, 2004 p.527). These data and analytic approaches should have been able to assist the researchers, at the first stage, to identify the schemes that would be appropriate in K, and then once the schemes had been set up, to identify context-mechanism-outcome patterns that operated within each scheme. Then once theory was sufficiently developed, theory-led and informed quantitative evaluation of the outcomes could have been carried out.

However the reality of the situation in which the K research was carried out should be taken into consideration. The researchers operated within quite tight timescales, and the bureaucratic delays of agreeing the plan of implementation with the Ministry of Interior was something upon which the research team had little influence. In addition, and crucially, some changes proposed by the plan such as the release of the experimental

divisions from the centralised performance obligations could not be introduced, as will be explained in Chapter 5. It should also be taken into account that the perceived preferences of the funders and the policy makers are always factors that influence the choice of the research design in applied research (Rossi et al 2004; Kelly 2004).

Interpretation and use of the survey data: the limits

The use of the Phase I survey data to inform the selection of the schemes was rather limited. The range of feasible schemes, what they would do and how they might look in K was already suggested before the surveys were completed. There were several rationalisations for the choice of the schemes within the project narratives that emerged at different times; for instance the principal investigator recalled:

...remember we had those meetings when...right, what we are going to do now? What is it these specific elements that we are going to deliver as part of the second year of the project...so that was much more open, but I remember we had five or six ideas - examples of things we might want to try out (PI, 2006).

The local project coordinator recalling the rationales for choosing the schemes said that the schemes were selected because they seemed to be the best performing schemes in the UK, and because they seemed feasible in K, and because he described them all in his MA thesis (well before the project started) (AP, 2006). The interim report produced before the surveys were carried out, suggests that much of the knowledge of crime and disorder and the understanding of the types of responses that would be appropriate in K. were already there, when the project team had the initial series of meetings with the local police.

Surveys were also obviously quite limited in the capacity to explore corruption and abuses of power. It could be questioned whether respondents could be expected to answer

sincerely the questions about police abuses of power, corruption, extortion and racketeering. In addition, what situations and circumstances each respondent had in mind when answering such questions remained unclear. Although a few in-depth interviews with the members of the public were really helpful to begin to clarify this, the number was relatively small to ensure that the range of public experiences of encounters with the police was exhausted within the interviews.

It is necessary to acknowledge that the capacity of the researchers to understand and explore the local context was limited by the positioning of the project and its relationships with the police/the Ministry of Interior of Ukraine. First, the universal problem of police research is the low visibility of police practices (as noted in Chapter 1). This problem would potentially be greater where police are known to be extensively involved in shadowy and illegal practices but is it difficult to substantiate whether that would be the case in Ukraine where no published ethnographic police research is known to the researcher. Furthermore, were such ethnographic research to have been attempted by the project team, they would most certainly have faced uneasy ethical dilemmas similar to those described by Westmarland (2001) – whether to blow the whistle on illegal or dubious things? This could also potentially jeopardize the relationships of trust with the local police. Second, it is important to take into account the relationships of dependence with the MIA, and the fact that the capacity of the project to move forward depended on their good will and support. It was admitted that the team were facing ‘a traditionally closed Soviet institution’ and that the challenge was ‘to work with the Ministry of Interior to create change from within’ and ‘generating support’ (Beck, 1999 p.3).

Comparisons with other victim surveys such as the British Crime Survey were also problematic. For example, robbery was defined in the questionnaire vaguely as ‘robbery or attack on the street’ in keeping with the style of the survey language used by sociologists in

K. 'Street hooliganism' has been translated into English as 'common assault'; the types of acts included under this rubric were 'public humiliation, verbal abuse, bullying, and physical violence without clear motives'.

The interpretation of policy implications of the data on anti-social behaviour and nuisance in the areas could be questioned as consistent with the overall philosophy of the K project. It was explained in the Phase I report, that 'The importance of these phenomena for this project lies in the fact that they are violations of public order that people may encounter relatively often or constantly, rather than occasionally as with other types of crime, and for this reason the former may be of greater concern for many local residents' (Beck and Chistyakova 2001a p.29). The data were interpreted as an indication that more attention of the police needs to be devoted to such phenomena as drinking and drug taking on the street and underage drinkers. Similarly local criminologists commenting upon minor ('administrative') offences and nuisance suggested that they required more active intervention of the police and authorities and that residents should be encouraged to report on their neighbours producing alcohol or selling drugs (Rushchenko and Svezhentseva 2003; Rushchenko 2003). Whilst problems such as underage drinking and noise in the evening were clearly recognised by the local communities as problems requiring attention it is questionable whether the ways to address such problems should actually be sought in the area of more stringent law enforcement and more interventionist policing, and whether such strategies of addressing local problems would actually be helpful in developing less confrontational and more trustworthy relationships between the police and the local residents.

Finally, the capacity of the local police in K to make use of the survey data produced by the project could be questioned. Although these data were used at the beat meetings to introduce the project to the local residents, and the police themselves were interested to

learn about public attitudes, the use of this information for developing local strategies of crime prevention was limited because the police kept receiving their crime reduction targets from the 'top'. At the same time, it should be pointed out that the very fact that such a survey on quite politically sensitive topics could be carried out in K and the information could be made public was quite significant given the legacy of secrecy and the very limited development of criminological research in Ukraine in the decades preceding independence.

Interpreting police-public relationships

The capacity of survey data to explore the existing police-public relationship was obviously quite limited. It was found for instance that 31 per cent of the public did not trust the police while 43 per cent expressed some degree of trust. These data were interpreted in the report as 'a low level of trust' (Beck and Chistyakova 2001a p.43). The estimate of what constitutes 'low' or 'high' level is in any instance a very subjective estimate. What was more important was to understand what people meant when they said they 'did not trust' the police, did this mean for instance fear of getting in touch, unwillingness to ask for help or to provide information, or a perception of the police as an inefficient state agency?

There was also a discrepancy between very negative views of the police expressed in the in-depth interviews and a limited evidence of personal negative encounters with them. In the interviews, people described the police as those who only defended the rich and powerful, who were ready to break the law to get rich and those who crimes would be covered up by colleagues and bosses. There were 9 quite extensive quotes to illustrate these points in the Phase I report. Here is one example:

[Do you think the police defend all the people or just some of them?] 'Of course the police make exceptions. Especially for people who are rich and have power....' [Is it possible to say that the police use all means, even illegal, to achieve its goals?] I

think they are able to do anything. They've got all the power....' [Would a police worker be punished if he/she exceeds his/her authority and has broken the law?] If he exceeded his authority, they will protect him. He is theirs still. And he's got more connections with those who protect the law.' [What would a police worker choose if the choice were between getting rich breaking the law and obeying the law but living only within his/her salary?] 'Of course, he'll break the law. Today material benefit is everything, especially if you can use the law to your own advantage.' [Why do people join the police?] Money. 'Non-official, of course ... it is possible to earn on the side. And power, of course.' (Male, 26 years old, cited in Beck and Chistyakova, 2001a p.39)

However survey data suggested that stories of abuses of power and corruption were for the most part not based on personal experiences: when respondents were asked whether they could remember cases when the police did not respond, broke the law or behaved badly towards them only 5 per cent could remember such incidents.

The interpretation of the relationships in terms of 'little positive contact', 'lack of information sharing' and 'low levels of reporting' and the recommendation that followed can also be questioned. Crime prevention advice, target hardening and property marking were named as 'positive and helpful' situations, however it was not known whether the public would see them in this light and if they would welcome a police officer to mark property in their homes or would like to listen to their advice. Further, if the intention was to build on positive contacts, more use could have been made of in-depth interview data that described positive encounters of local residents with the police. Such stories and situations where the police were described as helpful, responding fast to calls for help and where there was a sense of people feeling grateful and satisfied with the service could have been explored in more detail, and a greater number of in-depth interviews could have helped as well.

In addition, the recommendations to increase the frequency of positive contacts of the public with the police as a way to improve relationships between them can be questioned in light of recent research of the police service in Chicago by Skogan (2006). As this research suggested, the impact of having a bad experience was four to fourteen times as great as that of having a positive experience, and the impact of having a good experience including being treated fairly and politely, and receiving service that was prompt and helpful was not statistically significant. The study concludes that police are unlikely to succeed in solidifying their support through the strategies of positive contacts. The study compared data from Seattle, Washington DC, Chicago, and St Petersburg (Russia) so there are reasons to believe the findings had broader validity and could be valid within Ukraine as well.

Similarly, evidence of the willingness of the public to cooperate was less clear from the data than the Phase I report suggested. When asked 'Is it necessary to establish closer links between the police and the public?' the majority of the respondents answered positively (60 per cent said yes/probably yes). The report interpreted the answers as 'nearly two-thirds of the public said they were ready to establish closer links with their police' (Beck and Chistyakova, 2001a p.61). However to the other question 'are you ready to help the police in the future?' just 30 per cent answered 'ready to cooperate without any conditions' while a further 44 per cent said 'under certain conditions' (with 26 per cent saying 'never'). Finally, to a question 'Would you personally like to meet the beat officer more often and be in touch with them?' only one-quarter gave a positive answer (26 per cent), while the majority (56 per cent) said they did not want to.

Overall the data were interpreted as evidence that the majority recognised the need for cooperation and were willing to establish closer links (Beck and Chistyakova, 2001a p.56). However perhaps a more accurate interpretation would have been that the majority, though recognising the need for cooperation, were unsure about personally being ready or willing

to provide help or engage in closer and more frequent contacts with local beat officers. Secondly, it was not clear what the respondents meant when they expressed support for the need to establish closer links. Would they express the same levels of support were they offered more specific scenarios of what such cooperation might look like? Some simple scenarios (attending a meeting, taking part in a local watch scheme, policemen making regular visits to a local school) could be discussed in focus groups.

The local histories of crime and policing, if not overlooked, were certainly sometimes under-explored in the K research. There was a remarkable difference between the suburban and the urban area. The suburban area was a place with a specific crime history. There was a settlement for people released from prisons with two correctional colonies located on the territory. People saw this as a major crime-generating factor, and the establishment of a police division was initiated by local residents. On the other hand, the officers were local residents, well-known and respected by the local community. This was in stark contrast with the more transient urban area, where most officers were assigned to specific beats only temporarily, and did not have as close links with the local communities whereas the residents were less aware of their police. While the inner-city residents were particularly concerned about violence and murders, in the suburban area, concerns about thefts from dachas, and thefts of metal were most frequently mentioned (Beck and Chistyakova 2001a).

These data suggest that more specifically targeted strategies rather than a uniform approach would have been appropriate. For example, one director of a local school in the rural area pointed out in 2002 interview that schools were selected with no regard to actual situation and thus some schools that had more 'problem children' were left out. The research could not answer what neighbourhoods were most vulnerable to burglary and why, why some blocks had installed the locks on entrances before the project started while others had not, why people favoured particular types of safety and why many of them did not use any,

what schools would be the most appropriate targets for the school liaison programme, and how suburban schemes should have been different from urban. For instance the lack of telephone connections in the suburban area made the introduction of Crimestoppers in this area technically problematic.

Conclusion

In conclusion, this chapter has considered the normative, theoretical, and research perspectives of the K project, and has offered a critique of these perspectives. The main criticism of the normative perspective focused on the lack of discussion of the key normative priorities at the research and implementation stages, leading to a prioritisation of crime prevention and reduction strategies and concerns over more fundamental concerns about democratic accountability of the police and their awareness of individual rights of citizens. The main problem of theory was the attempt to rely on a theory of community policing which was not sufficiently grounded in the local context in K. Instead of focusing on understanding the key features of the relationship between the police and the public in the research setting and identifying what would be an appropriate model of relationships in the future, the main effort was directed at identifying practical operational strategies of community policing. The understanding of the context on the basis of quantitative data had its limitations and could not grasp the dynamics of police-public relations because it was carried out prior to the implementation of the schemes. The lack of prior research and academic knowledge of the local context suggested that grounded theory strategies of research could be more helpful in identifying the context-mechanism-outcomes patterns. Research strategies were also not entirely consistent with an action research approach that would dictate a more active involvement of local participants in research and the engagement in the cycles of action and reflection. Local ownership of the project and the involvement of NGOs in the decision making about research strategies also could have

been greater. The theoretical and research choices that were made also had implications for the interpretation and use of the data. Because the use of the qualitative sources was limited, and only a small number of informants were used to carry out in-depth interviews, the interpretation of the survey findings was rather restricted, and there was a lack of clarity about meanings related to public attitudes towards the police and the phenomena of trust, corruption, and fear. Greater use could have been made of examples of good practice and positive contacts between the police and the public, and of the different histories of crime and policing in the two experimental areas. In addition, some of the interpretations, such as those regarding anti-social behaviour lacked consistency with the overall philosophy underpinning the project. Overall, the project could have benefited from a greater engagement with the researched and policy community in K and Ukraine and from a more grounded approach based on the use of a range of qualitative and quantitative data.

As this chapter has demonstrated, the findings and recommendations from the Phase I research were to a large extent the outcome of certain normative, theoretical and methodological choices. As a result of these choices, it was found, that the experimental populations had a number of crime related concerns, and that their relations with the police were characterised by 'little positive contact' and 'lack of information sharing' (Beck and Chistyakova, 2001:62). It followed from these findings that two types of initiatives had to be introduced at Phase II: crime prevention schemes and police reorganisation. The latter was meant to broaden police discretion and enable them to react to local problems. The next chapter will examine why this plan of police reorganisation was unrealistic, focusing on bureaucratic barriers, corruption and the 'state capture' and short term policy horizons, and how these factors presented obstacles to reorganisation. The next chapter will also discuss why and how police discretion was (and remains) problematic in Ukraine, considering in particular the police's responses to the behaviour of young people and the treatment of suspects and other 'problematic' groups.

Chapter 5 Reforming the Ukrainian police

This chapter revisits the second phase of the K project. At this phase the project team began to negotiate the reorganisation of the experimental police divisions, and the main priority was to release the divisions from the usual methods of evaluating police performance and to release beat officers from their usual duties at the police station in order to enable them to work full time on their beats. This chapter explores first the bureaucratic obstacles to the implementation of this plan, and then highlights the impact of the performance pressures on the work of the Ukrainian police and on the implementation of the K project. It is argued then that the persistence of the existing approaches to measuring police performance cannot be explained by bureaucratic inertia alone. This requires a further step to explore the key features of the system of governance of the police in Ukraine, by taking a closer look at police corruption and the 'captured state', and finally by examining the phenomenon of short term policy horizons.

Corruption is one of the key concepts that inform this analysis. Corruption is notoriously difficult to define and is often treated very broadly, for instance in the UK literature it is used to describe 'bribery, violence and brutality; fabrication and destruction of evidence; racism; and favouritism and nepotism' (Newburn 2007 p.843). Thus any malpractice fits within this broad definition. In the post-communist context, the issue of corruption is highly politicised, and the existing 'corruption paradigm' might be a confusing rather than enlightening concept (Ledeneva 2009). In this thesis, attention is focused on a range of rent-seeking practices of police officers pursuing either personal gain or benefits for their superiors in the police hierarchy, in the form of bribery or demand of payment for services or the non-imposition of penalties. This analysis is not, however, based on a premise that such practices are necessarily inherently morally wrong or represent a betrayal of trust. In

this, the author agrees with the criticism of the definition of corruption as a 'use of public office for personal gain' as ignoring cultural specificity of such practices (Brovkin 2003) and placing too much emphasis on the legality of the act (Kaufmann 2005). Rather, the analysis in this chapter attempts to look at such phenomena as an outcome of a range of contextual factors and to understand their implications. In doing so, it is also recognised, as noted earlier in chapter 1, that corruption might be too narrow and individual-focused and therefore the concept of 'state capture' (Kaufmann and Hellman 2001) might better capture the reality of power, rule-definition and policy formation in Ukraine.

Before moving on to the analysis this chapter briefly reflects on the common perception of police reforms in Ukraine, highlighting the frustration that was shared by the participants in the project. It would appear that the key problem of reforming the police was not the lack of ideas and proposals for reform, but the lack of implementation. In the words of the former project coordinator, AP:

...the reform that was initiated, that was announced by many Ministers – in reality, it is not being implemented, this includes the new Minister who is in office now. Nothing is being implemented. At least as far as the improvement in the relationship with the public is concerned (AP 2006)

On 19 April 2003, just after the K project had been completed, the Ministry of Internal Affairs held a special meeting in Yalta. At the meeting, the Ministry announced the decision to disseminate the experience from the K project. Among other things, the announcement stated that:

The experiment demonstrated the importance of developing partnerships with the public as part of the reform of law enforcement bodies... During the second quarter of 2003 the National University of Internal Affairs and researchers and practitioners should develop methodical recommendations concerning the

development of a model of policing based on support from state bodies, local government and the public in Ukraine (Ministry of Internal Affairs of Ukraine 2003).

The MIA headquarters in the K region was granted the status of the 'home base' for the dissemination of best practice related to police-public cooperation. However, nothing has followed from this decision. There were no attempts to draw upon the experiment and develop community policing in the K region or beyond. The chapter now moves on to analyse the factors that affected the governance of policing, impeded the implementation of the project, and presented challenges for future reforms.

Bureaucratic barriers to reform: negotiating police reorganisation

In 1991, the newly independent Ukraine inherited weak state institutions (Kuzio 2001). The Soviet political system held together by the Party and governed from Moscow had collapsed. Although the administrative apparatus remained intact, the disappearance of the coordinating role of the Party weakened the powers of the bureaucracy and the early 1990s were marked by relatively little bureaucratic interference in the everyday work of the police. In the words of one participant,

The old Soviet system had collapsed, and for several years it was very... free-and-easy, in the sense that there was a minimum of bureaucracy. The new bureaucratic system had not formed yet (IR, 2006)

However the weakness of the state and the need to build state institutions became the predominant concern. It dictated the concentration of power in the Ministries in Kiev (Williams and Picarelli 2002). This has also gradually led to a reinforcement of bureaucracy and central regulations (Aslund 1999 in Sabic and Zimmer 2004 p.115). The

arrival of the new Minister of Interior in March of 2001 (when the K project team began the negotiation with the Ministry regarding the reorganisation of the experimental police divisions in K), was associated with a shift to a more bureaucratic style of work that was characterised by IR as a *'return to the old Soviet style of work, when everybody was writing papers, but nothing was being done'* (IR, 2006).

Within this context the K project team started the process of implementing its plan of reorganising the police. The plan was to create, following the UK pattern, a more decentralised police structure and focus the effort of the majority of staff on the work with the public. With this purpose it was proposed to increase the number of beat and patrol officers and reduce the number of middle-ranking managerial positions. The heads of the divisions were supposed to be given broader autonomy to enable them to implement the new forms of community policing; they had to be released from the duty to attend most of the everyday meetings at district and headquarter levels. It was also proposed to introduce new positions of Crime Prevention Coordinator (to coordinate crime prevention activities in the areas); Community Development Coordinator (to develop contacts and partnerships with the local community); and Youth Liaison Coordinator (to work specifically with young people - schools, nurseries). Each member of staff (new coordinators and beat officers) had to use their discretion and creativity in order to solve local problems. The most important part of the plan was to release the experimental divisions from the obligation to meet centrally-established performance indicators, so that they could focus on meeting the needs of the public.

This plan proved to be impossible to implement in its original form. Because of objections raised by Ministry officials, the new posts were only introduced after a long delay, but the new proposed roles were substituted with existing roles within the police. The divisions were never officially released from their performance obligations. The former project

consultant OY (2006) interpreted the unwillingness of the bureaucrats from the Ministry to introduce the proposed changes in the following way:

This is the inertia of our system, with it any change is difficult to implement. This is an old problem, that the bureaucratic machine has its own life and to remove one bolt or to add one bolt requires certain procedures, and the bureaucrats are too lazy to do this, so when we said in the project that we need to introduce new positions of inspector for the work with the public and strengthen some services...there was this difficulty. We even had to 'help' one official in the cadres who was responsible for this to take early retirement... (OY, 2006)

It is instructive to look at the responses of the Ministry in some detail. There were several objections that were raised in response to the proposal. One question was how the new roles of 'coordinators' would fit with the established standards for describing personnel in the Ukrainian police. The centralised personnel policies did not allow for introducing new titles to one or two divisions. A compromise had to be found, as AP commented in the following fragment from the 2006 interview:

There were no coordinators before. In the descriptions of established posts in the police there were no positions called 'coordinators'. There was 'inspector', 'beat inspector', 'operational officer', so here we had to...there was a delay because of that as well. What to do? We decided that we would make three positions of 'senior inspector', which were in fact introduced in the Kominternovski area, and they were ... 'public relations inspectors' – there already was such a position in the Ukrainian police, but for the purposes of the project we called them Crime Prevention Coordinator, Community Development Coordinator and Youth Liaison Coordinator. That is how it was done (AP 2006).

The Ministry also objected to the suggestion to release the divisions from centralised performance indicators. The proposal was to replace these centralised measures that were seen as discouraging the police to record incidents reported by the public, with a new

criterion of 'improved quality of work with the public' that was to be measured through studies of public opinion. However, performance of every state police division, as was explained by the Ministry officials, was part of the overall aggregate measures of performance. Removing two divisions would mean that producing the numbers for K would no longer be possible and the overall numbers would not be 'right'. The following fragment from the 2006 interview with AP illustrates the exchanges between the project team and the Ministry and the regional headquarters in K:

When we contacted the Ministry and suggested – let's get rid of the 'sticks' system – at least within these two divisions – there was a reasonable explanation why they refused – two divisions could not be artificially 'removed' from the state system of statistics. So they 'did not understand' us in the Ministry, they did not want to deal with this issue...this should be initiated by the government to reform the whole system of state statistics, not only police statistics...When we received the letter from the Ministry asking to clarify what we meant, (as if they did not understand), then the people from the Regional Headquarters got afraid, that this was a stone (thrown) into their garden, because they too signed the letter, and they promised us that at the level of these two divisions – they would not ask for clear up rates, they would let them work and wouldn't ask them. But this was not said openly, and the heads of the divisions – yes, on the one hand: 'yes, if they said so, we'll try to do our best'; on the other hand, they were afraid – the project is one thing but the performance indicators are still there, if I will show now that there is an increase [in crime rates] – tomorrow they will sack me. There was an understanding that something was going on but at the same time they were afraid to lose the indicators, thinking: 'yes, we will work within the project but will also try to keep the indicators'.

This response might be best understood in terms of a specific pattern of communication between superiors and subordinates in the hybrid regimes like Ukraine in the post-Soviet period. On the one hand, leaders avoided taking responsibility and preferred to give verbal, not written commands. For example, Levistky and Way (Baturin et al. 2001 in Levistky

and Way 2006 p.395) quote Russian Prime Minister Chernomyrdin telling a subordinate: 'If something is really necessary, I will tell it to you not write it to you'. On the other hand, the subordinates did not know when to comply and when to expect punishment for decisions taken by the superiors. Thus, the absence of clear written instructions when implications were unclear and risks high was likely to result in disobedience to verbal commands. This problem of governance in Ukraine during Kuchma's presidency is described by Levistky and Way (2006) as 'weak cohesion'.

As a result, control regarding the matters of everyday policing in the experimental units remained in the hands of the Ministry's top officials – not just the ways to measure performance but the performance itself. The reaction of the regional headquarters to the Ministry's response suggested that little had changed in terms of the distribution of power and responsibilities among the levels of police hierarchy – the regional headquarters had no autonomy in establishing ways of measuring and monitoring police performance in the K region. In the view of most officers interviewed in 2002, the performance expectations remained unchanged. They felt that despite the verbal promises, the organisational expectations and the expectations of their superiors remained the same. In the words of one of them,

...we had our own global main tasks that we had to fulfil, irrespective of the experiment (police officer, male, interviewed by Anon, 2002);

One police officer expressed a more contradictory view, first saying that

...we had more time and possibility, less pressure of performance, of the statistics... we had more time for real communication (police officer, male, interviewed by Anon, 2002);

but later in the interview stated that,

...unfortunately we did not move far from, although it was promised, the main performance indicators... nobody released us from this.. (police officer, male, interviewed by Anon, 2002)

This contradictory opinion probably reflected commonly held feelings regarding the situation with indicators in the experimental divisions: despite the verbal promises, there was no confidence that there was a real change in the expectations and attitudes of the Ministry. At the same time the respondent felt that the decision was justified,

...because there was a question: 'if one is to be released from everything what is there to replace it with?' In any case, it is a duty of beat officers to register alcoholics and send them to rehabilitation-labour centres...We cannot say: 'because we have the experiment here, there are no more alcoholics in the area'...(police officer, male, interviewed by Anon, 2002)

The latter fragment is quite interesting in that it suggests acceptance, the view that the 'performance indicators' were there for a good reason and that it was not easy to imagine a different way of measuring performance. This observation lends support to Lukes's (2005) third dimension of power, as do some other data that will be discussed further in the chapter¹⁴. It can be argued that the compliance of the dominated is secured in the situation with performance indicators described above via the shaping of the officers' perceptions and the securing of their acceptance of the existing order. The instruments of domination – the performance indicators – appear to them as the only feasible alternative, as in some ways even a beneficial arrangement, or at least one that is difficult to change. Yet it is possible to imagine that the subjects could have acted in a different way if they did not face

¹⁴ According to Luke (2005 p.28) the third dimension of power is ideological and it prevents people '...from having grievances by shaping their perceptions, cognitions and preferences in such a way that they accept their role in the existing order of things, either because they can see or imagine no alternative to it, or because they see it as natural and unchangeable, or because they value it as divinely ordained and beneficial...'

sanctions from above for poor performance and if sending alcoholics for treatment was no longer their responsibility.

It has been argued that various considerations shape the bureaucracy's responses to policies. Among them, there is inertia, lack of commitment, and expectations of how the innovation might affect their position of power. The position of officials may depend not only on inertia or self-interest, but also on their views of how best to accomplish the goals embodied in policy or even the appropriate hierarchy of values (Solomon 2008 p.121).

Data from this research provide some support to the view that bureaucratic inertia and resistance to change may have played a role in the responses of the Ministry to the K project's plan of police reorganisation. One feasible explanation is that the officials simply did not want to deal with the task of adapting the existing system to accommodate the changes proposed by the project, and the regional level bureaucrats did not want to go against the decisions of the Ministry in Kiev. Secondly, the proposal to abandon performance indicators may have been viewed as in some way threatening the positions of power of Ministry officials, by reducing their capacity to control what their subordinates do. Thirdly, 'weak cohesion' in the administrative hierarchy could be the reason why unwritten instructions had little power over subordinate's behaviour.

The modifications to the plan of police reorganisation affected significantly the process of implementation. As noted, the police officers in the experimental divisions did not feel anything had changed regarding performance pressures. The following section discusses in more detail the implications of the pressures of performance in terms of the everyday work of the police, and the implications for developing links with the public as was planned by the K project.

Performance pressures

Performance pressures on the police in Ukraine at the time when the K project was implemented were heavier than they used to be in the past. The loss of state control over the economy, price liberalisation, and the privatization of state assets led to a grand-scale increase in economic crime and organised crime in Ukraine (Kalman 2004 p.6; Foglesong and Solomon 2001 p.39). Pressures on the police in terms of fighting crime and demands in terms of detective and investigative work increased. The number of police officers killed on the job also increased dramatically in the 1990s (Elektronni visti 2006). In one of the K project interviews in 2000 a police officer mentioned that they were first provided with bullet-proof vests in the mid 1990s (police officer, male, interviewed by Anon, 2000). Another officer with 20 years of service, assistant to the head of the urban division, commented that whereas murder 10 years ago had been rare, it was now happening every week, and that they no longer used a civilian driver but an armed police officer (police officer, male, interviewed by Anon, 2000).

At the same time the police had become in the 1990s exposed to unprecedented criticism and scrutiny for failures in the fight against crime and for fabricated statistics of success (Foglesong and Solomon, 2001 p.65). This created additional pressures to demonstrate good performance. Police officers often had to work long hours and weekends (head of urban division, 2006 and AP, 2006). Heads of divisions were under the constant risk of being dismissed from their job or receiving an administrative sanction for not achieving performance targets; in the 1990s-2000s there were several 'attestation' campaigns followed by mass staff replacements.

Until the middle of 2003, the police was set a target of 80 per cent for solving crimes (Amnesty International, 2005 p.14). The requirement to produce monthly high clear up

figures and solve a certain percentage for specific categories of crime often encouraged police divisions from focusing their efforts on the most serious crimes. This approach to performance management forced them to focus selectively on minor, easy-to-solve offences and disorders at the expense of 'hard-to-solve' crime. Research in Russia has shown (Shepeleva, 2005 p.23) that, for instance, detaining drunken people or provoking people to respond aggressively supplied the police with the needed offenders and helped to fulfil the plan for administrative offences. Similarly, research by Foglesong and Solomon (2001 p.76) in Ukraine suggested that only minor offences and offenders were targeted; they argued that 'discretionary policing stifles the fight against major economic crime'.

These priorities in the work of the police in Ukraine were illustrated by some of the K project's survey data gathered in 2000. When both the police and the public were asked how often they encountered certain types of disorders and nuisance in the area of residence, it turned out that the police were far more likely to encounter 'quite often/constantly' such phenomena as 'drinking/drug taking' (88 versus 27 per cent); 'squatters' (67 versus 11 per cent); 'anti-social behaviour; (74 versus 14 per cent); and 'underage drinkers' (58 versus 18 per cent) (Beck and Chistyakova, 2001a p.30). Several interviewees in 2002 described cases of police detaining their drunken family members, in some of the cases this involved beating and confiscating money found on the detained (ibid p.41).

This focus on minor offences and disorders led to high levels of stops and searches targeted at those seen as potential offenders: according to the same survey carried out in K in 2000, 10 per cent said they had been stopped in their area and asked questions by the police in the last year when they were out on foot. Of the people stopped, 41 per cent said they were searched (pockets, bags, cases); of those searched, only 26 per cent were given a

reason for the search (Beck and Chistyakova, 2001a p.49). Thus frequent stops and searches were typically associated with some violations of individual rights.

The phenomenon of non-recording of 'hard-to-solve' crimes by the police or not including some recorded crimes in statistics, resulting in a very high 'dark figure of crime', as widely acknowledged and discussed in a number of studies of policing in Russia and Ukraine (Goryainov et al 2001; Foglesong and Solomon 2001; Svezhentseva et al 2002). A number of tactics were used to achieve good 'performance' figures, from selective recording to recording one act as several offences, to falsification of evidence. As followed from the interview with a local participant IR, manipulation of crime records was a typical method used in K to maintain good figures:

In our country, very strange things happen with this. Take such bandits as AN [referring to a senior police officer]. He is a real bandit...When he was the head of the police he was juggling with all these figures. He always had several cases 'just in case'. You can record them at any moment, at the end of the year, to increase the numbers. Petty crimes were not recorded. In general, already cleared up crimes get recorded. For example, they caught a person shoplifting, called the police, they came – they have a 'cleared up' crime, they can record it and the person writes his confession – they have everything. And when you'll come and say 'my purse's been stolen'...according to our surveys, the probability of this crime to be recorded is ten percent (IR 2006).

But the gap between reported crime and crime figures shown in police reports was not only caused by the practice of non-recording 'hard-to-solve' crimes, but also because in a large number of cases when information is recorded a criminal investigation is not opened and all such cases are not included in the police crime statistics (Svezhensteva et al 2002).

Indeed, although around 180-200 reports were recorded monthly in the Kominternovski area during the implementation phase of the K project (for example, 195 were recorded in January 2002 and 178 in December 2002), only in about 10 per cent of the cases was a criminal investigation opened (AK, police officer-crime prevention coordinator, 2003). Only these cases were included in the statistics of the work done in 2002. According to these statistics, in total there were only 400 crimes recorded in the 12 months (2002); this was less than in 2001 (471). Clear up rates during this period were improved for all types of offences: for example, for burglaries the clear up rates went up from 29 to 42 per cent; for robberies from 23 to 49 per cent, fraud 27 to 54 per cent, hooliganism 41 to 58 per cent, bodily harm 72 to 87 per cent and so forth. So when the number of reports from the public was expected to go up and clear up rates were expected to go down, the statistics showed a different picture. It could even be that the experiment was an additional incentive for the police to 'improve' the statistics ('we worked well in the experiment').

The pressure of performance targets came up a number of times during the K project. The Neighbourhood Watch Coordinator believed that the scheme actually motivated people to go and talk to the police, but she felt the police were still unwilling to record public reports:

... A very big hindrance was...that people actually started showing up at the police station...and talk...that there was such and such problem...for example, someone is trading in drugs in the area...But the police did not want to accept the reports... We tried to negotiate for this programme...for them not to get 'poor' performance indicators.... Then they were accepting some reports...when they knew they could solve the case...and those they knew they could not solve they still weren't accepting. The police...they could lose their bonus (MG, 2006).

Police officers themselves identified the pressures of performance targets as one of the obstacles to meeting the objectives of the project. During the data collection in 2006, one

former participant – a police officer - indicated that little has changed in this respect since 2000¹⁵. The officer, at the time of the interview (the summer of 2006) head of a small town police division near K, complained about the requests he kept receiving from his superiors ‘to disclose more economic crimes’; despite his efforts to convince the bosses that there simply weren’t that many economic crimes in the town, they kept saying he was showing poor performance and not trying hard enough. The police officer also talked about how the division achieves the demanded ‘clear-up rates’ looking for minor offences: arresting a teenager smoking marijuana gave one ‘crime solved’. He spoke ironically about this practice, as he saw it as a misdirected effort that should instead have focused on solving more serious crime.

The persistence of the existing police performance management system presents an apparent paradox – the problems associated with this way of measuring performance were recognised at all levels of the police hierarchy and yet there were no convincing alternatives and no sustained attempts in Ukraine to develop an alternative system in the 1990s-2000s (although one of the respondents in 2006, senior police officer VM, argued that the demands and sanctions for poor performance were not at the time as harsh as they used to be in the past). Attempts at reforming the existing system of measuring police performance undertaken in Russia at the time of implementing the K project had little success. The Ministry of Interior of the Russian Federation issued an order in 2002 establishing new performance evaluation criteria, abandoning the 100 per cent detection rate performance. However, one set of quantitative measures was replaced with another one, thus doing little to eliminate the current practices (Shepeleva and Novikova, 2005 p.10). The attempts to introduce a ‘qualitative indicator’ – ‘public opinion’ failed because ‘no method or procedure of measuring public opinion was available’ (ibid). The common

¹⁵ This is despite the claim made by the Ukrainian government in December 2002 that they were developing new criteria for evaluating police work that would be based on public attitudes towards the police (Amnesty International, 2005 p.14).

suggestion to combine quantitative with qualitative indicators did not yet result in a proposal of a feasible set of qualitative measures.

It is difficult to explain the lack of change by bureaucratic inertia and resistance only. The 'third dimension' of power might be helpful, as suggested in the previous section, in explaining the persistence of the centralised performance indicators. However, this explanation needs to be further substantiated. Other ways of exercising power and other interests in preserving the existing system must be considered. The following section considers how corruption at various levels, as well as the phenomenon of the 'captured state' might help to explain some of the difficulties of reforming law enforcement.

Corruption and the 'captured state'

Solomon has argued that the way officials choose to react to new laws or policies that they are charged with implementing depends upon their connection to informal institutions and practices and the relationship of informal institutions to formal ones (Solomon, 2008 p.121). From this perspective, the police and the new political and economic elites were beneficiaries of the unreformed law enforcement structures that enabled powerful mechanisms for rent-extraction, contract enforcement, debt recovery and even political legitimisation and empowerment. The police played the role of rent-seekers and extractors, suppliers of private protection and violence, and enforcers of law and order on behalf of particular groups.

Studies of post-communist corruption suggest an omnipresence and pervasiveness of such phenomena ranging from petty to 'grand' corruption (Ledeneva 2009). While most common everyday bribes paid by citizens for services (Grodland et al 1998; Miller et al 2001) seemed less significant (Foglesong and Solomon 2001), some studies point to more

far-reaching implications of corruption by state officials. The phenomenon of domination of decision making within state institutions by informal rules and networks that linked politicians, bureaucrats, businessmen, police officers and sometimes members of organised criminal groups was termed variously the *captured state* (Hellman et al 2000), *partially appropriated state* (Wedel 2001; 2003); *privatized police state* (Los and Zybertowicz 1997; 2000), *criminal corporatist state* (Brovkin 2003) *extortionist state* (Sajo 2003), or *clan capitalism* (Kosals 2006). Informal rules and norms were more important than formal laws (Coulloudon 1997; Ganev 2000; Los and Zybertowicz, 2000 in Los, 2003 p.151). It was argued that the state played the role of a tool that provided competitive advantages for the operation of clans, or oligarchs (Hellman and Kaufmann 2001). In particular, the police were seen as a power agency supplying information, protection, coercion and violence - a non-economic tool of influence in economic and political battles (Kosals op. cit.).

The argument of 'state capture' is supported by official statements suggesting the considerable involvement of the Ukrainian government in illicit activities. In 1997, the then justice minister of Ukraine, Holovaty, stated that 'organised crime and certain aspects of government activity are often undistinguishable' (Bebler, 2001 p.133). In 2000, 364 of 450 national deputies had ties to the economic activities of 3,100 businesses that were responsible for 23.5 per cent of the country's exports and 10 per cent of the country's imports. Taken together, these businesses had a 4.1 billion hryvnia debt to the state budget (Legal Practice 2000). It was argued that 'all the oligarchic clans owed their power to Kuchma' and 'subsequently tried to influence politics to their advantage' (van Zon, 2005 p.14). In interview in 2006, a former participant IR commented on the recent elections in Ukraine and the victory of the 'Party of Regions' in Eastern Ukraine in the following way:

Of course, this structure is pure mafia. They have emerged as a political wing of the Donetsk's mafia. The Donetsk's mafia that has come to power in Donetsk¹⁶ and has crushed everything there...there are people there with a real criminal past. But now they are oligarchs, businessmen, they are all shiny, all MPs, [they have] immunity. But they started as bandits. Rinat Akhmetov, the richest person in Ukraine, head of Donetsk, the uncrowned king, he started as a card-sharp. In the 1990s they were involved in racketeering. And now he has created the most powerful empire. And the 'Regions' – they had the project 'to get into politics'. Huge money has gone there. And they have won in the East of Ukraine, Kharkiv, Dnepropetrovsk (IR, 2006).

Kuchma's presidency (1994-2005) was associated by a number of political scientists with a specific type of regime – 'competitive authoritarianism' (Levitsky and Way 2002; Kuzio 2005; Roeder 2002) or 'oligarchic rule' (Shulman 2005). It was argued that under this type of regime, although formal democratic institutions existed and could not be completely ignored, they were frequently violated by the incumbents. They often preferred to use bribery, co-optation, subtle forms of persecution or blackmail to extort cooperative behaviour (Levitsky and Way op. cit.; van Zon 2005).

The lack of a comprehensive legal framework in post-Soviet Ukraine also suggested there was space (and to an extent was intentionally created) for 'state capture'. The laws were of a declarative and abstract nature, characterized by a lack of clarity, loopholes, internal inconsistency, and unregulated mechanisms and a lack of detail required for implementation (Foglesong and Solomon 2001 p.40). Adding to the confusion, Soviet laws could not be changed immediately and continued to operate alongside the new legislation (D'Anieri 2003 p.60). A systematic tendency to pass vague, 'empty shell' laws enabling the selective promotion of certain individuals and groups and the blocking of business prospects for others was observed by many scholars of post-communist transition (Los

¹⁶ Donetsk is one of the largest industrial cities in the East of Ukraine, the home town of the leaders of the Party of Regions and their most supportive electorate.

2003 p.150; Holmes 1997; Foglesong and Solomon 2001; Ledeneva 1998). This legislative framework was seen as a contributing factor to crime and violations of law (Kalman 2004 p.9).

A number of observations of the failures of formal control over criminal justice in Ukraine lend considerable support to the thesis that its institutions and agents were vulnerable to the influence of informal mechanisms. For example, it was observed that judges were subject to political manipulation (Lehmann 2000; Foglesong and Solomon 2001). The judicial reform undertaken in the early 1990s did not resolve the issue of judicial dependence in the Ministry of Justice and higher courts (Foglesong and Solomon 2001). The judiciary and the police more frequently faced interference from the executive in their work during Kuchma's presidency, while parliamentary control over their activities was weakened (van Zon 2005 p.16). A number of corruption cases reported to law enforcement bodies by parliament were never completed (Holos Ukrainy 2001). The criminal justice process remained biased against the accused, with the investigator and prosecutor holding most decision making powers at the 'preliminary investigation' stage (Lehmann 2000).

Informal decision making practices inherited from the Soviet system such as the 'telephone law', or 'telephone justice' (Finckenauer 1995 pp.45-6; Solomon 1992; Ledeneva 2008) continued to exert influence upon law enforcement officials and judges (Allina-Pisano 2005; Foglesong and Solomon 2001). After his victory in 2005 the new President Yshchenko said in a speech to local leaders in Donetsk: 'I don't like it that one telephone call from the oblast Rada or the oblast administration has more weight in almost all judicial bodies than a whole stack of Ukraine's laws' (Pravda.com.ua cited in Simon, 2006 p.20). The preference for conversation involving a limited number of selected trusted parties, or telephone communication was also mentioned by the local project coordinator, who said that 'many bosses prefer to settle their issues by telephone' which he felt was one of the

reasons why there was little willingness among the 'big bosses' to hold formal 'consultation' meetings (personal conversation with AP 2002).

Law enforcement bodies and their representatives were sometimes characterised as one of the 'predatory' groupings advancing their own economic interests (Gerber and Mendelson 2008). There were a range of ways in which they could use their discretion for private gain: this included protection of commercial structures, transport services, trade, taking bribes instead of fines, money extorted during stop and search, collecting 'fees' from salesmen, doing paperwork for pay, selling information, providing cover for legal and illegal businesses, decisions related to establishing evidence of one's guilt, decisions to stop or not initiate a criminal case, provision of private protection services (in night clubs, supermarkets) (Kolennikova et al 2004). According to some estimates the daily income from bribes of a police officer patrolling a local market could reach 500 USD, that is, 6-7 times higher than his monthly salary¹⁷. In Ukraine, the State Protection Service (DSO), subordinated to the Interior Ministry, was responsible for issuing and withdrawing the licenses of private security companies. It was a private-public organisation and a government organisation, but it was financed on a contractual basis (Born et al, 2006 p.16) and provided commercial services to private clients (Ermolenko, 2007). The double role of DSO as a sector regulator and as a private service provider meant that those who supplied protection might also have been those who created the demand (Favarel-Garrigues and Le Huerou 2004 p.21-2). In addition, 85 per cent of private security firms at the time were former employees of so-called 'power agencies' (Ermolenko 2007) which created grounds for illegitimate cooperation between them (European Committee on Crime Problems 2006 p.26).

¹⁷ in Ukraine, 70-90 USD in 2005, Amnesty International 2005 p.14

Other scholars, as suggested above, argued that the police, rather than being an autonomous predatory grouping, played a role of a 'power resource' controlled by clans (Kosals 2006) or economic and political structures (Kolennikova et al 2004). In Ukraine, ties between criminal economic activity and law enforcement resulted in lax pursuit and superficial investigation of criminal activities, especially at higher levels. The anti-organized crime efforts of the law enforcement agencies were blocked, as only small groups were attacked who posed no great threat to the economy (Kalman 2004 p.10; Foglesong and Solomon 2001). Some scholars saw the links of the police with organised crime not simply driven by the pursuit of economic gain or political power but 'a mode of existence based on mutual trust, exchange of gifts, traditional personal relations when kinship and friendship are valued higher than professional duties' (Sagalaev et al 2006).

From the perspective of 'state capture', any attempts to change the formal rules in ways that did not respond to the interests of the officials (and groups linked to them) who personally benefited from the existing regulations and institutions were likely to meet with considerable resistance. Indeed, officials in Ukraine often resisted the institutionalisation of rules that restricted their political power or opportunities to gain wealth (van Zon 2005 p.16). The sections below will present and discuss some evidence collected in the course of this study in support of the thesis of the role of the police in the process of 'state capture'.

Rule-making – how new rules create new bribe and extortion opportunities

This section will present two illustrations, provided by the respondents interviewed in 2006, of how 'petty corruption' is enabled within the Ministry of Interior. It will then be considered how such petty corruption might be linked to 'grand' corruption and state capture. The first example demonstrates how the introduction of a new rule, instead of tackling the problem it was meant to deal with created a new opportunity for corruption.

This is the case of an edict that required all police officers to retake driving tests which was meant to tackle the problem of drunk driving. A bribe in exchange for the test certificate meant that many officers did not really need to take the test. This allowed for avoidance of the need to comply, while an illusion of compliance was created:

...they see the reports: accident here, accident there...Of course, they do drive, the policemen, all the time. And it is not a secret, they do drink often. And they drive drunk...And so they've issued a very clever edict: to ban policemen from driving without the special permission of their superior. All the policemen were sent to re-take driving tests...How has this all ended? The traffic police started to take bribes; when the policemen went to take the tests nobody could pass; it is impossible in principle now...without money... Some people started to look for personal connections – someone's relative works in the traffic police...and the cadets of the University pooled together 30 dollars each – usually it costs 50 dollars but it was 30 for them... (IR, 2006)

The next quote illustrates how traffic police officials attempted to influence the policies of the Ministry in ways that would enable the traffic police to extract bribes more easily. VM suggested that the traffic police officials were

...manipulating the Minister's mind, they argued that huge fines must be demanded from drivers 'on the spot'. What does this mean? This means that you can write a protocol, or you can put [the money] in your pocket (VM, 2006)

This latter fragment suggests that the police officials attempted to influence not only the implementation but also the formulation of law-enforcement policies in a way that served the interests of the law-enforcers themselves.

The 'extortion pyramid'

It was suggested earlier that in the post-communist societies extortion opportunities became institutionalised (Sajo 2003); within police forces, 'the superiors expect their subordinates to provide them with a constant influx of revenue; the revenue is the shared extorted ransom' (Kotkin and Sajo 2002 p.17). This section will discuss the argument that some of the 'petty corruption' practices of the rank-and-file law enforcement officers might represent the low level of an 'extortion pyramid' that operated within the Ministry of Interior. This is supported with the data from the interviews gathered in 2006 and the data from the K project. This discussion also suggests that the extortion pyramid presented a barrier to the implementation of the K project.

One of the respondents described an informal (but nonetheless binding) requirement that the rank-and-file policemen must 'collect', on a regular basis, a certain amount of 'cash' for the superiors. The revenue was to be collected from the local population (local markets, roads, local businesses including illegal ones) (Anon, 2006).

The 'pyramid of extortion' was also mentioned by another former participant, MG, who considered it to be the main obstacle to developing the Neighbourhood Watch scheme. In the interview in 2006, she drew a picture of officers being highly dependent upon the payment demands 'from above'. Her story also conveyed a sense of intractability of the phenomena of extortion in the police that she saw as circumstances beyond one's control.

Interviewer: so they [the police] had no real interest in it [the project], did they?

Respondent: well, you see, they would give us a new good beat officer...and we would try to make him kind and happy, but...they would start to demand [money]

from him, he must bring this and that...in the police, they have this vertical¹⁸ when they must provide money for the top; and people complained about those who produce and sell alcohol...and in the morning drunken people were lying about, children went to school and had to walk over their bodies, this was horrible...and police...in this sense they only were a hindrance...so there were some circumstances, I think that this was...an intractable power... force majeure, there is such a thing. And we looked at it philosophically. What could we do? (MG, 2006)

The NW coordinator felt that demand for money from the 'top' was a major obstacle to police-public cooperation within the scheme. She recalled her conversations with the local residents in the rural area during which it was suggested that the local drug dealers were involved in illegal dealings with the local police (paying bribes). As she recalled:

Coordinators there [in the rural area - YC] were very open...from the first day they confided to us, and took us around the area, to show...all the 'weak' points. 'Here is a place where a white Zhiguli¹⁹ shows up. We did not notice the number'. They sell syringes filled with drugs...as it turned out later on, the police knew all about it...most likely they were paid...and of course they did not pay the beat officer, and not even the head of the division...I think all that was covered up at a much higher level. If we could then do something about this level of corruption...this was a very serious business, very expensive business... (MG, 2006)

Another piece of evidence suggesting that the police exercised control over local illegal alcohol producers came from one of the local coordinators in K. In 2002, there were several repeated calls to the line with information about the illegal production of alcohol. The official reasons for not taking any action on the information were the unreliability of the information and unsatisfactory checks and actions taken by the police (Romanko and Chistyakova 2003 p.133). In an informal conversation, one of local coordinators suggested

¹⁸ hierarchy

¹⁹ Car brand (built by AvtoVAZ, in the domestic (Russian/Ukrainian market)

that these were the cases when bribery took place and he felt that people's confidence in the line was undermined because of this (personal conversation with AR 2003).

An explanation of how this might have happened (and what seemed to have been a typical scenario) when a police officer visited an illegal alcohol producer was provided by another respondent VM in the following way:

...Imagine, a beat officer showed up yesterday; he wrote a protocol that someone was producing alcohol illegally, then he received money, tore off the protocol. Then there was a phone call: you know, yesterday your beat officer came over, I was a witness, he invited witnesses, but [the alcohol producer] is producing again!...That is why nobody needs this openness...Corruption in the system is very powerful, in particular in the MVD²⁰. Top to bottom. They've created pyramids. He is collecting here on the road, and tomorrow the money will end up in Kiev, this is true. Everybody knows that well... (VM, 2006)

The same respondent also suggested that, in addition to private gain, extortion might have been used to support the Ministry's policies. An announcement of a new governmental policy triggered the next extortion campaign, serving as a sort of informal 'signal':

Recently the Minister came and said: we are going to install three hundred CCTV cameras. And they asked him: 'and where will the money come from? Where are they? In the budget?' 'They'll find it' was the answer of the Minister. It is clear how. 'They'll find it' means they'll rip off entrepreneurs, people, under this illegal command, to buy these cameras, they will rip off the whole of K and will say that this was for a good cause...now the Minister gave an order that every serious traffic accident must be shot on a video-camera...how many do they need for the whole of Ukraine – nobody knows...but each division will need 2-3 cameras...they asked him, and where are these cameras? 'they'll find them'. And today the traffic

²⁰ The Ministry of Internal Affairs

cops are pressuring everybody on the spot...they stop someone and say 'we are collecting for the cameras'. They say this impudently (VM, 2006)

Police thus co-produced crime in the area they policed, being a major player controlling local businesses. As was noted by Chambliss (1974 p.167) law enforcement produces more crime by cooperating with criminal groups. Many illegal or semi-legal businesses were allowed to exist in K because they served as a source of revenue not just for the local division but for the entire police hierarchy. The Janus-face of crime – the ‘interweaving of private-sector crime and public-sector corruption’ (Holmes 1997) and the simultaneous increase of elite and street crime – indicating a specific relatedness of both types of crime (Hagan and Radoeva 1998) are suggested to be among the defining characteristics of crime in transitional countries (Karstedt, 2003 p.296).

Another practice highlighted in the interview with IR and linked to the practices of extortion was the selling of jobs in the police. This practice is classified by Karklins (2002) in her typology of corruption as ‘self-serving asset-stripping by officials’ and she qualifies it as ‘second rank’ in terms of the political costs of corruption. As the following fragment suggests, the selling of jobs was at the time of the interview an established practice, with established prices one was expected to pay for a post depending on the revenue-extraction capacity of a given position:

We've now come to the point where police posts are even being sold. Even our graduate is looking for a job, and the head of a division is holding on to a position because he wants to sell it. My colleague told me, his wife graduated from the 'Investigations' Faculty, he found her a position of investigator and they told him how much...not a big sum, this is a junior position. '1,500 dollars and it's yours'. As a matter of fact, all positions are for sale. The head of a district division wants to get back the money he has spent [buying the position –YC]. And the position of

the head of a district division can cost up to 100,000 dollars. So he needs to collect from the heads of subdivisions, businessmen, and so forth. ' (IR, 2006)

Yurii Lutsenko, appointed to the post of Minister of Internal Affairs in April 2005, claimed that he had been offered a bribe of one million dollars for the appointment of the chief of police of Donetsk region. He also said that the usual rate for the appointment of a Head of a Ministry of Internal Affairs regional branch was 50,000 – 250,000 dollars and for a head of department 20,000 – 50,000 dollars (Pro UA cited in Amnesty International 2005 p.14).

Petty corruption and selective sanctions as an instrument of control

Research on the police in Russia showed that sanctions against the policemen who committed a disciplinary violation or an offence were selective, since the officials charged with the supervision of police conduct (internal supervisory bodies with the Ministry of Interior and the prosecutor's office) were able to apply the law selectively when it suited some particular interests. Sanctions could be applied against 'an officer who is not to his chief's liking, or who stands in someone's way or just to have the required indicator of disciplined employees', or 'when the consequences of violations are too grave or when the truth about violation has come to public attention' (Shepeleva and Novikova 2005 p.53). That similar mechanisms were at work in Ukraine was illustrated by a fragment from an interview with IR in 2006:

Interviewer: ...and what is going on in police? On the one hand, the style of orders from the top is still there...

Respondent: Absolutely.

Interviewer: But on the other hand, everybody does whatever they want?

Respondent: No, police never do 'what they want'. They live according to commands. It is another matter that there is another illegal side, which is partially described in this book [a recently published book on 'Police abuse of power...' co-

authored by the respondent] – torture, abuses of power, corruption. This is shadowy side, shadowy practices. Although very often they are implicit in the police. They know. But their philosophy is: ‘if you’ll be caught in this, we will not save you, it will be your problem. Yes, we know that you provide krysha²¹ to those salesmen, and that you have gipsy families selling drugs, but if the prosecution office is going on at you, or there is a scandal, a resonance case, then this is your problem – we will punish you, sack you’. And they know that these are ‘the rules of the game’ (IR, 2006).

Similarly other researchers observed that police officers were ‘free to be corrupt and abusive, as that activity was condoned by their superiors. Yet for decisions that might go against organisational expectations or the personal preferences of superiors... officer would request guidance in order to protect themselves against recriminations’ (Caparini and Marenin 2005 p.13).

This suggests that the engagement of the rank-and-file in petty corruption was not only a source of revenue for the superiors but also a powerful instrument of control over the subordinates. For a subordinate known to have been engaged in corruption, disobeying an order of his superior would mean that their ‘misdeeds’ could be exposed and they could face a disciplinary sanction or even be sacked. Evidence of the state’s fight with corruption can also be instructive. In 1997 and 1998, approximately 235 police officers were convicted in Ukraine of offences such as failing to declare income, doing business related to one’s position, and receiving material benefits or other advantages in connection with their work performance (Foglesong and Solomon 2001 p.41). Foglesong and Solomon (ibid.) also suggest that although the punishment was almost always mild (fines) the rates of convictions and the passage and enforcement of the corruption law ‘suggest that political forces in Ukraine found it advantageous to pursue corruption, at least at lower societal levels’. This also supports the argument that the ruling class is able to control the

²¹ ‘Cover’, protection provided in exchange for pay.

discretion of the law enforcement agencies through bribes, coercion and the use of political influence (Chambliss, 1974 p.166).

It is suggested by other research (Darden 2002) that the police are not only controlled via petty corruption but also play a role in enforcing the mechanisms of blackmail exercised by political leaders. Darden (ibid) analysed the role of blackmail as an informal mechanism of control. He drew on recordings reportedly made in the office of the Ukrainian President Kuchma and released in 2001 by an officer in his guard service. One of the fragments illustrated how the tax police, secret services, and interior ministry were used to blackmail or pressure local elites to falsify election results:

Kuchma (speaking over the phone to Interior Minister Kravchenko): Azarov²² is here. This is the mechanism at work here. They have a case on virtually every collective farm head. They have to be collected in every rayon [district YC], so that every police head and tax service head... And say: guys, if you don't give, [expletive], the number (of votes), say it like that, that are needed, then tomorrow all of you will be where you should be... (KPNews 2001 cited in Darden, 2002 p.25)

Using this and similar evidence, Darden has argued that political leadership in Ukraine used extensive surveillance to collect evidence of wrongdoing (corruption), and used blackmail to secure compliance with its directives. Similarly Los suggested that secret potentially compromising information, including personal files and communist secret archives, was used extensively in politics and business in post-communist societies (Los 2003 p.159).

Thus this research suggested that the police played a double role in this blackmail mechanism of control: they provided incriminating information and exercised pressure

²² The then head of the tax inspectorate

upon local elites (via holding conversations with them). A permissive attitude of the state leaders towards corruption enabled, according to Darden, this mechanism of 'selective enforcement' to work. The crucial point for Darden was that the state's treatment of illegal activities depended on whether or not they were part of informal state institutions – only violations that were not undertaken with the approval of the leadership were punished. This is similar to Chambliss's (1974 p.167) argument supporting the Marxist view that criminal acts serving the interests of the ruling class go unsanctioned while those that do not will be punished.

While Darden's research provides convincing evidence of the police operating as part of a mechanism of blackmail used for political ends, data gathered by this research suggested that secret and incriminating information was used by 'special services' within the police for purely economic gain. Anon (a senior police officer) in an interview conducted in 2006 commented that the 'special services' traded in information they had in their possession or used it to extort money:

...Our special services can sell information. They can sell information about the person who informed [the police about a crime]. They will simply sell you. I do not trust the special services...the internal security create conditions for bribe-taking, provoke a person, a policeman, and demand money from them, and divide it between themselves... (Anon 2006)

This suggests that community policing as a relationship in which the police act in response to information supplied by the public is problematic because the police are highly vulnerable, via the mechanisms of blackmail, to being manipulated 'from above', and might play their part in enabling these very mechanisms, instead of trying to respond to the safety needs of the local community.

As follows from the previous discussion, extortion and blackmail were both mechanisms of control and mechanisms of profit making. The next section will consider the resource implications of 'state capture', the evidence of such diversion of resources into private pockets, and the implications of this for the K project and the development of community policing.

State capture and resources

Poor resource provision was often seen to be one of the key problems of policing in post-Soviet Ukraine. The state appeared unable to properly fund and maintain its police (Foglesong and Solomon 2001 p.69; Kalman 2004 p.10). In addition, it was faced a large gap in skills and expertise as most of the expertise and institutions required for investigating and prosecuting crime remained in Russia (Shelley 1998).

When asked (in the survey carried out by the K project in 2000) about the main problems of police, the police officers ranked poor technical equipment (95 per cent) and low pay (85 per cent) as the two leading problems. The average salary of around 100 USD a month could not cover even the basic needs of a police officer's family. The lack of basic materials and equipment oftentimes meant police officers could not perform basic tasks. The interview data from the K project suggested that sometimes they had to pay for office paper or petrol from their own pocket, and frequently it was impossible to respond to calls for assistance because of the lack of petrol. There was a case when an officer had to ask a local resident to use his car to transport a body because there was no police car available. The UK police consultant who visited the experimental police stations in K was shocked at the conditions and age of the equipment that was still used there. The local coordinator recalled this episode in the following way:

...I remember MW asked: 'what is this?' This was our teletype. He said: 'We last had this equipment in the 1950s'. That's it. What are we talking about? (AP, 2006)

At the same time, evidence gathered during this study and observations made during the implementation of the project suggested that resources were available for some purposes. When the team visited police divisions and the K University premises, freshly renewed and expensively furnished shiny offices of the 'big bosses' represented a stark contrast with the rest of the buildings. AP commented in 2006:

There are sponsors who solve the problems of the head of division, the way he wants this to be done, and at the same time, the basic questions of resource provision of police are not being solved (AP, 2006)

As of 2006, very little funding was allocated to crime prevention work in the local budget. The lack of funding was exacerbated by the opportunities available to local officials to appropriate some part of the money for personal gain. The following comment by a police officer Anon highlighted the issues of funding:

...there is the budget of the district, for instance 100 thousands hrivnas per year. How much can I give to businesses and organisations I know, to maintain roads, to repair state buildings, for educational, crime prevention programmes? Part of this money goes to the 'shadow'; and everybody is interested in this; this is the reality of Ukrainian life; it is difficult to write about this of course; how can you prove this?... If one looks at the figures of how much is allocated for youth crime prevention – you'll cry...take burglaries for instance, how much is allocated? Zero...This explains the attitude of the authorities to this kind of programmes... In the Ministry – where does the money come from and where does it go? (Anon, 2006)

A particularly striking example of how institutions of the Ministry of Interior could be used to divert money to private pockets was provided by another respondent. The scheme he

described was as follows: a 'daughter' company is set up within the state organisation and uses the budget of the organisation to fund its development but operates like a private company:

In front of our University there is this nice building which is called K Economics-Law University (KEPU). ...the story of KEPU is as follows: this building was built for an institute, probably it was supposed to work for defence as usual, but nobody moved in. In 1990-1991 it all had collapsed – the defence industry, all the institutes were closed, and the building was transferred to the University. Our head of the advisory board was very dynamic, a people's deputy, connections and all, and he has arranged this, through a decision of the Cabinet of Ministers. This building has been given to the University for 'development purposes'...and then they have opened this KEPU there. Like our division; but nobody knew very well. Our lecturers worked there part-time, there were departments, but the students they had recruited had to pay, and not small money. And then it has become clear that this was a private enterprise; they had privatised it, created a private company, for pennies privatised the building, and created such a scheme: all the expenses were borne by our University...they had done a nice European makeover there, nice furniture, whereas we live like...poor like church's mice. Nothing was invested in equipment, lecture theatres and rooms, and there – everything had been done perfectly; nice lecture theatres, audio and video, internet, e-mail. They even had a student hostel, and provided internet connections...But this was on the University's account, and the profits were private. They did not even have to take bribes like rectors used to do, to take a student they used to take up to 5,000 dollars. It was a private enterprise. (Anon, 2006)

When the K project was confronted with the problem of insufficient budget for additional police officers, it also turned out that the use of personal connections could help to get some extra personnel. As explained by one of the local coordinators,

we had to ask the head of the regional headquarters, this was done by OY using personal contacts, to give us from his reserve 10 more people for the Kominternivski area, within this project...(AP, 2006)

Community policing programmes are known to be quite resource-intensive. In Ukraine where police divisions suffered decades of poor investment leading to inadequate technical conditions, this would also require some basic technical upgrading. The experimental divisions in K had insufficient numbers of vehicles and no computers; two vehicles and two computers were purchased for them by the project. This meant that implementation of community policing required quite substantial resource commitment on the part of the organisation. However, the Ministry made it clear from the beginning that they did not have resources available and did not intend to make a substantial resource contribution to the project. The limited resource commitment meant that the project was unsustainable in the long term. The reasons for this were both the actual lack of money in the state budget for policing (partly because of tax evasion) and the processes of appropriation of the available money by the officials of the MIA.

Corruption as an 'intractable power'

Mackenzie and Green (2008) exploring the regulation of the illicit antiquities market in the UK apply the notion of three-dimensional power to explain the capacity of the regulators to achieve the desired ends. It is argued here that Lukes's (2005) third dimension of power they refer to was also evident in the course of implementing the K project and the data gathered later on.

Remarks made by some of the participants suggested that corruption in the law enforcement system appeared to them as an unavoidable or intractable phenomenon: 'force-majeure' (MG 2006) or 'unbeatable' (IR 2006). Corrupt behaviour did not seem to be a separate event, violation or deviation but a universal pattern, something that 'everybody did'. A public opinion survey conducted in Ukraine in December 2000 showed

that 93 per cent of adult Ukrainians claimed that corruption was common in their society (compared to 87 per cent in 1994); (Carson, 2001 p.21); at the same time 58 per cent believed corruption of officials was accepted by the citizens as a 'fact of life'.

Although it might be difficult to empirically prove how powerful groups can shape this perception of corruption as a universal phenomenon or 'fact of life', it can certainly be argued that certain groups benefit from such a perception and the inaction that follows from it. The tolerance of existing patterns and a lack of political will to stand up for principles means that both discourses about and the fight against corruption will remain a political tool and a way to enforce the law selectively (Ledeneva 2005). Moralistic conceptualisations of corruption hide the fact that it is a consequence of the expansion and institutionalisation of extortion opportunities (Sajo 2003). It can be argued that oligarchic groups and the bureaucracy were able to benefit in the long term from the continued mass tolerance of informal rules. The Orange Revolution, which appeared to be a movement against 'shadowy agreements' was soon replaced by perceptions that the established patterns and rules prevailed. Yet it was also clear from the interviews carried out in 2006 that certain groups appeared to be able to raise their extortion demands:

They've changed the president in our country. And do you think anything has changed? Do you think there is less corruption now? You cannot even imagine. I recently met a friend; she was the owner of a restaurant in this hotel [points to a hotel – YC]. She told me she had to close the business down because extortion has gone up beyond imagination. Now, she says, she has set up a new business, she brings crystals from Iran, she's got a network of shops all over Ukraine. And she says what they used to demand under Kuchma for custom clearance was three times lower than what they take now. Now they take plus 100 per cent for risk, plus 100 per cent for their future unclouded life...she says she cannot bring any more merchandise; it is unprofitable, she does not know what to do. So you see how it is. Nothing has changed (MG, 2006)

According to another respondent, senior police officer, the amount of money to be collected for the 'top' of the law enforcement hierarchy has also substantially increased (Anon, 2006). He commented that this will result in more pressure being put on the public who would eventually 'have to pay' this money. Thus it can be argued that the extortionist strategies of public officials are enabled by the prevailing stereotypes about corruption as 'intractable power' and a universal phenomenon, and that the failed governmental anti-corruption campaigns might be one of the factors contributing to the persistence of such views.

Chapter 1 reviewed some of the literature on governance of crime in advanced liberal democracies, literature that suggested that power is exercised in new ways in these societies, it operates through decisions and actions of remote and non-political actors, or nodes of governance (Stenson 1993; Rose and Miller, 1992; Sullivan 2001; Johnston and Shearing 2003). Could the notion of 'governance' also help to understand the exercise of power in post-Soviet societies? Could for example one talk about governance through corruption? It might sound like a contradiction in terms, as post-Soviet corruption is often understood as an obstacle to 'good governance' and one of the reasons for the weakness of the state. Informal mechanisms are seen as undermining formal institutions of control. However Darden (2002) argues that bribery and graft may enhance state capacity, when they are combined with some authoritarian mechanisms such as surveillance and blackmail and selective enforcement of laws. Darden is principally concerned with the compliance of state officials with the decisions of political decision makers. But, he argues, in countries where the rule of law is not the norm, the relationship between the decision makers and state officials is not a formal legal relationship. Thus illegal practices might mean fulfilment rather than violation of such contract. This understanding extends the concept of governance, viewing it as a form of domination that may be exercised both through legal and illegal practices.

The principal difference between this view of governance and the liberal perspectives on governance is how the role of non-political modes, such as the police, is viewed. In the neo-liberal version, the police become one of the decision makers, who govern, or command private actors and individuals to assist in law-enforcement (Shearing 2001; Johnston and Shearing 2003 p.147; Wood and Shearing, 2007 p.27); they are concerned with the 'creation' of self-policing citizens (Stenson 1993). In contrast, as Darden's perspective on governance suggests, the post-communist law enforcers - at least in some states and in certain historic periods (more specifically he refers to the case of Ukraine under Kuchma's government) had little governing capacity. Their discretion was limited to opportunities to gain an extra-income via bribery and graft, in exchange for loyalty and compliance with central directives (Darden 2002). A distinctive feature of post-communist governance is its extensive reliance on illegal practices; in advanced liberal democracies power is exercised via informal mechanisms (Rhodes quoted in Edwards 2005) that are not, for the most part, illegal.

It can be argued that viewing corruption as a mechanism of compliance that is secured through extensive surveillance and blackmail helps to see why corruption might be perceived as an 'intractable' phenomenon. This perception reflects the understanding that it is not in the interest of the political leadership to eradicate corruption because it is part of the informal mechanisms of compliance through which they exercise their power.

The widespread stereotypes about corruption discussed earlier in the chapter and their political implications in post-Soviet societies suggest that it is important to draw distinctions in Ukraine particularly between small-scale (grassroots) and 'grand' corruption at the top. The grassroots' corrupt practices might be, suggests Ledeneva (2009), more adequately understood as responses to the 'injustice' and 'unfairness' of the system and ways of coping with its inefficiency.

Whereas the previous sections focused mainly on the acquisitive aspects of informal practices in the law enforcement in Ukraine, it is also important to look at the more far-reaching political implications of such practices. Illustrations of these are again supplied by observations made during the implementation of the K project as well as by interviews conducted in 2006. The following section will discuss the implications of the positioning of the police within the captured state for their relationships with young people. The punitive approach towards youth is illustrated by the data on implementing youth liaison scheme as part of the K project. The data also highlight the position of the law enforcers in relation to the poor.

Police and the young people: enforcing the law against the poor

Media and human rights groups in Ukraine have reported the use of the police to disperse protest actions and demonstrations (Prava Ludyny 2003) and to control the media (Hyde 2001). This also means that young people often became victims of police's abuses of power, coercion and violence (Prava Ludyny 2005). It could also be expected that in the post-Soviet years the relationship between the police and some problematic and vulnerable categories of young people would become more confrontational, as the number of deprivation related thefts increased and many of them were committed by 'single, unemployed persons in their twenties, often without fixed addresses' (Foglesong and Solomon, 2001 p.23). There was some evidence of police targeting of young people in the K project's survey carried out in 2000, which found that the most likely group to be stopped by the police were 14-17 year old boys (40 per cent) (Beck and Chistyakova, 2001 p.49).

The status of the police as a disciplining and punitive tool to deal with the wrongdoing of poor youths was evident in the course of implementation of youth liaison activities. Initially the purpose of youth liaison work was thought to be the improvement of the relationships between young people and the police, and police assistance in crime prevention in schools and ensuring children's safety. But some of this work took a punitive turn in K when it was decided that like their UK counterparts the Ukrainian police should be involved in addressing the problem of truancy and other behavioural problems of children. This approach was embodied in the work of the Coordination Councils. The meetings were set up to discuss the issues of 'difficult' children and children who played truant; the 'problem child' and their parent or guardian were called to school for a 'talk' and were confronted by a panel usually consisting of a police representative, school administration, and sometimes 'active pupils'. In addition parents were asked to come to the police stations where 'talks' were carried out regarding the neglect of their parental responsibilities and administrative protocols were issued with respect to some parents (AK, police officer-crime prevention coordinator 2002). The ideas that underpinned the construction of the Councils could be traced back to the disciplining approaches used in Soviet schools and other settings when the pressure of the 'collective' body was exerted through the presentation of an external threat (in this case the police), and the pupil was 'named and shamed' in front of the 'collective' (Kharkhordin 1999). However, the Soviet welfare institutions that accompanied the Soviet disciplining methods were no longer there in the Ukraine of the early 2000s.

YF, the Youth Liaison Officer, explained that the Councils were aimed at making the children 'fully aware' of the potential implications of their conduct in terms of the criminal law: if a child was caught stealing or engaging in fights with others, such children were called to a Council meeting where they were told about the articles of the Criminal Code and what kind of criminal responsibility they might be facing when they would reach the

age of criminal responsibility (YF 2006). YF's view was also that the Council dealt with the children whose parents could 'no longer control' their behaviour:

...along would come parents and would say: 'he/she does not understand me. I am telling him/her, but he/she walks away and does the same again'. Then we would say: 'if he would not listen...the police ...we see it as a punitive body...and for the underage it is a prevention mechanism, he would get scared... (YF, 2006)

The respondent further admitted that the police's warnings and protocols usually did not work and some parents were eventually deprived of their parental rights and their children sent to orphanages (interview with YF, 2006). All such families were without exception poor, with one or both parents unemployed, and many of them single parents.

The interview with YF illuminated the widespread impoverishment and lack of state support that the youth liaison officers typically came across during their work in K, such as unemployment, addiction and child neglect when even the basic needs (in food and clothing) were not satisfied. Indeed, income data in Ukraine in the 1990s suggested that the standards of living of the majority of the population decreased dramatically during the decade. In 1999 compared to 1990, real money income decreased 4.4 times, real wages – 3.8 times, real pensions – 6.5 times. In addition, the hyperinflation of 1992-1993 completely devalued the savings of the population in the banks. The wages of 40 per cent of employees in the economic sphere were lower than the officially-established level of low income, which was in turn two times less than the minimum living standard. 9 out of 10 considered themselves poor. Families with three or more children were at the highest risk of becoming poor; almost all families with many children were destitute. Within the categories of poor and destitute, 43 per cent were families with children (Chemerys et al, 2002). The child benefits provided to families by the government were so insignificant that social policy officials referred to them as a 'humiliation' and 'sham' (ibid p.224).

A typical situation of a delinquent youth was described by YF:

Mother and father drink, no money....a friend has got money and he also wants...he would go and steal a piece of metal...would get some money for it... (YF 2006)

It is thus enforcing the law against the poor that became the focus of some of the youth liaison work in K. This turn was undoubtedly shaped by the roles played by the Ukrainian police at the time. The police retained their Soviet repressive function of dealing with problematic populations (e.g. sending alcoholics and addicts for enforced treatment), but in a society increasingly differentiated into poor and rich and with the emerging market captured by the oligarchic clans, these enforcement policies and strategies were increasingly focused on disciplining and punishing the poor.

Detention and abuse of power

In post-Soviet Ukraine judges tend to rely heavily on the use of pre-trial detention²³ (Amnesty International 2005; Foglesong and Solomon 2001; Solomon, 2008) and on confessional evidence (Amnesty International 2005). Pre-trial detention is imposed on anyone alleged to have committed property or violent crimes (Solomon 2008). Detention then becomes a tool to exert psychological and physical pressure on suspects to admit their guilt (Solomon 2008). This is explained by the specifics of criminal procedure in Ukraine. The 'operative' officers view detention of a suspect as an effective start in the process of a solving crime. They try to obtain evidence of guilt 'at any price'. Even if investigators and judges later dismiss such evidence, it would not have any impact upon the operative officers: they have achieved the desired result (Sobolev et al 2005 p.60). The lack of

²³ A similar situation with pre-trial detention in Russia is noted by Piacentini (2004 p.48).

normative regulation of the grounds for and the procedure of arrest means that it is difficult to determine whether an officer exceeded the necessary use of force and whether or not the rights of the person arrested were violated (ibid). Methods of pressuring the suspects during the so-called 'preliminary investigation', including beatings and torture, are reportedly widespread and the victims of ill-treatment face great difficulties when seeking justice (Amnesty International 2005). In addition, to avoid responsibility for its actions, police officers can delay registering suspects who have been arrested and use the time lag between the moment of arrest and the moment of registration (when the detained has no legal status and no rights) to extort confessions (Rushchenko 2005a).

As noted in Chapter 1, aspirations that the Ukrainian state and the police should protect the rights and freedoms of citizens found their expression in the Ukrainian Constitution and the Law on the Police. Several new legislative provisions adopted since independence were meant to increase the transparency and openness of the police and ensure the observance of human rights²⁴. However, there is little evidence of the extent to which these legislative initiatives have affected the conduct of the police and practices of policing.

A study published in 2004 by the Kharkiv Institute for Social Research revealed that 62.4 per cent of those interviewed who had been in police detention were subjected to ill-treatment on arrest; 44.6 per cent were subjected to having their arms, legs or necks

²⁴ The 2003 Law on Democratic Civil Control over the Military Organization and Law Enforcement Bodies of the Country envisaged that citizens, non-governmental organisations, the mass media and a broad range of other bodies including the Human Rights Ombudsman of the Supreme Council shall have access to information about the activities of law enforcement bodies, to ensure the 'observance of lawfulness and openness' in these activities. In 2004 as part of the cooperation with the Council of Europe the Ministry began an experiment to create 'mobile groups' to monitor compliance with human rights standards in the eastern regions of Ukraine. In 2005 such groups were created in every oblast. In 2001, Article 127 prohibiting torture was added to the Ukrainian Criminal Code. But not until 2005 was it recognised by this law that torture can be perpetrated by state officials. In January 2005, the article 127 'Torture' was modified adding 'torture by employees of law enforcement bodies', and a stricter punishment – 10 to 15 years of imprisonment – established. The law 'On Advocacy' introduced norms allowing the advocate to take part in the criminal procedure from the moment of detention of the suspect. In 2005, in addition, the Law 'On the police' further specified the rights of detained and arrested persons and their access to a lawyer as well as compensation for harm caused by the unlawful actions of the police. However, this was not accompanied by changes to the disciplinary code of the police, to regulations of discipline and duties of the bodies of internal affairs, and to the system of punishments and rewards.

twisted; 32.8 per cent were punched or kicked; and 3.8 per cent claimed to have been subjected to torture and ill-treatment using special equipment. Detention facilities are overcrowded and there are inadequate and unhealthy conditions in them (Amnesty International 2005; Solomon, 2008). Further, according to Solomon (2008), not only are people held in pre-trial detention more likely to admit guilt, they are also more likely to receive a custodial sentence if convicted.

A study by Ruschenko (2005b p.72) presented some evidence suggesting that certain categories of people such as those with low social status, the underage, homeless and those who had problems with the law in the past were the most likely victims of police brutality and most likely to suffer torture. Both the powerlessness of these groups and the prejudices held by the police that these people were most likely to be guilty of some wrongdoing might explain such findings.

These problems were further highlighted in the course of this research. A former police consultant, OY, described a visit by the Minister of Interior in 2006 to a small town in northern Ukraine where anti-police riots and the murder of a policeman were apparently provoked by widespread abuses of power against detained children by the police:

...it turned out, there were violations of human rights, assaults of detainees, and there were parents of children who were battered by the police on suspicion of crime – so on the one hand there is criticism of the obsession with performance indicators, human rights is the most important thing – they say, but in reality – why did those policemen batter those children – because they needed confessions, and why would they need this if they were not penalised for percentages? (OY, 2006) ...

The obvious lack of awareness of the spirit of the law and human rights that constitute a key part of it can also be demonstrated by the following fragment from an interview with a

police officer in 2002 who described the problems faced by the police in the course of sending drug-addicts and alcoholics to treatment and rehabilitation centres, a duty inherited from the Soviet times (Shelley 1996). The process was described in the following way:

...a beat officer is sending an alcoholic or a drug-addict to undertake enforced treatment. In order to be able to do this, the person has to undergo medical tests. According to the law, this should be done voluntarily, so that the person understands the need to do it. In 90 per cent of cases this works, but there are 10 per cent of such 'comrades' that in their case one can only dream about voluntariness... (police officer, male, interviewed by Anon 2002)

This fragment of course begs the question of how the 'cooperation' of those who refused to undergo the treatment voluntarily was achieved, although the answer seemed obvious, given the formality of the 'letter of the law' in Soviet and post-Soviet societies and of the principle of 'voluntariness' in the practices of control (Mikhailenko and Kondratyuk 2000; Kinshchak 1999).

Thus a combination of institutional legacies (criminal procedure and reliance on pre-trial detention) and of established practices of dealing with problematic populations meant that at the time of the K study individuals that happened to come to the attention of the police as suspects or those that might require 'enforced treatment' were facing a high risk of abuse, either psychological or physical, and once detained were likely to suffer from further injustices. If the poor were the more likely victims of unfair treatment, the extent of such abuses might have been significant given the extent of poverty in Ukraine.

The following section moves on to consider how conflict between economic and political elites in Ukraine acted as an impediment to reforms in the police. The specific situation in Ukraine was that, due to irreconcilable differences between elites, this conflict essentially remained unresolved in the decades following independence in 1991, which, on the one

hand, prevented the return to full authoritarian rule, but on the other hand, effectively blocked the formulation and implementation of policies aimed at state-building. This meant that at the time the K project was being implemented, the chances for a comprehensive sound reform of law enforcement were very slim.

Fragmentation of the elite and 'short time horizon'

The evidence presented in this section supports the argument that the governance of crime control should be viewed as a political process involving struggles between coalitions of interests (Edwards and Hughes 2002) and that this politics has a locally particular expression.

In 1991, the Communist Party, the instrument of social and elite cohesion had disappeared from the scene (van Zon 2005). The outcome in Ukraine was 'pluralism by default' – social and economic (regional) cleavages were so diverse that authoritarian politicians could not resolve them in autocratic ways (Way 2004; van Zon 2005). Ukraine was an example of a society, as some political scientists argued, where elite cohesion was very low and therefore these political regimes were vulnerable to internal crisis (Way and Levitsky 2006 p.60).

At the time of implementation of the project, at the central political level the power struggle between the President and the Parliament over the division of power was the main site of political conflict (Gallina 2008; Aslund and deMenil 2000 p.6). It resulted in continuous clashes between the branches and a political deadlock over reforms (Kravchuk 2005 p.55). The Parliament was split between reformers and communists (Shen 1996 p.56). Similarly there was a lack of unity in the government (Aslund and deMenil 2000 p.9). Until the Orange Revolution in 2005 half the Parliament was dominated by nine

oligarchic factions, primarily representing the interests of business groups (Aslund 2005 p.8). The oligarchic clans had different aspirations (van Zon 2005); in particular some wanted to become 'gentrified' others wanted to continue to rule as 'corrupt' oligarchs (Kuzio 2005). Local clans dominated politics at the regional level (van Zon op. cit.), with great differences between rules in the eastern (Donetsk), central (Kiev) and western regions. In addition, the executive branch represented a semi-autonomous force that had discretion in implementing central policies. They represented a mosaic of institutions each preserving its own privileges (ibid p.15). Within the judicial branch, prosecutors and courts fought over control of the criminal justice system (Lehmann 2000).

The elite fragmentation had several implications in terms of reforming law enforcement. First, the split between elites meant they struggled to resolve conflicts over the very concept of the state (Gallina op. cit) and consequently reforms of the criminal justice system were put on hold (Foglesong and Solomon 2001). This concerns both the central policies and policies of decentralisation. There was no adequate provision of legislation regarding the decentralisation of power and the division of powers between elected, executive and appointed regional governors remained unclear (Gallina op. cit). The institutions of local self-government therefore remained undeveloped and consequently local governors had insufficient powers and funds to develop local crime control policies and set up municipal police organisations.

Secondly, the continuing split between elites and unresolved issues of division of powers created power imbalances – an uneven playing field (Way and Levistky op. cit). This 'uneven playing field', also described by Levistky and Way (2002) as 'competitive authoritarianism' described earlier in this chapter and in Chapter 1, required the players to use informal/non-legal tools and structures to offset such imbalances; one of these tools (along with patronage and control of the executive branch) were the law enforcement

agencies. D'Anieri similarly suggests that selective law enforcement was used by President Kuchma against those who challenged his authority. This also enabled him to put pressure on the legislature to adopt laws enhancing his power (ibid). For oligarchs, argues Aslund, the possibility of using political tools, including law enforcement agencies, was a way of reinsuring their shaky property rights (Aslund 2005). In this context law enforcement was used to weaken and/or disadvantage opponents (Way and Levitsky, op. cit p.21). But at the same time they became unreliable enforcement tools for the state (ibid).

Thirdly, and also crucially for the K project, institutional instability meant high elite turnover at that time in Ukraine and a very short term of many incumbents in office, both at the top, middle and local levels (Gallina op. cit). This created a short-term policy horizon with direct consequences for long-term policy proposals and projects; this short-term policy horizon impeded the drafting of long-term programmes for reform.

Taken together, this combination of factors impeded the formulation of a thorough reform of law enforcement (both at central and regional/local levels) and enabled various economic and political players to keep control over the unreformed law enforcement structures via informal channels of influence.

The subsection below will consider how multi-agency work at the local level was inhibited in K, which is illustrated by the attempt of the K project to set up consultative committees for the formulation of crime prevention policies in the city.

Multi-agency working: mission impossible

This section discusses how the attempt to establish multi-agency consultative committees as part of the K project highlighted the difficulty in Ukraine of creating alliances that were formal, transparent, and lasting.

According to the plan designed by the project team, area-level consultative committees were supposed to meet every two months, including 'local business people together with representatives of the local community' (Beck and Chistyakova, 2001b p.5). It was thought that such meetings should bring together representatives from various public agencies such as schools, health institutions, and local authorities. These should have worked as forums to discuss local crime and safety problems and develop strategies to deal with them.

In reality, the initiative did not take off and only a few meetings were carried out. When the local coordinator was asked in 2006 about the fate of the committees he explained that there was little interest or willingness among the local political and economic elites (such as local businesses, district and oblast administration, heads of health and educational institutions) in investing their time in the joined work of consultation which they appeared to see of little value and meaning to them. As was explained by AP:

...why did they not work?... to sit down and think creatively – nobody wants this. Because what the 'big bosses' do – they try to do the minimum of what is required by the job standards – and only rarely do they really try to do their jobs well (AP, 2006)

To understand this lack of dedication to their job and lack of interest in joint work, the combination of factors described above such as the fragmentation of elites and short policy horizon need to be taken into consideration. As suggested earlier, party formation was

difficult in Ukraine due to regional cleavages and weak non-material bonds between Ukrainian elites (Way and Levitsky op. cit). But even at the local level in K, there was little interest in joint efforts. Given the context described above, it seems that the key factor was the predominance of informal mechanisms and channels of influence - often short-term patronage ties (Way and Levitsky op. cit p.60). These mechanisms were combined with the persistence of more stable informal 'bonds' between parties – the influence of Soviet era networks (Kuzio, 2005b), which while bonding some parties would at the same time separate them from others – including from 'would be' partners in crime prevention. The combined forces of horizontal networks and vertical clientelism, argues Karstedt (2003 p.307), combine into distinct clusters and divide groups along the horizontal and vertical dimensions. They establish a basis for bonding a type of social capital within groups, but deplete the social capital that links different groups and relates individuals to society's institutions and formal organisations (ibid 308). Engagement in formal consultations would not meet the configuration, demands and interests of these informal and unstable coalitions and therefore would not be seen as serving any purpose. The absence of interest in engaging in formal coalitions would appear on the surface as a preference for individualistic survival strategies. AP commented that:

...everybody is trying to solve problems on their own the best they can...Everybody is splashing in their own puddles. The schools do not go to the police shouting 'let's work together', nor do the police go to schools: 'guys, you have problems, because of your problems the level of crime is going up – hooliganism, let's do something' ... (AP, 2006)

Second, the issues of local self-governance remained unresolved at that point and therefore there were no clear formally demarcated powers attached to local self-governance bodies (local councils) as regards the issues of local crime prevention and law enforcement. In the Soviet Union local authorities had little power or influence over the police (Shelley 1996).

In post-Soviet Ukraine, despite new legislation on local self-governance, the local self-governance bodies remained as of 2000 highly dependent upon the executive hierarchy (Navruzov 2000). The Law on Local Self-Government, adopted in 1997, established the *territorial community* as the primary unit of local self-government and defined it as the community of inhabitants of a given village, township or city, which constituted an independent administrative-territorial unit. Article 1 also established the local council as the representative body of local self-government, with the authority 'to represent the interests of communities and make decisions on their behalf.' In practice, however, the authority of the local council was limited due to the lack of financial and economic independence; over ninety percent of local budget expenditures were allocated to compulsory, socially protected expenditures, which depended on transfers from the national budget (ibid). A fragment from an interview with a head of a local council from the rural experimental area in K illustrated the lack of capacity to make decisions about funding for additional beat officers:

I just came from a meeting at the district state administration...There was a suggestion to hire assistants to beat officers that would be funded from the local budget. But we have the budget code that puts limits on this. The budget is the state's money. They are under control, and one cannot just say, lets take assistants to beat officers, so that they would be subordinated to the council, to the head of the council. ...in the past, we used to have beat officers subordinated to village councils. And we want to finance this, but the budget does not allow it. With the adoption of the new budget code, all our expenditures are specified. Before, if we had extra income we could direct our income where deemed necessary. Now this is limited... there is a President's Edict 'On inappropriate use of budget funds' ...But it would be good to help the beat officers, because there aren't many of them. (Head of a village council, male, interviewed by Anon, 2002)

There was little success with the attempts to establish local police in Ukraine. In January 2001 the president signed an edict on the 'Establishment of Local Police', aimed at

establishing closer links between the police and the public and strengthening the fight with crime. The edict stipulated that local police should be created by local self-government bodies, maintained from the local budget and work in collaboration with the Ministry of Interior, local executive authority and self-government. K was the first city²⁵ to set up the local police, whose main task was maintaining public order during celebrations, public gatherings, and joint operations with the MIA. However, soon the municipal police were disbanded because of the lack of money in the local budget (Ostafiyeva and Dubynskiy 2008).

Because of this continuing lack of financial independence of local councils this problem was still unresolved in 2006. In the interview with the former project consultant (at the time of the interview holding a post in the Ministry of Interior in Kiev) he said that the establishment of local police was blocked by the absence of funding in the budget. He commented that once the local police were created it would be possible to adopt a law on crime prevention that would establish not only police but local self-government, NGOs, and school involvement. At the time of the interview, the bill had been before Parliament for nearly ten years (OY, 2006). In 2008 President Ychshenko abolished the edict on the 'Establishment of Local Police'; arguably because of the problem of funding that effectively meant the edict was never implemented in practice (Ostafiyeva and Dubynskiy 2008).

The third key factor was high elite turnover. The idea of consultative committees was based on the assumption that there were parties for whom engaging in multi-agency work would present an opportunity to advance policies they pursued and invest in their careers. In other words, they would operate within a long term office and policy horizon. In Ukraine, by contrast, because of frequent political and ideological turns and changes in the

²⁵ Local police divisions were also established in Kiev, Odessa, Lviv and Zhitomir.

1990s-2000s, officials and businessmen often operated within very limited, 'short time horizons'. In the words of Stephen Holmes, 'Short time horizons, for one thing, favour myopic coping strategies over bold system reforms, inhibiting party formation ("what will you and I have in common a year from now?")' (Holmes 1995 p.31).

Despite the relative political stability of the period of Kuchma's presidency, staff turnover in the police was very high, which often presented an obstacle to establishing working contacts between the project team and the police officers of the experimental divisions. In the view of the NW coordinator, MG:

They changed areas all the time. Today we have one beat officer, tomorrow – a different one. It was impossible to work, he did not know anybody. In this sense, AV [the head of the division - YC] was a hindrance. He did not give us people who could stay in the area, learn its problems, we, together with Coordinators, would teach them, and ...so this created a misbalance. The police were moving away from us ... (MG 2006)

There were also frequent changes at the higher levels of the police hierarchy. The K project benefited from the tenure in office of Minister Kravchenko, a relatively open-minded man perceptive to new ideas. However in 2001 when the implementation of the project had just started, Minister Kravchenko was replaced by Smirnov. He attended the final conference in K in March 2003 and appeared genuinely impressed with the achievements of the project. One of the former participants, recalling her impressions from the Minister's speech, said she had the impression that this initiative would receive further support (interview with TL, 2006). That same year, however, Smirnov was replaced by a new Minister - Bielokon. The new Minister's concern was clearly not the dissemination of the community policing experience in K. IR suggested that Bielokon focused his efforts on replacing his

predecessor's people with his own in order to ensure success in elections in the coming year (IR, 2006).

Similarly, it was difficult to expect, in the view of another respondent, dedication to the aims and objectives of the project on the part of other partners involved, who were faced with the same problem of short time horizons:

...a school director...for example we ask a school director to come to a meeting, ask the deputies, someone else...And he – today he is a director, and tomorrow – they sacked him, and that's it. He does not have a future. Neither does the deputy, the head of the village council...today he has been elected, for 3 years or 5 and then he is gone. He does not have a future and thus he does not have stability and all these projects for him...an additional burden – he does not want it, he will avoid it. If you pay him – he will sit [at a meeting - YC] But what kind of initiative can be there? (VM, 2006)

High staff turnover in Ukraine spoke against continuity of policy and institutional development because of a high dependency of policy continuity upon particular personalities (Brucker 2007 p.05). In an interview carried out in K in 2006, VM commented that because of frequent changes of officials in the Ministry of Interior, each new boss had to be persuaded of the worth and value of the K project:

Respondent: ...a new boss was starting with: oh, you have invented this for yourselves...Gusarov²⁶ told me then: you VM are very clever...this project...you even made a PhD!

Interviewer: and 'why am I not there'?

Respondent: yes, 'why am I not there?' Seven bosses changed during the lifetime of the project...and we had to persuade every one that this was necessary!...Unfortunately, in our society everything depends on personalities...We

²⁶ The then newly appointed head of the regional headquarters

even took photos with them...in the book...we added them as co-authors, just let us... (VM, 2006)

The short policy horizon meant the position holders adopted highly individualistic and 'here and now' survival strategies and lacked dedication to performing the job. This situation was succinctly described by IR:

The new people do come, but they come for a year, knowing they need to grab the money, tomorrow they'll be sacked. Like in custom controls. One is unlikely to be put behind bars for long, the law is soft, and it is possible to pay off...or one will simply get sacked. So one has to use this time to get as much as possible... (IR, 2006)

Similarly VM suggested that the shortage of personnel is linked to the 'grab and go' mentality of beat officers who did not have a long-term commitment and link to the communities they policed:

...A beat officer...there are shortages of them all the time...they send a beat officer from another district. Or from a different place of residence, and he does not know the people. He comes here, and for him it is a field for bribery, to collect the money and leave... He came to grab and leave. And there are many people like that... (VM, 2006)

Conclusion

The sections above explored several key factors that affected the implementation of the police reorganisation plan developed by the K project and prevented its further dissemination. The factors that were discussed here were bureaucratic barriers, performance pressures, police corruption and the 'captured state', the disciplining role of the police with respect to the poor and opportunities for abuses of power, and short time

policy horizons in Ukraine. Given this context, should community policing be the preferred as a way to reform the relations between the police and the public in Ukraine?

This chapter has shown that as a local 'pilot' of a new model of policing, community policing was confronted with a difficult institutional and political environment in Ukraine. On the one hand, little institutional support from the Ministry of Interior indicated a lack of political will, bureaucratic resistance and difficulties of exercising control via the vertical chain of command and compliance as well as highlighted the power of informal mechanisms on decisions of police officials. On the other hand, the configuration of powers in Ukraine such as the informal and patronage networks, fragmented elites, the short policy horizon combined with opportunities for rent extraction meant that there was little support for interagency collaboration in crime control and little investment in criminal justice policy development.

Perhaps more importantly, the attempts at developing community policing were faced with difficult questions regarding the effects of such proposed reform on the conduct of the police and their relations with the public. As discussed earlier in Chapter 1, community policing tends to favour certain influential groups in the community while ignoring or repressing others; it encourages and enables the police officer to take sides based on their understanding of the situation (Crawford 1998; Brogden and Nijhar 2005). In Ukraine and other post-Soviet states, the rank-and-file officer has little formal discretion in judgements and decisions regarding the matters of crime control or order maintenance, but at the same time the conduct of the Ukrainian officer is little guided and restricted by formal law. The bias in their conduct, including violations of rights of those they detain or expectations and demands of bribes in exchange for services are a result not of formal discretion in the matters of control and order but of informal mechanisms of control (Darden 2002; van Zon 2005). Such influences include informal commands and 'signals' from superiors and

private groups, and personal gain. In addition, as shown in this chapter, performance pressures, Soviet institutional legacies, stereotypes and practices for dealing with problematic populations have significant effects on how police officers behave in their encounters with the public. In this context, broader formal discretion can hardly be expected to lead to a more impartial service. As Galeotti observes, in the Soviet past, beat officers that decided to 'go native',

...could be valuable and were rewarded with money and respect. They could cover up minor crimes, chase off predatory criminals from outside the neighbourhood, expedite paperwork and choose to deal with infractions informally. In a way, this worked - a good district inspector could do much to keep a neighbourhood quiet, but at the expense of any notion of impartial law and police (Galeotti, 1997 p.145)

However, in the Soviet past such beat officer discretion could not stretch too far as it was kept under the centralised control of the Party. In contrast, in post-Soviet Ukraine, this source of centralised control had disappeared and the police became exposed to pressures from a range of central and regional elites. One of the dangers of discretionary policing in Ukraine is the emphasis on the police as a 'service', which takes on a meaning of a private protection and enforcement service. Favarel-Garrigues and Le Huerou (2004 pp.21-2) argue with respect to Russia that seeing protection as a service means that the police would also be interested in creating more demand for the service, and secondly that it might become an agency that supplies violence.

Police interventions in situations currently viewed as intolerable types of conduct should be of particular concern as they might result in unjustified infringements upon individual liberties and rights and might cause greater harm than that which they are meant to address. The 'shadow' activities that large numbers of the Ukrainian population were forced to rely on in the 1990s as a consequence of a major economic collapse (Foglesong and Solomon

2001 p.8) were often tolerated by local residents who were unwilling, to quote the expression of local criminologists, to 'give up theirs' (Rushchenko and Svezhentseva et al 2003 p.167). There is an uneasy question in this context of what would constitute an appropriate response to such practices as the illegal production of alcohol or drug dealing, a response that reduces, not aggravates, the disadvantage of the local population. The suggestion to resort to police power, and react to every infraction by calling them (ibid.) seems problematic. Similarly, it was highlighted in the chapter that the involvement of the police with schools resulted in addressing the problems experienced by young people from disadvantaged families as a problem of discipline and law enforcement rather than as a socio-economic or structural problem. This suggested that the combination of factors regulating the conduct of the police tends to steer them towards responding in a disciplining and punitive, rather than responsive and supportive manner.

Given this institutional and historical context, it would seem that increased transparency, external oversight and enhanced professionalism of the police should be prioritised in the short term over local discretion and service orientation. As Bayley (1995 p.91) suggests, the introduction of community policing might be dangerous in countries where prevention is understood as 'the covert penetration of neighbourhoods, the presumptive labelling of deviants, the commandeering of grass-root help and the preoccupation with collective rather than individual security concerns'. Instead, as Wright and Mawby (1999 pp.342-43) examining the case of Hungary suggest, the most appropriate trajectory for the police in a transitional democracy might be from authoritarian and idealistic to professional (expert) police (rather than to community policing). This notion of police professionalism, they argue, should also incorporate the principle of human rights. Priority should be given in this context to the legal and moral accountability of the police rather than to local discretion and responsiveness to local needs.

Chapter 6 The public and community policing in Ukraine

Introduction

The previous chapter examined the factors that shaped the governance of the police in Ukraine at the time of the K project. It was shown that bureaucratic barriers to reform, corruption in the police and the 'captured state', as well as 'performance pressures', and the short term policy horizon in Ukraine all played the role of powerful barriers against implementing reforms. This analysis also posed questions as to whether community policing would be an appropriate model in this context.

What remains unexplored is the other side in the relationship: the public. Even when all the factors detailed above are taken into account, the public, their attitudes towards the police and their willingness to engage remain an important factor to consider. According to community policing philosophy, it is the public whose needs the police should begin to pay closer attention, and respond to. And in post-Soviet societies therefore, it is the members of the public who should, in theory, transform from a potential threat to the state to citizens served and protected by the state. Crawford (2008) identifies several reasons why public engagement in policing is important: legitimacy of police/policing by consent, activation of informal controls, and the fostering of synergies between formal and informal controls.

But what determines people's confidence in the police and their engagement in policing? Was it in the power of the police in Ukraine, even if the organisation was dedicated to 'community policing' reform, to solicit public cooperation or secure their confidence? Research on the link between police encounters with the public and public confidence suggests that even in advanced democracies police experiences great difficulties in gaining and maintaining public confidence and support. People's responses to the police are not the

same as to other services, like for example the NHS: in this case personal experience boosts opinions (MORI 2007 in Bradford et al 2008 p.11), but in the case of the police the situation is different. It has been suggested, for example, that opinions were lower among those who had had recent contact with the police (Fitzgerald et al. 2002; Allen et al. 2006; Skogan 2006). Skogan (2006; 2007) based on his analysis of survey data in places ranging from St Petersburg in Florida to St Petersburg in the Russian Federation, demonstrated that there was a strong asymmetry in the impact of the public's direct experiences on their confidence in the police. Bradford et al. (2009 p.21) had slightly more optimistic findings; based on their study of the British police they suggest that something could be done, 'treating individuals with fairness and respect – and providing a more visible and accessible police force – may well help improve public confidence in policing'. However even this study found that any type of contact, self or police initiated, satisfactory or unsatisfactory, is associated with slightly worse views of effectiveness, and they were quite cautious to say that well-handled contacts 'may have a small positive impact on overall trust and confidence in some circumstances' (ibid p.34). But to achieve even these small effects, the police needs to make a big effort – demonstrating appropriate behaviour and serious treatment of people's problems is vital. Given these findings, it might be anticipated that achieving a positive impact in public encounters might be even more difficult and challenging for post-Soviet police that are not used to treating the public as 'customers'.

Secondly, research has shown that community policing projects and programmes have faced the difficulty of securing and maintaining public engagement (Myhill 2006; Skogan, 2000; Borgden and Nijhar 2005; Herbert 2005). Some researchers have suggested that the question one might need to ask regarding public engagement is not 'why do people not want to get involved' but 'why should they?' (Brogden and Nijhar 2005). In many cities/countries there was little evidence of the willingness of the public to engage. In

Seattle, the public believed that the state expected too much of them and illegitimately avoided its obligations to society (Herbert 2005 p.860). In Chicago, community meetings failed to achieve representation in many communities (Skogan 2000). There was overrepresentation of the wealthier/middle class/white stratum but such dominant minority communities were unlikely to achieve the consent of the whole community or to address the fundamental problems of poverty and unemployment. Similarly, there was a lack of success of community consultation in the UK (Myhill 2006; Edwards 1997; Fyfe 1992) and Australia (Bull and Stratta 1995). Consultation tended to be 'passive' and served to 'legitimise pre-determined objectives' (Harfield 1997 p.273). What the public wanted was mediated by what the police think they know is needed (Clarke et al 2007). Consultation was subject to criticism from various points of the political spectrum: so for example left-realist/sceptical pluralist critiques argued that the police and state/elites dominated the consultative processes while from a left-radical viewpoint consultation was seen as serving only to break down community dissent and distract them from other agendas (Hughes 1994). A comprehensive review of the literature on community engagement in policing (Myhill 2006 p.45) revealed falling public satisfaction with beat meetings and a reduction in their 'action' component. There was no evidence of successful replication and sustainability of success at an organisational level. Again, given these findings, it might be expected that in post-Soviet societies, with little or no tradition of civic engagement, it might be even more difficult for the police to convince the public to take part in community policing initiatives.

As follows from the above, the main problems related to 'public engagement' are concerned with the willingness and capacity of people to 'engage'. More specifically (and as also discussed in the literature review), this includes the difficulty to engage people in consultation, support and participation and to sustain such engagement; the problem of representation (marginalised and unorganised groups are less likely to be represented),

mobilisation that is not accompanied by consultation and problem-solving; and the problem of conflict and diversity in the community.

In addition, it is important to ask about the sources of legitimacy of public engagement, the values it defends and the interests it represents (Crawford 2008). In the context of the 'governmentality' argument discussed in the literature review, it is important to ask whether such engagement represents a state technique to control the population, or to empower and mobilise the community, and how public engagement affects the distribution of access to policing, security and public spaces (Crawford 1997).

In view of these questions, this chapter will revisit the data on public engagement in a range of community policing activities in K and will re-examine the issues highlighted above. More specifically, three questions will be discussed: first, the difficulties involved in improving the relationship between the police and the public within the framework of the K project; second, the issues of convincing people to get involved in crime prevention and safety activities; and third, the potential consequences of public engagement in policing in post-Soviet Ukraine. As research suggests, confidence in criminal justice and willingness to engage reflect different social characteristics, attitudes and beliefs (Turner 2008) therefore it makes sense to distinguish between them and explore them as separate issues.

To situate the discussion, the following section will recall the forms of public engagement introduced by the K project, their anticipated outcomes and the problems of implementation identified.

Public engagement in K

Two main outcomes of engaging the public in policing were expected in K:

- Reduced crime and improved public safety
- Improved police-public relations

To achieve these, the project hoped to achieve a certain level of public engagement in community policing. The following forms of engagement were available to the public:

Beat level meetings – people were invited to come to meetings, listen to the beat officer's report about crime problems in the area, and ask questions and raise issues and concerns.

An anonymous 'crimestoppers' telephone line – residents were encouraged to use the line to inform the police about crime or suspicious activities, without having to identify themselves.

Neighbourhood Watch – residents of several blocks (of flats) were invited to join a Neighbourhood Watch scheme to keep a collective eye on order and safety in and around the blocks. The participants were to look for crime, suspicious activities or nuisance, and inform elected blocks coordinators and/or the police if they noticed anything suspicious.

Burglary reduction –the residents were invited to build concierge rooms in the block entrances and organise concierge shifts, and those who did were offered the free installation of block entrance doors with locks and entrance lights. This measure was expected to significantly reduce the risks of domestic burglary and burglary from communal entrances, as well as disorder in the entrances caused by the use of the block entrance as a shelter.

Public patrols – people participating in the Neighbourhood Watch scheme were additionally invited to patrol neighbourhoods and hot spots in groups of 2-3 with local beat officers at night looking for signs of crime or suspicious activities.

Youth liaison activities – school children in selected schools chosen for the experiment were offered lectures by police officers and could also get involved in celebrations and activities organised by the project team and in which local police officers were taking part.

In terms of engagement, the schemes were seen as achieving a variable success, with some enjoying higher levels of involvement and activism, such as Neighbourhood Watch and cultural activities with young people, and others achieving only low levels of participation, such as the anonymous ‘crimestoppers’ line. Some schemes were better known, such as the anonymous line (the second survey revealed that 40 per cent had heard about it) while others were relatively less known, such as school liaison (23 per cent), beat meetings (16 per cent) and Neighbourhood Watch (12 per cent). Levels of participation ranged from 6 per cent (school liaison) to 0.2 per cent (anonymous line). Neighbourhood Watch was seen as relatively better organised (53 per cent said the organisation was good or quite good) compared to school liaison (40 per cent) and beat meetings (32 per cent).

The obstacles to achieving the desired outcomes identified by the project team can be classified as ‘persistent distrust in the police’ and the ‘apathy/lack of interest/willingness to participate’, which were hardly surprising given the findings from previous research cited above. It was suggested that as well as the lack of trust in the police, the unwillingness to participate was caused by ‘inertia and scepticism’, ‘Ukrainian individualism’, ‘lack of rewards’ and ‘lack of awareness/understanding’ of the project (Povolotskiy, 2003; Rushchenko, 2003; Beck and Chistyakova, 2003).

The main problems that were encountered were as follows:

- variable level of engagement, low sustainability;
- low level of engagement in consultation and problem-solving, more success in 'mobilisation' (in patrol and target hardening activities);
- poor representation of young and people in employment;
- trust in the police did not increase.

The critical revisiting of the evidence starts with questioning the 'confidence building' assumption of the K project.

Was it possible to improve the image of the police and public confidence?

In his analysis of the issues of implementation of community engagement Myhill (ibid p.47) argues that behind the possible unwillingness of communities to engage with the police (which can be wrongly interpreted as apathy) is sometimes a history of poor relations. Therefore he suggests the police need to foster trust and confidence in these communities prior to attempting to secure community participation.

The K project started with this same or similar assumption: prior relations between the police and the public were characterised by a lack of public satisfaction and low levels of trust. The police ignored public needs and concerns and abused their powers in regard to the public, which stemmed from the police's role as the servant of the state. This meant that the public was treated as a permanent suspect whose activities needed to be monitored and transgressions prevented and stopped rather than citizens whose needs the police had to serve. A further assumption was that this relationship could be reversed. The

'confidence-building' approach of the K research team was that via closer encounters and more positive contact such relationships could be improved and public confidence could be boosted. It was argued that crime prevention advice, lectures and talks, home and school visits, target hardening, property marking and other similar activities provided 'an opportunity for the police to come into contact with the public in positive and helpful situations' (Beck and Chistyakova, 2001b p.7). So what the project was trying to do was to create opportunities for mutual help and positive experiences that would then lead to enhanced public trust and confidence. Such an approach was consistent with the understanding of trust as something that emerges in situations of public encounters with the police – when we state how we will behave when we encounter the police and when we interact with the police (Bradford et al 2008).

There was some evidence of changes in public attitudes towards the police in the second survey that followed the implementation of the schemes. The comparison between 2000 and 2002 demonstrated some increase in the proportion of those recognising the importance of closer links; the percentage of those willing to meet their beat officer and those ready to help the police in the future. Among those who had contacted the police in the past year there was a statistically significant increase in the percentage of respondents who felt they were treated with attention: the treatment was more likely to be perceived as attentive and sympathetic or somewhat attentive (an increase from 63 per cent to 74 per cent) and less likely as indifferent (decrease from 27 per cent to 21 per cent) or hostile (decrease from 8 per cent to 4 per cent).

Some of the police officers commented in interviews in 2002 on changes in their relationships with local residents, mentioning more people reporting crime and coming to the station with information, a more cooperative attitude of the residents, greater awareness

and more trust. One officer described their impression about changes in the attitude of local youth towards them:

We went...to children' clubs, schools, to neighbourhoods, we organised celebrations, sports events, gave them presents. Now they all know the police, they try on our hats; all children say they want to be policemen. When we come to schools we look smart in our uniforms, we play football with them They started to look at us differently.... When we walk in the neighbourhood, everybody recognises us...(detective, underage offenders division of the CID, male, cited in Beck and Chistyakova, 2003 pp.20-21).

On the other hand there was no statistically significant change in the overall proportion of those who were contacted by the police (for any reason), or in the proportion of those who contacted the police themselves (for any reason). However, among victims of crime, the frequency of self-initiated contacts with the police increased from 17 per cent to 27 per cent (Beck and Chistyakova, 2003 p.17). This finding was also confirmed by interviews with the police officers who commented that more people had started to get in touch and turn up at the station with information about crime.

Some of these findings may have been affected by the ways the data were collected. Chapter 4 has already briefly addressed the problems of measuring crime and attitudes towards the police encountered by the K project team. Unfortunately, only the opinions of the police officers (which were very positive), directors of schools, housing authorities and local authorities were gathered in 2002, but there were no in-depth interviews with members of the public. Were the opinions of the public gathered, the findings could have been different, and perhaps less positive. A further and crucial question is what had caused the increase in the level of satisfaction with the police's treatment and what (if any) role was played by the 'positive encounters' that the K project was meant to generate. The survey design based on pre and post-measures in the same areas, with no control group,

meant that whether or not some external factors had affected public attitudes in the period between 2000 and 2002 could not be stated with confidence.

Although there were more people willing to cooperate, there was no increase in the proportion of people expressing trust in the police. The surveys asked: 'Do you trust the local police?' with the options 'yes', 'probably yes', 'probably no' and 'no' (Table 3). The overall proportion of those who said 'yes' and 'probably yes' has not changed significantly (43 per cent in 2000 and 45 per cent in 2002), but there was some decrease in the percentage of 'yes' answers and an increase in the percentage of 'probably yes'. In the final report, this change was interpreted as a less polarised public expression of trust in the police (Beck and Chistyakova 2003 p.19). But it is also true that the proportion of those more certain of their trust in the police was lower in 2002 compared to 2000.

Table 3 Public trust in the police: before and after²⁷

	2000	2002
Yes	27	22
Probably yes	16	23
Probably no	12	16
No	19	17
Don't know	26	22
Total	100	100

This distribution of opinions suggested that there were more people uncertain of their trust or distrust in 2002 but the overall levels of trust and distrust remained the same. The final report concluded that '... a much longer period of time is required for achieving significant changes in the level of trust for the population of the entire area' (Beck and Chistyakova 2003 p.19).

²⁷ Table adapted from Beck and Chistyakova (2003).

However, when trust in the police was measured amongst those who took part in at least in one of the schemes introduced by the project, there were significantly more respondents expressing trust compared to ‘non-participants’ (Table 4). Thus it could be suggested that there may have been some positive effect of engagement in the schemes on public trust.

Table 4 Public trust in the police: participants and non-participants²⁸

	Participants	Non-participants
Yes	27	21
Probably yes	29	22
Probably no	12	16
No	13	18
Don't know	19	23
Total	100	100

Engagement in the schemes was not equivalent to contact with the police, although this was not discussed in the final report. ‘Participation’ was understood broadly to include various situations, from foot patrols, engagement in Neighbourhood Watch schemes, receiving crime prevention literature, beat meetings, cultural events – these were thus not standard police-public encounters and not all of these events necessarily included a representative of the police. Therefore what the findings from K suggested was that there was some evidence of a positive effect of participation in ‘community policing’ schemes on public trust and willingness to cooperate, but there was insufficient evidence to say whether or not there was any association between the quality of contacts with the police and the measures of public trust and confidence.

²⁸ Table adapted from Beck and Chistyakova (2003).

It could be, however, that the lack of statistical evidence of positive effects of improved contacts with the police in K was related to measurement. Bradford et al. (2009 p.27) suggest that confidence in the police is a complex phenomenon that cannot be adequately captured by one-dimensional measures. They argue that positively received contacts affect some but not other components of confidence. They used a multi-index measure and employed ordinal latent trait models to examine the impact of contact on overall judgements of satisfaction. Similar analysis could not be undertaken by the K team because of a difference in the survey design and the sample size. First, 'public confidence' was operationalised in a different way in K - the survey measured public trust in the police and the opinions about police effectiveness (whether or not they were good in doing their job) but not opinions about fairness or community engagement. Second, the K samples were relatively small (2,000 people in each survey) and would not allow for the identification of links between 'positive' (satisfactory self-initiated or police-initiated) contacts and measures of confidence, in the ways such analysis was undertaken by Bradford et al. (2009) who drew on much larger samples of the London Metropolitan Police Public Attitude Survey.

But assuming that there was indeed little change in the level of trust, how can such findings be interpreted? UK research on public confidence suggests that too much information about crime may lead to increased feeling of insecurity and decline in satisfaction with the police (Loader 2006; Crawford et al 2003 in Bradford et al. 2008 p.16). Similarly perhaps there was the same danger in K that the increase of information about crime provided by the police at public meetings raised unrealistic expectations that the police should be able to address these problems better/more efficiently. In addition, the lack of capacity to talk to the public at meetings could hardly make a good impression on the audience.

Research also suggests the importance for the image of the police of not just how they actually behave but of how they are seen to behave, that is, the importance of the image underpins reassurance programmes in Britain (Tuffin et al. 2006; Mawby 2002 in Bradford et al. 2008 p.14). Further, research suggests that vicarious (indirect) knowledge and experience is important – experience gathered ‘through the friend or family member who had the direct contact; through friends, family members and neighbours more generally; and through the media’ (Myhill and Beak 2008 p.10; Allen et al. 2006; Bradford et al 2008 p.14). These findings may offer an explanation to an apparent discrepancy in the K data (that was mentioned in chapter 4) – only 5 per cent of the respondents had personal negative experiences with the police and yet 57 per cent were distrustful of the police (including ‘don’t know’ answers), 33 per cent thought the police did a bad or very bad job, significant proportions thought corruption was a problem in the police (32 per cent), rudeness (23 per cent), bad relationship with the public (22 per cent), and unwillingness to defend ordinary people (21 per cent) (Beck and Chistyakova, 2001a p.38). For the majority their opinions (including the negative views of the police) were formed via indirect means such as, in particular, the media, which is not dissimilar to the situation elsewhere.

It might have been the case that such experiences and knowledge played a very important, indeed crucial role in K. For example, the overall atmosphere in the country, media stories and the portrayal of the groups in power and popular discourses should be taken into account. Foglesong and Solomon commented that the ‘big stories’ at the time were the criminalisation of the economy and the links between business, the criminal world and government officials (Foglesong and Solomon, 2001 p.17). People whose duty was to enforce the law and execute justice, such as Ministers of Justice and the Interior, judges and prosecutors, themselves were on many occasions involved in scandals related to law-breaking, were caught lying, but nonetheless were not subject to any sanctions. In September 2000, Gongadze, an independent journalist known for his critical commentary

on the President and the 'oligarchs' disappeared and two months later his decapitated body was found in a forest. In November, secret tape recordings were publicized by an opposition politician, implicating President Kuchma and Interior Minister Kravchenko in Gongadze's murder. The accusations and the authenticity of the tapes were denied by Kuchma, but the affair became a major political scandal. Mass demonstrations in Kiev in February 2001 called for the resignation of Kuchma and the dismissal of other key officials. The Head of the Security Service and the Interior Minister were sacked. In 2005 soon after the Orange Revolution three senior police officers were charged with the abduction and murder of Gongadze and sentenced in 2008. In March 2005, ex-Minister Kravchenko was found shot in the head (Kyiv Post 2009). This story alone would have damaged the reputation of any police force, but it was not really a-typical in Ukraine. The early 2000s saw stories about police harassment of journalists, ethnic minority and other groups, torture and brutality regularly appear in the media.

The K project has to be viewed in this context of broadly circulated narratives about crime, power, corruption, and wealth. The narratives were reflected in the stories told by the respondents in in-depth interviews describing the police as corrupt, involved with the criminal world, self-interested and protected 'from above'. In Britain, research suggests that scandals around police wrongdoing (corruption, racism, heavy-handed policing tactics) may undermine public confidence and the image of police integrity and impartiality (Bradford et al 2008). The percentage of people thinking the police did a very good job declined between 1982 and 2002 from 42 per cent to 14 per cent (Brown cited in Roberts and Hough, 2005 p.42), and the proportion of people thinking the police could be trusted not to bend the rules always or most of the time declined between 1987 and 1994 (Dowds 1995 cited in *ibid*). Some scholars note the long-term decline in public confidence in the local police in Britain (Jackson et al. 2008; Bradford 2008; Jansson 2008; Hough 2007) and one of the crucial factors according to Reiner (2000) is growing antagonism

between the police and marginal and excluded groups, particularly the young and ethnic minorities.

As the above and other research in Britain suggest, people's knowledge of police behaviour elsewhere, which they learn about from the media, affects their opinions about the local police, even though each police force in Britain is relatively independent in their strategies and tactics. In the Ukrainian context, where the police were known to be a monolithic institution and where local divisions had no autonomy and independence of decision-making whatsoever, this meant that the 'local police' in K was in the eyes of many members of the public, regardless of their personal experiences and knowledge, no different from the top or from other divisions in other areas. This meant that that vicarious knowledge and experience might have had a very significant impact on what residents in the experimental areas thought about the local police and the prospects of collaboration with them.

The findings of Bradford et al. (2009) emphasise the importance for public confidence of the process, of procedural fairness of the police and procedural justice. This might offer a lesson for the Ukrainian case: it was less important perhaps whether or not the police were seen as achieving crime prevention and reduction in K, than whether or not they were seen as doing things fairly and properly. In light of this, the cases of police corruption and unfair conduct (or more strictly speaking when they were perceived as corrupt or unfair) even if these were only isolated incidents possibly did much more to undermine public confidence than the whole range of activities designed by the project could do to enhance this confidence.

In addition, it is likely that some individual encounters within the framework of the project were not entirely positive. There were examples (discussed in interviews in 2006) of

police-public encounters that clearly could only work to undermine confidence in both the project and the local police – for example, cases when officers did not want to accept some reports from the members of the public; when repeated calls about illegal alcohol production were not responded to; when nothing was done about a drug distribution group that operated in the rural area and which the police were aware of. Although most people did not experience these events in a direct way, rumours/hearsay that was circulating in the areas about the police's lack of integrity could have equally damaging effects on their reputation.

It is also found in previous research in Britain that stop and search could have a damaging effect on police reputation and legitimacy (Delsol and Shiner 2006). Research in Britain highlights a history of poor relations between the police and particular groups, such as black and ethnic minority youth (Foster et al. 2005; Sharp and Atherton 2007; Phillips and Bowling 2003; Viki et al 2006), and the targeting of young people as permanent suspects (McAra and McVie 2005). In Ukraine, that situation may have been similar in some respects of stop-and-search, for example the targeting of certain groups such as alcoholics and drug addicts, the homeless, and teenage boys. The data collected in 2000 clearly indicated the presence of a confrontational relationship in K between young people and the older generation of residents. Of the 14 people who were asked about the typical crime and criminals in the area 10 named youth (this was accompanied in most cases by 'drunk and on drugs'). Among the 14 respondents, the youngest was 27 years old and 6 were retired. With one notable exception, young people never turned up at beat meetings²⁹. When adults and schoolchildren were asked about topics of most interest for future talks from police officers in their school, the answers again revealed contrasting interests and expectations - young people were most interested in knowing about crime in general, self-defence, drugs

²⁹ In one case, described by Povolotskiy (2003) a group of teenagers turned up at a meeting and asked if they could get any help with re-building a playground in the neighbourhood. The playground was re-built soon after.

and problems of young people; while parents and teachers were relatively more interested in hearing about 'bad habits', drugs, law-breaking and the consequences, but none of the parents wanted to talk about the responsibility for bringing up children and only 4 per cent of teachers in the urban area wanted to hear about this issue. Similarly, schoolteachers and parents involved in youth liaison in K demonstrated a preference for disciplining and punitive approaches to addressing children's behaviour. This confrontation was further reflected in the police's street tactics that targeted, as mentioned earlier, 14-17 year old boys³⁰. The evidence gathered in 2002 of changes in the police's conduct during stop and search was inconclusive – no significant change in the frequency of stop and searches overall, and only a significant decrease in the frequency of searches in the urban area, but it was unclear what caused this change, as stop and search policies were not targeted by the project. Trust in the police and unwillingness to cooperate remained lowest among the youngest respondents.

Beat officer's reliance on a network of informants was one of the features of Soviet policing (Shelley 1996), and anecdotal evidence suggests that older people, particularly women were the category from which most of such local informers or witnesses were recruited³¹. The data gathered in K in 2000-2002 captured this pattern: the older generation, predominantly women, who had been socialised under the Soviet system were, not unexpectedly, those who had more experience of helping the police in the past, and those who were more ready to help in the future. Also unsurprisingly the percentage of those expressing trust was highest among men over 60 and residents of the rural area. They were more 'ready to help' the police in the exercise of their surveillance and control, via the provision of information, being a witness³² or taking part in patrols. So perhaps the

³⁰ The scale of stop and searches with respect to younger children were not known as the sample only included 14+

³¹ Personal conversations with police officers from Russia

³² A standard procedure in Russian and Ukrainian law enforcement. When a police officer carries out an arrest or a search of someone's property witnesses are invited to observe the procedure and sign a paper that they had witnessed it. These are usually neighbours or any citizen who happens to be nearby.

project succeeded to some extent in recruiting more support for the police amongst this group.

Another line of confrontation and strained relationships was evident in the rural area, where a colony of former prisoners who were assigned to a local construction project was located. The colony and the former prisoners, many of whom settled locally upon release, were thought by the 'ordinary' local community to contribute to crime, drug dealing and consumption and the children of ex-prisoners were thought to contribute to problems in schools. The setting up of the local division of the police was initiated by the local residents. The local beat officers were responsible for the supervision of former prisoners, including the early-released, but how they understood this duty is far from clear as suggested by observation from one study conducted in Ukraine around the same time (Canton 2006). From K interviews, the beat officers certainly thought that surveillance and control were important but whether they thought of other ways to rehabilitate or reintegrate, and how their presence impacted on existing tensions, is unclear.

The difficulties of transition such as poverty, crime and fear of crime may have further exacerbated these tensions; Canton suggests that strains created by these factors increase people's hostility towards offenders (ibid p. 504). Residents of K associated crime and criminals with drug addicts (5 interviews), alcoholics and drunks (3), the homeless (2) and the unemployed (2). Such sentiments reflected probably both the strain of transition and the deeply embedded Soviet state-centred stereotypes that saw crime as rooted in individual faults and failures - parasitism, addiction and mental disorders and failure to comply with the Soviet residential policy. These stereotypes presented a far greater challenge in terms of changing the nature of post-Soviet policing than the formal powers of the police to control the 'deviant' and 'problematic' populations. Such exclusions are so deeply entrenched that often they remain invisible in discourses about local policing and

public safety because the police and the public share the same understanding about crime and criminals. Within the schemes developed in K, the problematic categories of residents remained simply invisible as 'the public'. At best they were noticed as 'the problem' and hardly had any chance for their needs to be recognised. This failure is probably not very dissimilar from what is observed in the west. It may be argued that community policing started from a low base in Ukraine, or it may simply be that it is in the nature of community policing to exclude such groups.

The next section continues to explore the issues of public engagement with the police by asking why people might be reluctant to report crime.

Difficulty of persuading the public to inform: memories and fears

In the UK a relatively high percentage of people get in touch with the police. The K survey found that the proportion of self-initiated contacts (measured by the British Crime Survey) was much higher in Britain compared to K (Beck and Chistyakova, 2001a p.45). The survey also found relatively low levels of reporting crime in K (for burglaries and robberies) compared to countries of Western Europe (Beck and Chistyakova, 2001a p.13). The leading reasons for non-reporting were 'police could have done nothing' (43 per cent), 'insignificant damage' (31 per cent), 'dealt with the matter myself' (20 per cent), and 'I do not trust the police' (13 per cent) (ibid). This evidence from the original project suggests that the lack of confidence in the police may have been the main reason for non-reporting.

Similarly, this lack of confidence to report matters to the police was evident when the team attempted to introduce the anonymous 'crimestoppers' telephone line. Although this was by far the best publicised scheme – 40 per cent interviewed knew about it from adverts on local transport - only 0.2 per cent ever used the line (Beck and Chistyakova, 2003 p.28).

One of the reasons for the infrequent use of the line in the suburban area was arguably the lack of telephone connections; however this was a relatively insignificant reason as in the urban area where nearly all residents had telephones at home the use of the line was still just 0.3 per cent. There are several reasons that may explain this.

Again, to understand the public attitudes towards reporting, it might be helpful to take into account vicarious knowledge and experience – not what directly happened to the person but what they knew had happened to others, or what they suspected happened to others in similar circumstances. In Ukraine, the use of blackmail to deal with political or business opponents, or generally to ‘settle scores’ with enemies or enforce someone’s compliance became a well-established theme in public and media discourse in the late 1990s. These stories suggested that those who communicate information about other’s wrongdoing, particularly when the police and authorities are involved, put themselves at a considerable risk. The image of the omnipresent ‘security’, now also connected to the organised criminal world, became all too powerful restraining factors:

The growing perception that crime is both organized and an integral part of the emerging order appears to be generating a new version of taboo mentality...Mass media regularly portray what disasters befall people who protest against, report to the police or expose criminal acts or crime networks. This new fear grips crime victims and witnesses, whole communities and such professionals as journalists, prosecutors, judges, business people and politicians. Not just afraid of crime or revenge, they appear to share a generalized sense of helplessness against what mass media call ‘the octopus’—a menacing web of murky, Mafia-like connections believed to link criminal gangs, private protection agents, the police and some politicians (Los, 2002 p.179).

Although the idea of an anonymous line is that the unidentified reporter should not be afraid of reprisals on the part of the offender or concerned about bureaucratic procedures, in Ukraine people do not have the confidence that their call is fully anonymous and

confidential. The sense of constantly being 'listened to' during Soviet times had made one self-censor one's telephone conversations; this fear seemed to have lost grounds after the collapse of the Soviet regime, but it may have come back in the late 1990s with the rise in stories about journalists, businessmen and politicians being murdered and mysteriously disappearing. The following fragment from an interview with a former participant in the project illustrates how fears and suspicions shape the views of reporting to the police:

Why do they use it? Why do they need such information? Who should receive this information? An honest policemen. And if he is dishonest? Do you understand? Today it is easy to figure out who made a call. And I would not want them to come tomorrow, and...they'll say: did you call? Bring the money, put in such and such place... this means, I have to have such a mentality, to be sure that what I am doing is right, I should not have a thought...they [the UK police – YC] have been doing this for how long? Working with informants? Dozens of years, probably. And we...have just moved away from stukachestvo³³ ... (VM, 2006)

Anonymous reporting was also often seen through the lens of the memories of the Soviet past. Informing on neighbours was associated with the times of Stalinist repressions, when mass arrests, forced land confiscations and deportations, imprisonments in the Gulag system, and extra-judicial executions were carried out. During those times an anonymous letter was sufficient ground to order the arrest of a person or a group of people. In 1956 at the 20th congress of the communist party, Khrushchev spoke of Stalin's crimes and the 'cult of personality' and linked the loss of many lives to such anonymous letters, often fabricated or ordered, or wrote by unofficial collaborators of state security (Khrushchev 1956). This marked the beginning of a significant shift in the thinking about informing - in the early years of the Soviet regime informing on a parent was a heroic act (Fijalkovski 2007). The policy of glasnost (1987) allowed for a review and re-evaluation of the communist past that was meant to revitalise and re-legitimise the communist system (Stan,

³³ Squealing, informing on people to the authorities.

2009 p.222³⁴). It exposed abuses of power by state bureaucracy and the horrors of the Stalinist past, and Soviet authoritarianism and state repressions were brought to public attention. This led to a review of the role of the public in these events and was reflected in the ways people thought about anonymous reporting to the police:

We used to have it in the past. What is new about it? Anonymous? I can call and say...when in the 1930s they were sending people to prisons; the country was flooded with anonymous letters. People reported on one another. Almost every criminal case which is now kept in NKVD³⁵ files began with an anonymous letter, neighbours reported on neighbours, and many people put their signatures – perhaps to save themselves, but some people wrote anonymous letters...(IR, 2006).

The negative connotations of reporting on neighbours were evident even in the comments made by the police officers about the anonymous callers to the line – they commented that people liked to do that to settle scores, not out of sense of duty or because they cared about order in the neighbourhood (AP, 2006) and that telling on neighbours was a characteristic of Ukrainian society (senior police officer, interviewed by Anon, 2002). Similar concerns were raised about the word ‘watch’ when the name for the Ukrainian version of the Neighbourhood Watch was discussed. It was thought this word could be associated with spying on neighbours, and it was decided to avoid and the scheme was instead named ‘neighbour mutual help’.

The discussion in this section suggests that community policing as a relationship in which the public trusts the police and supplies them with information about crime (particularly when it is serious crime) was problematic in Ukraine for at least two reasons: first, because of the fear that the act of reporting might put the potential informer at risk, and second,

³⁴ According to Stan this ‘truth-telling’ did not go far enough, and the lack of transitional justice has in her view limited the change of the regime: the governing elites were able to reproduce themselves and there remained a strained relation of dependency from Moscow. Critically, the KGB remained intact.

³⁵ People’s Commissariat of Internal Affairs

because of the memories associating reporting with 'informing' that is perceived as a legacy of the totalitarian past.

An empirical illustration: beat meetings in K

This section revisits beat meetings in K in order to illustrate the problem of public engagement that the project faced. As research cited earlier suggested the difficulty of engaging the public in community policing has been experienced in many countries around the world. In K, the opportunities for engagement ranged from attending a meeting, becoming a member of a neighbourhood watch group (a coordinator), to using the anonymous telephone line or, with other neighbours, patrolling the neighbourhood at night.

The problems of beat meetings were strikingly similar to those noted elsewhere - low numbers of attendees (in some cases no more than 5-7 people would turn up, although in other cases there were up to 30 participants), over-representation of certain groups (the majority of attendees were in their 50s and 60s, most of them women) and a typically passive attitude of residents at the meetings.

Despite the low number of attendees, the space was traditionally organised in a 'lecture theatre' manner with a division between the 'audience' and the 'speakers', and followed a 'lecture' scenario. A typical meeting would begin with the beat officer talking about the problems of crime in the area and reading some crime statistics which was then followed by questions from the audience. The local coordinator recalled that the presentations were often overloaded with statistical data while the speakers were unable to connect with the audience (AP 2006).

According to the recollections of the Neighbourhood Watch coordinator MG people saw the first meetings as an opportunity to complain about their economic and housing problems to 'the authorities'. As MG recalled,

People were unhappy about everything. They thought that we represented authority, the internal affairs, and that we were responsible for everything, that their pensions were not paid in time, the roads were falling apart, and plumbing was broken. That they had payment debts with the housing authority, and they could not pay them, and we were guilty of all that... (MG, 2006)

From other accounts, the police were not prepared to handle the flow of complaints and criticism from the audience (AP 2006) and often saw the matters people complained about as 'irrelevant' (police officers, interviewed by Anon, 2002). Among the problems raised, crime was a relatively marginal concern. In the questionnaires filled out by the attendants at one meeting, only 4 out of 45 people mentioned 'crime' as the reason why they came to a meeting; another 4 people mentioned 'the police' ('to know more about their work', 'to get to know them'). Other reasons were interest/curiosity; concerns about order/disorder in the area; concerns about the future; problems with/questions to housing authorities; registration of dogs, drugs; work with young people, lighting. When asked about the purposes of the meeting only 7 out of 45 people mentioned crime fighting and prevention; other answers were 'information about police work'; 'order and safety'; 'cooperation/joint problem-solving'; 'relationships'; 'help to the public' (attendees at public meetings, interviewed by Anon, 2002). Some of the police officers said people 'did not yet understand' what it was all about. A similar gap between the views of the police and the public were found in Seattle and Chicago (Brogden and Nijhar 2005 p.72).

In most cases, people did not come prepared to discuss and try to resolve local crime problems – they came with the expectation to hear what was going on and what the

authorities had to say about the problems in the area – they came, according to their answers to the questionnaire, to ‘listen’, ‘find out’, ‘out of curiosity’, ‘out of interest’, ‘to learn about the situation in the area’. Only two (of 45) expressed somewhat more proactive intentions - one said they wanted to ‘express concerns and suggestions’ and the other one said ‘we can only achieve something if we join efforts’ (attendees at public meetings, interviewed by Anon, 2002). Such vague expectations are hardly surprising at initial meetings, but equally one might question whether it was realistic to expect that at a later stage the meetings would turn into more proactive ‘problem-solving’ forums³⁶, where people would be ready to attend, form and express opinions about local problems and propose solutions.

Perhaps one should ask ‘why should they?’ Could people be expected to ‘engage’? Should they be expected to take on the role of active citizens or members of the local community, be ready to discuss and solve problems of crime and disorder and cooperate with the police?

The post-Soviet experiences and civic activity in Ukraine

While earlier in the chapter we discussed some difficulties of developing trustworthy relationships between the public and the police in post-Soviet societies, this section will address the question of citizens’ participation in voluntary activities. This is one of the assumptions of the community policing philosophy – people should be willing to engage in voluntary work.

Marc Howard (2000) identifies three interrelated factors that had a negative effect on citizens’ participation in voluntary organisations in the post-communist countries; the first

³⁶ This never happened in the lifetime of the K project

is the mistrust of communist organisations; the second is the persistence of friendship networks; the third is disappointment with post-communism. The relevance of the first reason identified by Howard as regards crime control in Eastern Ukraine in early 2000s can be disputed based on the evidence from the K project. In interviews, many people suggested that it would be good to revive some Soviet forms of public involvement in crime control such as patrols and comrades' trials, and many indeed became enthusiastic members of patrols. In a suburban area, they even set up, in a Soviet tradition, a 'youth detachment for the protection of public order'. However the problem could be of a different nature: what (if anything) could replace the coercive mechanisms of the past? In the interpretation of one former participant, in the new market society what was coming to replace the enforced participation is not an 'active citizen' but a 'taxpayer':

...Who will rule the population? Who will order them to come to a meeting?...One needs something special; something extraordinary has to happen to bring that man over! Even then, he will sit down and listen, and then he'll say: 'look guys, this is your problem. I pay my taxes, and see you later. Protect me as you see fit. And I need to go to make money'. (VM, 2006)

The other two reasons identified by Howard deserve more attention. The further discussion will address the issue of friendship networks and discuss the possibility that such networks rather than simply being an obstacle to civic engagement might contribute to the development of more civilised and less Sovietised notions of public order in Ukraine.

But first this section addresses the question of disappointment with the post-communism. One of the key objects of blame and disappointment was in Howard's study post-communist politics, which is an argument as relevant to Ukraine and it has relevance to what people think about voluntary involvement and assistance to the police. The K interviews reflected a common perception that powerful groups could use laws to their

advantage. The post-Soviet lawlessness stemmed from, but was qualitatively different from the Soviet past; although the rule of law never existed and the law was an instrument of political power (Solomon 1992; Ledeneva 2008), in the post-Soviet period the field of illegal practices was significantly broadened (Zaslavskaya and Shabanova 2001). Mass-scale acquisitive practices were highly visible and corruption and illegal practices of the elites were exposed. This created the perception that the only thing that had changed was public knowledge about crimes of the powerful. One of the typical comments in the surveys carried out by Zaslavskaya and Shabanova in the 1990s in Russia was 'now we know who stole and how much, who took a bribe, who started a war, but we also know that nobody gets punished' (ibid, p.7). In the post-Soviet period people experienced loss of savings, financial pyramids, and swindles in property transfers. Everyday experiences taught them that fraud should be expected everywhere they go which 'created an atmosphere of mistrust and furthered the sense that everyone had become cynical and corrupt' (Ries 2002 p.288).

The 1990s saw growing levels of political alienation, characterised by declining voter turnout, low level of trust in state institutions, and widespread beliefs that real power was in the hands of the mafia and corrupt state bureaucracy (O'Loughlin and Bell 1998). In an opinion poll conducted in 2000 Ukrainians were convinced that they had little influence over decisions in Ukraine, and were not convinced that they could change this through the electoral process (Carson 2001 p.27). Over 59 per cent of the adult population said they would do nothing if higher political officials chose to replace their elected representative with an appointed alternative (ibid p.34). Between 1994 and 2004, according to data from the 'Monitoring Survey', more than 80 per cent of people did not belong to any sphere of public activity (Stepanenko, 2006 p.577). Fewer than one in twenty were even occasionally active in nontrade union organisations (O'Loughlin and Bell 1998 p.33).

In the K survey, although the majority supported the idea of cooperation in principle, there were far fewer people willing to make a personal contribution. This can be understood as ‘I am not going to do anything myself but perhaps there are others who would be willing to take on such a role’. The data also suggested that people were not sure how they could help or what they could do to make public order in their area better; some of the six people³⁷ who expressed a personal willingness to help suggested they could inform or be a witness, while the rest did not know. A view expressed by one respondent was: *‘this is not my problem, let the government and the police think. They have all the powers for this’* (male, 26 years old, interviewed by Anon, 2000).

Some commentators attribute declining levels of political and civic activism to the constant challenge of ‘putting food on the table’ (O’Loughlin and Bell 1998). Based on the data from the Ministry of Economy of Ukraine, in the early 1990s the monetary income of the average Ukrainian family fell by almost 60 per cent. As a survival strategy, most of ‘the new poor’ had to turn to the shadow economy or to non-monetised self-production (The Ministry of Economy of Ukraine 2006). Marginalised populations that had to engage in illicit practices in order to survive was one of the key features of the Soviet and post-Soviet reality (Stephenson 2006 p.15). But many of the ‘new poor’ in post-Soviet Ukraine consisted of individuals who would normally not be at risk of poverty – fully-employed, professionals, and highly-skilled workers. The selling of consumer goods and even personal belongings in street markets became for many a source of income. IR commented how civic activity in K began to decline when most people had to start to think about physical survival:

...even in the time of Gorbachev’s perestroika there were movements, the people were waking up, the intelligentsia took lead. Institutes, construction bureaus...and these people then went to ‘Barabashka’ – the open market... It is a whole

³⁷ Out of the 14 who were interviewed in-depth in 2000

city....many of the people there have higher education, they have diplomas. There are thousands of K residents there (IR, 2006).

The illegal production of alcohol, selling of drugs, cross-border smuggling and other types of illegal earnings were typical means of survival for many in Ukraine at the time (Rushchenko and Svezhentseva 2003). Crawford (2006 p.961), referring to the situation in the UK, warned against the danger of blaming neighbourhoods for their own marginalisation, which ignores the powerful vested interests that maintain economic exclusion and are responsible for the failures of local social services. In Ukraine, the resort to illegal means to earn a living and declining civil engagement were interrelated phenomena caused by factors largely not of the making of the impoverished population. This is why also the efforts and interventions to regenerate poor neighbourhoods and restore orderliness and civility and prevent crime had to be careful and realistic about what could be asked of and expected of local residents, in terms of giving their time and resources to such work.

But in the post-Soviet context, it is also important to remember that the idea of the local 'community' as a collective victim of crime or agency dealing with crime and disorder was not something easy to imagine. 'Community' was defined in the Soviet past as a territorial aggregation of people for production and consumption purposes (Zaslavskaya and Ryvkina, 1991 p.301) but not as an aggregation of people who might have some crime-related problems or security needs. The issues of crime and security were never thought of as problems of 'local community' – any local group of people. As Los (2002 p.168) observed, under Communism 'the pervasive message was that the public was safe, that 'negative phenomena' occurred only rarely and that the Government was pursuing successful policies to reduce them further'. Although people's own experiences contradicted the official story of 'full security', they were deprived of knowledge

framework and shared vocabulary to articulate and legitimise their fears, and thus 'common crime remained primarily a private issue' Los (2002 p.168). At the same time crime control remained the state's prerogative. In the words of Fijalkowski (2007 p.160) 'The Communist regime had to maintain that crime would 'wither' away as the society drew closer towards Communism, yet it had to, at the same time, take on a stronger role, which meant that vigilance had to be maintained for opposition to Marxist-Leninist ideals...'. The absence of the word 'community' in the Ukrainian crime control and policing vocabulary of the time was clearly detectable, for example, in the language of the Presidential decree of 1996 (cited in the project bid) which stated that there was a need to collect data on the problems of crime in each 'town, district, populated area and working collective'.

The vocabulary of 'collective' was also present in various discourses within the K project, such as brochures written by local academic staff, and interviews with local participants. For example, the brochure that described the purposes and development of the youth liaison activities (Golovanova et al 2002) referred to the need of cultivating collectivist attitudes in children, and the 'sense of being in charge of their school, their village, their life' and also mentioned the 'children's collective'. In interviews conducted in 2000, local participants mentioned that 'the work collective initiated the creation of the local division of the police', that people who participated 'were not indifferent' because they had 'work collectives behind their backs'. The Neighbourhood Watch Coordinators were called in one interview 'the primary cells of the collective'.

How the idea of a 'collective' is similar or different in its political and policy effects from that of the 'community', how its meaning has changed in the post-Soviet context, and whether it will gradually fade away or will persist, are questions that require further research. Overarching values, moral voices, duties and responsibilities of individuals

towards communities all seem to suggest that the Soviet collective and moral communitarianist visions converge or are manifestations of more global ideological flows. As the texts from the K project revealed, people were creative in weaving the strands of the old ideology into the new rationales for reform.

While collectivist ideology was still very much part of the identity of Eastern Ukrainians in the early 2000s, they had no tradition, nor possibility even of thinking of themselves as 'responsible citizens' or 'communities'. The post-Soviet experiences of a society divided by nationalist and communist sentiments and political battles, and the labelling of particular regions as Sovietised and criminal, or anti-Slavic and radical nationalist (Zhurzhenko 2002), inhibited the consolidation of a common sense of belonging to a new collective body nationally or locally³⁸. In eastern Ukrainian Donbas in the mid 1990s more than half of the respondents to a survey defined their identity as 'Soviet' (Kuzio, 2001 p.169) and for them the Soviet Union remained their 'imagined community' (Szporluk 2003). Weak national identity and civil society in the eastern part of Ukraine was an impediment to the development of a civic nation (Kuzio, 2001 p. 170). Personal insecurity and victimisation was and remained a private issue – in the K survey 26 per cent of victims who did not contact the police said they dealt with it as a private matter³⁹. The argument that people needed to begin to take care of their own safety and stop relying on the state (Kostenko 1998) was somewhat misguided, since crime problems and experiences of individuals have never been the state's concern.

This section examined some of the factors impacting on the low levels of public engagement in civic activity in Ukraine. However, the levels of participation in formal civic organisations only tell us part of the story. If levels of civil engagement were so low,

³⁸ But the percentage of people who identified themselves as 'citizens of Ukraine', increased from 41 per cent in 2000 to 54.6 per cent in 2005 (Panina, 2005 p.71).

³⁹ Of the 26 per cent, 20 per cent said they 'dealt with the matter' themselves and 6 per cent said it was 'private/personal/family matter'.

and citizens were indifferent to the issues of public order and crime, how can one explain the high levels of public engagement during the Orange revolution of 2005? We need to explore further people's relations to each other and the wider society, and the impact of the nature of these links on social order, through the lens of the K project. This is the subject of the following section.

Social capital and civil society

The question of public engagement should be further examined in the context of the debate about social capital. This brings us back to one of the key questions in the debate about community policing and public engagement – can it rely on the community, can the community or the public be seen as a resource for community policing (Pino 2001) or a site where such a resource can be generated? On the other hand, is there a danger that appeals to community and social capital become one of the instruments of control by those in power (Carson 2004a; 2004b; Hughes 2002b; Walklate 2001; Stenson 1993)? In particular, there is a need to review the argument advanced by Crawford (2006) that weak social ties are preferable to strong ties in constructing social order and civility. This section will argue that in the post-Soviet context 'bonding' social capital can play a role in promoting democratic values and non-violent policing and such potentially positive contribution cannot be dismissed even though the dangers associated with bonding capital still need to be recognised. It is important in this regard to explore the role of informal networks in post-Soviet discourses and politics of crime and order.

But first this discussion needs to be placed within the broader context of the debate about long-term social trends/shifts in civic engagement in the west. At a time when post-communist countries have faced the challenge of building civil societies, the long term trends in civic engagement in the west have been subject to debate. In the US, Putnam

(2000) suggested, there has been a decline in social capital and civic engagement. In Britain, as Hall (1999) suggested, although social capital and political engagement remained high, there has been a decline in generalised trust and a possible shift in the character of engagement from a focus on public interest to more individual purposes which he linked to the rise of post-materialist values and a decline in deference; he also suggested that social capital rather than being evenly distributed was disproportionately concentrated in the middle-class middle-age strata, while young working class was increasingly marginalised in this process. A less optimistic view was expressed by Grenier and Wright (2002), who suggest that participation is increasingly concentrated among certain class-based groups and its character is increasingly commodified and thus Britain experienced a decline in social capital similar to that described by Putnam. Similarly Clarke et al (2007 p.11) suggest that the decline in deference led to the rise of a 'demotic populism'. Within the policing domain, they argue, community policing was one manifestation of this trend, a policy response to the perceived gap between the level of patrol the public want and what is being delivered that attempts to transform people into consumers of police service. From this point of view community policing emerges as a tactic and a discourse of governance whose purpose is to capture and transform people.

In light of these debates one might ask if there has been a long-term decline in social capital and civic engagement, and as some suggest there has been a shift in the west towards greater control of populations by states through the techniques of governmentality, then perhaps post-communist societies are looking in the wrong direction? As one commentator puts it 'It is as if the Eastern gaze is still able to perceive in Western societies its agalma, the treasure that causes democratic enthusiasm and which the West has long lost the taste of' (Zizek 1990 p. 50).

Further, this raises comparative questions cutting across various societal contexts, what would or should be considered 'social capital' or 'civic activity' in a particular place? In Ukraine, would an association of neighbours who report suspicious activities to the police/authorities be considered a form of social capital? What about income-supporting but often illegal activities in the same neighbourhood? And what about NGOs, which always rely on close-knit ties and personal acquaintances? What makes each of these activities and forms of capital civil or uncivil, good or bad? Crawford (2006 p.961) reminds us that 'networks, social control and trust are all prerequisites of organised crime, gang cultures and violence, as well as forms of hate crime'. But where the police themselves are so closely associated with the illegal world and benefit from its sustainability, and the law is easily used to the advantage of particular interests, law-obedience and cooperation with the police cannot really be the criteria for identifying whether or not social ties serve 'good' or 'bad' ends. In Ukraine, where is the 'dark' side of social capital?

It is useful in exploring the nature of social links and the role they can play in local social order, to draw upon the distinction between bonding, bridging and linking social capital (Woolcock 2001). Many studies of Soviet and post-Soviet societies have emphasised the predominantly bonding type of links between individuals. This was often seen as one of the core problems of these societies, responsible for corruption, violence and organised crime (Karstedt 2003; Los 2003) and for the formation and renovation of a clientelist culture (Howard 2000). In Ukraine, the situation where only personal connections and not personal skills matter⁴⁰ was termed negative social capital and compared with tribalism and nepotism. In political parties or in high state positions one can find many relatives – brothers, sons, aunts and so forth. It is argued that the existing forms of social capital

⁴⁰ This understanding seems to miss the emphasis on the need to work at maintaining social capital, and the distinction between cultural and social capital, with both being assets and a product of accumulated labour – that is one needs to have certain knowledge and skills in order to be able to accumulate and maintain social capital.

solate groups or communities from the wider civic arena; thus the challenge is to stimulate civic-oriented social capital (O'Loughlin and Bell 1998). On the other hand research in Britain suggests that 'fostering weak social ties, rather than strong bonds of "togetherness", may be preferable in supporting open and tolerant communities' (Crawford 2006 p.957).

However, it is important to note that bonding ties and informal networks also underpin the development of the civil sector in the post-Soviet societies. From the moralistic viewpoint that characterises much of the criticism of 'bonding' capital, people who are bonded appear to engage in a kind of association which is not civil enough, unless they are also engaged in 'bridging' or linking kinds of connections. However some scholars suggest that 'bonding' capital can evolve into 'bridging' eventually (Potapchuk et al. 1997; Lappe and Dubois 1997 in O'Loughlin and Bell 1998 p13).

In the post-Soviet context, it is important to draw attention to nuances of bonding ties and to the specific forms of reciprocity that might express different mentalities and sensibilities. A point made for example by Ledeneva (2009) is that corruption is often an inadequate term to capture the nature of various forms of post-Soviet exchange in various localities. She suggests that some forms of exchange that might appear to be corruption are in fact new hybrid forms that need to be understood in their own terms. Much of the data informing these findings come from ethnographic research. Ries (2002) for example makes an interesting observation of how post-Soviet discourses about trust, civility, morality and corruption reverse the established stereotypes about crime and criminals. One story is about an engineer becoming an 'honest bandit' building 'roofs' for businesses (enforcing contracts and collecting debts) seeing himself as an honest entrepreneur maintaining order and providing protection for the good of the community. The post-Soviet world in this discourse is a place of weak governance where the 'mafia' had to step in to substitute for the weak and corrupt state. Of course if private protection becomes the main social

function of the mafia (Varese 2001) this raises the question of how to draw a line between racket and protection (Favarel-Garrigues and Le Huerou 2004).

It is important to further explore the role of bonding capital: can bonding capital transform/evolve into forms of bridging and linking and if so - how? How do the uses to which bonding capital is put vary? There is also a need to further clarify some notions in this debate – does ‘personalised’ and ‘informal’ in this context always mean clientelistic? First, it is important to distinguish between the ends that might be served by strong ties. In some cases it might be about, as Crawford (2006 p.962) rightly observes, expression and identity insofar as strong ties bring together groups and individuals to pursue normative and identity-based objectives; in contrast, he argues that weak ties may be better at serving ‘instrumental’ goals that do not rely to the same extent on shared values. But Crawford also refers to ‘criminal capital’, on which deviant social networks rely (Hagan and McCarthy cited in Crawford 2006 p.961) although he does not elaborate further on the nature and working of this capital. This capital in post-Soviet Russia is explored in some studies that describe direct and close contacts between police officers, business and criminal structures (Sagalaev et al. 2006; Kosals 2005) and this type of networking is also discussed in the previous chapter. As the latter research suggests, although such networks might share some values, it is probably *not* what keeps them together. Sagalaev et al. (op. cit p.16) note that the illegitimate ties between criminal groups and law enforcement agencies are ‘characterised by a mutual exchange and support in a situation of scarce resources’. They are based on a common place of origin, friendship or kinship, but they can only be maintained by the mutual exchange of services (ibid). So the key defining feature of these ties is not social or cultural identity but exchange of services.

Second, it might be important to re-think where and when strong ties may be useful or preferable as opposed to weak ties, and where the distinction between them lies. Again,

Crawford referring to Granovetter (2006 p.963) suggests that weak ties are often most useful for getting things done, whereas strong ties can often inhibit effective action. In the case of post-Soviet informal networks of exchange, however, it is precisely the opposite that seems to be often the case – people can only get things done when they rely on personal and close ties with those they know they can trust. This also means that equating bonds with ‘affective and emotional’ and contrasting them with weak and instrumental as does Crawford (2006 pp.963-4) might be misleading. Patron-client relations are strong bonding relations, but these are not necessary relations based on emotion and affection.

Too often, bonding ties are equated with corruption and clientelism, and too often, such debate is moralistic and is informed by a normative view of corruption (Ledeneva 2009). But there is a need to re-think the role of bonding ties in the processes of democracy building, and more narrowly speaking, their potential contribution to the orderliness and civility of social life in post-Soviet societies. The next section discusses the activity of human rights’ NGOs in Ukraine to demonstrate how bonding capital can play a positive role in promoting human rights and combating police brutality and violence.

Human rights’ NGOs and bonding capital in Ukraine

In the early 2000s the Ukrainian human rights’ movement was composed of dissident groups, branches of international human rights’ organisations, local organisations and civic activists. Although according to statistics there were over a hundred officially registered human rights’ NGOs, in reality, no more than twenty were actively involved in human rights advocacy (Senyk 2003). Most of them focused on fighting violations of human rights by police and other law enforcement institutions. They published information on cases of torture and ill-treatment of suspects by police, provided legal advice for victims of rights’ abuse, analysed legislation, conducted surveys on human rights’ standards and legal

norms, monitored public institutions, and disseminated information about human rights. The NGOs were not self-sustaining and depended on financial support from abroad while the cooperation between the NGOs and their links to domestic audiences remained relatively poor.

There was a tendency to blame civic organisations for their reliance on informal connections. Their dependency on international donors was seen as promoting clientelistic relations and NGOs were typically described as grant-eaters (Stepanenko 2006). The use of foreign assistance often raised suspicions about their intentions. In early 2004 Ukrainian politicians demanded financial audits and even the banning of NGOs funded by Western donors. Such institutions were characterized as agents of foreign interference in national politics (Stepanenko 2006 p.575). Wedel (2005) characterised the relations of technical assistance as 'transactorship', which she described as cases of collusion. Transnational NGOs appeared in her account as elusive groupings that relied on informal networks to divert aid resources for private gain. However such accounts had implications for the image and reputation of the whole NGO sector in post-communist states.

Although such concerns are not unjustified, the reliance of NGOs on informal connections might need to be recognised in the post-Soviet context as an unavoidable risk worth taking. It is important to recognise that such links will not always be used for malign purposes or in the service of parochial interests, but can often serve to promote human rights, civility and social order. Stepanenko (2006) agrees that informal networking had a negative effect because it reproduces clientelist culture; on the other hand, he recognises that 'the persistence of numerous informal connections between the people in post-Soviet countries, particularly in Ukraine, was (and still is) often the only rational strategy of adaptation and even of survival for many people and families during the transformation period' (ibid p.584). He goes on to say that despite the dangers associated with such networking 'there

is no other way to foster civic values and the ethos of civil society other than by creating “islands” of public activity and NGO networking’ (ibid) and argues that ‘citizens’ participation is indeed a significant factor in forming the new disposition of a socially-engaged, responsible, and critically reflexive personality’ (ibid. p.589).

In a similar vein, it is argued here that NGOs in Ukraine, although they rely on the bonding type of social capital, are capable of promoting cultural norms and values fundamental to an orderly democratic society – norms of tolerance and civility with respect to others and respect for human rights. They are capable of engaging with law-enforcement bodies to promote non-confrontational and non-violent behaviour, and thus contribute to more civilised ways in which these bodies relate to members of the public. Moreover, while they often rely in their work on personal trust and contacts, they are also capable of engaging with a broader range of organisations, institutions and individuals and therefore it might be suggested that bonding capital can in a way foster links to a range of agencies and resources. Thus bonding social capital, it is argued here, can play an important part in cultivating orderly and civilised community life.

This argument is based on observations that were made during the implementation of the K project, as well as empirical evidence gathered in 2006. The NGOs had the capacity to rely on ‘bonding’ capital to promote and protect human rights in the region. IR described the work of the K Human Rights’ Protection Group and emphasised that they relied on informal connections:

...They collect information; they issue brochures about all these violations that happen in Ukraine. And people contact them. This is a regular practice. A person is searching for truth, his internal organs had been badly damaged in the police (station), they treated him unfairly, and he is trying to...he writes to the official bodies, they refuse his requests, saying that ‘everything was OK’, the prosecution

office does not want to deal with this issue, and he goes to human rights' activists. They know the law, so can help him with legal advice, plus they have their own connections. They even helped us to find respondents, informants who they already know⁴¹ ... (IR, 2006)

IR commented that the NGO 'had their own 'mafia', meaning the generally close, personalised, bonding character of the relationships and connections they had to rely on in order to be able to do their work. Trust and reliance on local knowledge were aspects of the human rights' promotion work of the Ukrainian NGOs.

Taylor described the reliance of NGOs in Russia on personal ties, material incentives and enhanced prestige in their collaboration with state officials, enabling them to contribute to a gradual change in the culture of these agencies in a more democratic and liberal direction (Taylor 2006). He also stressed the possibility and the willingness of the police to work together with NGOs in projects exploring new ways of police work. 'Bonding' with representatives of the power institutions could convince them to cooperate. Often personally knowing someone in the local police and/or the recommendation of a trusted person opens doors to further contacts. As one of the NGO representatives explained:

It is easier if the NGO is respected and has a serious reputation. In practice, our regional partners know someone in the local police hierarchy. It is not that difficult to convince law-enforcement agencies to cooperate with us. Firstly, we show them our publications, prepared on the basis of previous research. Thus they can get an idea of our intentions and what result their participation in the research projects will have. Secondly, we guarantee anonymity for each interviewee. They usually trust us as they already know us or we have been recommended by someone they know. Interviewees are curious about the level of interest in such research and we try to convince them of its relevance and importance. Usually we get agreement and support for our research from the head of the district police office (Novikova 2008).

⁴¹ The last comment is about the respondent's own research on police abuses of power

From conversations with the leaders of two non-governmental organisations that took part in the K project, both relied on a network of personal contacts and operated as a small group of individuals 'tried and tested' and known to be reliable (MG 2006; TL 2006). For MG, her work with the Neighbourhood Watch groups was about helping residents in their encounters with the police and other authorities. For TL, her work within the youth liaison scheme was about promoting children's rights in their encounters with the police and changing the police's treatment of children and young people.

The Neighbourhood Watch NGO was able to play a role of a 'conduit' between the police and the public (Beck and Chistyakova 2003 p.32) passing the information gathered from the local coordinators on to the police; the residents felt more comfortable getting in touch with the NGO rather than with the police directly. This work involved sometimes helping the residents (via the assistance of block coordinators) to explain their problem to the police. MG recalled that:

They would come to the coordinator to ask for advice, and most often they would go [to the police] together with the coordinator, and the coordinator could explain more articulately...they helped in that encounter...and the police looked at that person in a different way. And in the most difficult cases we would (all) go together (MG, 2006).

The NGO team also helped residents in their negotiations with the local authority on a variety of issues, by providing training in negotiation and management skills for block coordinators, and helping with legal paperwork. They were at the same time the facilitators of resident organisation for problem-solving; they facilitated the process of linking crime and security concerns to other issues and leading the development of broader agendas for local community self-organisation, regeneration and development:

Our primary concern there was...to satisfy their needs. To talk to the people and first of all identify – what do they actually need? Yes, they were concerned about security, but besides, they were also concerned about how they are going to live, roofs were falling apart, pipes were leaking, and so forth. So, we wrote [in the adverts] that there was going to be a beat officer's report about the current situation with law enforcement, what was going on, what crimes they had in their area, and then, this was to follow with a report by the housing authorities about what was going on, and about organisation... (MG, 2006)

It can be suggested that this work of the NGO in K was in some ways similar to the work undertaken in Britain by neighbourhood wardens as described in the UK research (Crawford 2006), particularly in the diversity of their functions, including linking and referral and environmental management and improvement. Also significant is their capacity to work as intermediaries, not directly associated with the police, and to engage with different community groups in ways that the police find difficult (Crawford, 2006 p.967). Thus based on these findings and comparisons Crawford's observation that wardens can contribute to fostering social order in neighbourhoods is also applicable to the work of NGOs in Ukraine.

The work of the NGO as the coordinator of the Neighbourhood Watch scheme was also able to spark the spirit of connectedness and togetherness among residents of the blocks in K. They commented that the scheme bonded them, made them friends who worked together for a 'common good' (Anon 2002; MG 2006). This indicated also the presence rather than absence of social capital in the neighbourhoods (in the sense of the residents' capacity to create reciprocal social relations (Putnam 2000), contrary to comments made by a participant in K that Ukrainian society was 'completely atomised' (IR 2006). This suggests that Putnam's conceptualisation of social capital is valid in the post-communist context. Bourdieu's perspective on social capital, on the other hand, draws attention to the

use of networks through which individuals and groups survive and advance their agendas in the post-Soviet societies (Bourdieu and Wacquant, 1992).

It is also useful to distinguish between different forms of social capital (Li et al. 2005), and draw a line between formal participation in voluntary organisations and informal networks of support, a distinction that is important in Ukraine. The observation made by Li et al. that we need to recognise invisible and intangible forms of social capital (rather than simply look at formal civic participation) is important in the context of this study. NGOs in Ukraine are an example of a form of civic engagement that draws both on its formal status (civic participation) and on the existence of informal networks of support. Moreover, the capacity of the NGO to draw on these forms of social capital enabled them to assist local residents in discovering and building on what Li et al. call 'neighbourhood attachment'.

The second point to make regarding the potential contribution of the NGOs to social order is how they were able to introduce new ideas and sensibilities regarding the relationships between the police and the public. As Wood has suggested this can be an important role for NGOs; 'it is difficult to change the culture of the police without...introducing new stories that celebrate other sensibilities' (Wood 2004 p.35). The NGO leader-coordinator of the youth liaison scheme in K saw the attempt to use the police to threaten and put pressure on children (through the work of Coordination Councils) absolutely unacceptable. In her own words:

I understood one thing: the councils were perceived as a way to pressure parents and children... and I said: 'you know, this coordination council is not intended to punish, but to understand every child's story, and to help them further in their life. Because in any case the child is the one who suffers (TL, 2006)

Instead TL advocated an approach based on tolerance, compassion, and empathy towards children and young people, guided by respect of their rights and concern about their wellbeing (TL 2006). Such a perspectives on wrongdoing in schools can be compared to the advocacy of peacemaking and humanistic perspectives as better ways to respond to violence in American schools (Finley 2006), and more generally to the ideas advocated by peacemaking criminology (Quinney 2000; Wozniak 2008). Some cross-cultural influences might be suggested here. From the interview carried out in 2006 it was clear that TL's views on children's rights were informed by the rhetoric of human rights and a range of western and domestic humanistic perspectives. Her understanding of the proper role of youth liaison had challenged the typical understandings of truancy, addiction and violence and 'difficult' children or children with problematic behaviour typically held by school administrators and the police, demonstrating a different way to think about the very problems which the school, the police and the parents and Ukrainian society as a whole were facing.

Research on the role of NGOs in the events of the Orange Revolution also demonstrated their willingness and capacity to engage with the power structures (police, military, and security forces) in a non-confrontational manner convincing them not to use force against the public. The movement *Pora*⁴² employed, among other tactics, persuasion, visiting 'police stations throughout Ukraine, giving policemen flowers and distributing letters, and asking officers to abide by the law' (Binnendijk and Marovic 2006 p.421). By demonstrating broad-based popular support they were able to sway 'individuals in the lower police and military ranks who had less at stake in the survival of the regime but were closely tied to their families and local communities' (ibid p. 427).

⁴²Translates as 'It's time'.

In light of these empirical illustrations from Ukraine, some conceptualisations of social capital and its role in social order might need revisiting. In particular, the strategies employed by the NGOs suggest some interrelation between the reliance of individuals and groups on personal resources and networks of support on the one hand and their ability to contribute to public good on the other; thus rather than seeing Putnam's and Bourdieu's concepts of social capital as contrasting approaches there is a need to further explore the interrelatedness of different forms and roles of social capital. It is also important rather than simply drawing a line between or contrasting formal civic engagement and informal social networks (Li et al. op. cit.) to recognise interrelatedness between them. There is a need to further explore the ambiguous role of 'bonding' capital in the post-Soviet states and its relation to public order.

While this section focused on the issues of social capital and civil engagement in Ukraine, the next section will take a closer look at the issue of tolerance towards corruption and illegal practices, and will ask whether this indicates the need to re-think the approaches to law and order maintenance in post-Soviet Ukraine.

Tolerance of corruption

Observations made by criminologists in K (Rushchenko and Svezhentseva 2003) suggested that people have tolerant attitudes towards some types of transgression, for example, people living in border areas do not consider smuggling wrong; people everywhere have very tolerant attitudes towards the illegal production of alcohol, cheating in trade, vandalism and petty hooliganism. Buying and selling drugs in blocks of flats is a normal everyday practice. It is common for shops to sell alcohol and cigarettes to teenagers. Even though noisy groups of teenagers or alcoholics at night are a frequent nuisance for the residents of big blocks of flats, the latter hardly ever call the police.

Some data from K suggested that people were quite often tolerant of some of the police's wrongdoing as well. In 2000 in interviews people were asked: 'If an "average" policeman would have to choose between 1) to become rich breaking the law, or 2) to obey the law living only with a salary, what do you think he/she would choose? Why?' (Beck and Chistyakova 2001a p.89) Seven out of 14 local residents felt that law-breaking was inevitable because one could no longer satisfy their basic needs using legal means; '*it is difficult to work honestly nowadays*'; '*they need to survive somehow*' '*how to live with (only) a salary?*'. Only 3 of 14 respondents thought that ethical-moral considerations and fear of punishment would still play a constraining role: '*responsibility for own prestige and the professional honour*'; '*will not like to have problems with the law*'; '*fear of punishment*'. Interestingly, one of the respondents suggested that bribes demanded by the police officer are justifiable within certain limits:

...the policeman is forced to take, because the state is unable to provide (for) them, this is why they take, what else can they do? I understand them to some degree, they also have families, children, they need to feed them, but there must be some reasonable limits to it (male, 48 years old, cited in Beck and Chistyakova, 2001 p.39).

This suggests, that, within certain limits, the police's demands for or expectations of payments are seen as legitimate. A study of post-communist corruption also suggested that people were less angry about corruption amongst street-level public officials than they were about corruption amongst top level officials (Miller et al 2001 p.64) despite the fact that it was the street corruption of which people had more personal experience. This might suggest that the street-level officials are also seen as the victims of corruption at the top more than perpetrators. Similarly, Polese (2008) based on his ethnographic study of economic transactions in post-Soviet Ukraine, observes that in a police traffic post

situation, the nature of payments to the officer is more complex than a bribe, and is more close to a 'voluntary offer' or an act of solidarity.

In an interview with VM in 2006, he made a very similar observation of the same situation: drivers are rather willing to pay (a bribe) than face an alternative. This appears often the most painless way to resolve the dispute:

...Our drivers too do not understand any laws. And the police...they put a speed limit sign...because they think: 'anyway you'll drive faster here, and we will punish you'. ...What kind of cooperation? Very simple one: here's a tenner, and I'm off. As you are driving on, you keep thinking: 'I'm lucky I got rid of them so easily. It is fortunate they take money. And if they did not? That would be scary' (VM, 2006)

Polese comments: 'This is a win-win transaction as the police officer supplements his salary; the driver can get rid of bureaucratic problems and society gains as the driver might remember that the law should be respected and that he should not be exposed to such consequences' (2008 p.56). Grodeland et al. (1998) in a study of low-level corruption conclude that citizens in Ukraine tended to feel they were 'forced to give' rather than give voluntarily, but the above interpretation of an encounter between a driver and traffic officer suggests that when faced with a choice – to give a bribe or to pay a fine and face bureaucratic procedures - payment represents the commonly preferred option. Polese (ibid) insists that this transaction is not a bribe or tribute, but something hybrid combining features of bribe and gift. In his view this is a compensatory mechanism in a situation where the state is unable to feed its dependants.

Again, instead of being guided by formal legal definitions, it is important to take a closer look at the meaning of informal economic transactions in post-Soviet societies (Ledeneva 2009). They often turn out to be more complex than the distinction between legal and

illegal suggests. Some practices reflect local traditions and mechanisms to compensate for the void created by uneven distribution of welfare, although others cause social and economic harm (Polese 2008). Grey zones exist and need to be recognised. Such compensatory practices in the post-Soviet context are not easy to eliminate by interventions 'from above'. This was clearly demonstrated by the failure of an attempt at traffic police reform in Ukraine in 2006. The removal of traffic police booths on the roads was meant to eliminate corruption amongst traffic police, but instead only led to an increased level of accidents (IR, 2006). The booths soon had to be reinstated.

There is a different way to look at the 'grey zones' of legality and morality. For Karstedt and Farrall (2006), crimes and unfair practices committed by 'respectable citizens' on an everyday basis are indicative of the moral state of society. They demonstrate the erosion of good practices and normative standards which result from the impact of neo-liberal policies creating 'sovereign consumer' that chooses when to deviate and when to complain. However, it appears that England and Wales and Western and Eastern (post-communist) Germany were affected in different ways. They found that East Germans had the highest levels of Machiavellian self-interest and comment that the economy of scarcity 'had nurtured ruthless self-interest in the population' (ibid. p.1024), but also that they had the highest levels of legal cynicism.

Although Karstedt and Farrall's study has undoubtedly revealed some reality of public feelings and perceptions about the law and the market, the judgements that are made based on these data, particularly with respect to post-communist Eastern Germany, can be challenged. First, the view of morality and normative standards as universal norms does not take into account differences in moral standards and judgements and the fact that in post-communist societies, not only the culture and structure of the market have undergone rapid changes, but the morality of the society as well. It is important to distinguish between

legal definitions and people's own judgements of practices and behaviours as fair or unfair. The argument that the erosion of good practices has its price and is always harmful for economy and society may lead to presenting any such practice as a result of moral erosion or decay, ignoring that in some societies such practices may be necessary to compensate for the failures of state policies and the law enabling many professionals such as scholars and doctors to survive in their country rather than emigrate (Polese 2008). Further, not only markets and citizens, but the role and behaviour of the state should be part of the picture. The use of the category of 'respectable citizens' obscures the social-economic differentiation in the post-communist states divided into the impoverished majority and the enriched elites; taking into account the socio-economic changes makes it easier to understand public attitudes towards the law and the market, rather than looking at them as primarily a reflection of a cultural shift. In addition, it is also doubtful that the survey data and statistical models are sensitive enough to capture the complexity and variety of people's reasoning and behaviour in various niches and corners of a rapidly-changing society.

There is a need to further understand the meaning of informal transactions in post-communist societies that might in many cases play a compensatory role for the dysfunctions of the state. Formal interventions might in some cases be inappropriate ways of dealing with informal transactions and may do more harm than good. There is also a need to re-think the idea of police-public cooperation and public engagement in order maintenance when both sides benefit from and rely upon the local informal economy. In this sense it could be argued that it might be better for society if the state ignored certain minor infractions rather than applied a zero-tolerance approach.

Since Ukrainian independence the issues of criminalising and de-criminalising conduct have been subject to public debate more than ever. For example Foglesong and Solomon

(2001 p.76) point out that 'Ukrainian society is deeply divided on the question of decriminalizing certain forms of economic activity, especially those affecting retail prices on consumer goods'. They go on to say that some support greater state control because new forms of economic conduct are seen as harmful to citizens, while others argue that too many activities are penalised and there is too much discretionary control over citizens.

This is not to say that police abuses and corruption should not be taken seriously, but to indicate the contested character of such notions and difficulties involved in making judgements about the abuse of power. In the post-Soviet context, this tolerance may also stem from a specific understanding of human rights, for example, Senyk (2003 p.96) argues that the Soviet concept of human rights did not consider individuals to be the subject of human rights; instead the Soviet concept emphasised the interests of society as a whole.

There is also a question of whether and to what extent citizen engagement in post-Soviet states is an appropriate way to respond to law and order issues. The next section explores the consequences of citizen mobilisations in Ukraine in response to law and order demands.

'Law and order' and citizen mobilisations

Favarel-Garrigues and Le Huerou (2004) emphasise the significance in post-Soviet Russia of the discovery of law and order issues in the media, creating an enhanced demand for law and order maintenance. Similarly, in Ukraine the K survey carried out in 2000 observed that most police officers felt increasing pressures on them in terms of law and order maintenance. Fears were particularly widespread in the urban area. The law and order

themes most frequently mentioned in the interviews were murder and violence, 'hooliganism', thefts and burglaries.

Citizen cooperation in law and order maintenance had virtually disappeared by the end of 1980s/beginning of 1990s, but in the late 1990s attempts were made to restore these forms in Ukraine. In 1997-1998, committees for the protection of block entrances were created, and measures were taken to restore voluntary *druzhinas*⁴³ (*people's patrols*). In 1999, the first public detachments for the protection of public order appeared (Kobzin and Chistyakova 2003). The Concept (Paper) of the programme 'people and police are partners' adopted in 1999 emphasised the central role of the public in the fight with crime. This cooperation was supposed to rely heavily on the revival of organisational forms developed during the Soviet era. The law 'On the Participation of the Public in the Protection of Public order and State Borders' adopted in 2000 was meant to encourage members of the public to set up public units for assistance to police, local government and border guards in the protection of public order and state borders. They were expected to assist the local government bodies and the police and border guards in performing their duties. This interpretation of public participation was reminiscent of the Soviet tradition of 'voluntary'⁴⁴ citizen patrols and (earlier) detachments for assistance to police effectively creating groups of civilian assistants to the police (Shelley 1996). One head of a suburban local authority in K interviewed as part of the K project in 2000 said they had public *druzhinas* operating in their area, with some of their members being Afghanistan war veterans, and had organised patrols in the cemetery to catch people stealing metal.

These resident mobilisations, Favarel-Garrigues and Le Huerou (2004 p.18) believe, were a reflection of a feeling of general failure of the state police to perform their duties with

⁴³ Public patrols

⁴⁴ The Soviet citizen patrols were voluntary on paper only; in practice there were a number of mechanisms not just to motivate people to participate but to apply sanctions for non-participation.

regards to public protection. Similarly, from the data collected among the NW participants, there emerged a sense of a desire by the residents to take on some responsibility for order maintenance in their blocks. To the question why they decided to take part in the NW programme 24 per cent said 'safety', and 23 per cent of the participants said 'order in the entrances'; among the latter, there were several respondents who said 'order in the entrances means order in the country' (Marushchenko, 2003).

In the K survey, both the police and the public saw the task of providing safety on the streets and in other public places to be the top priority upon which the police should focus. For the understaffed and under-resourced police struggling with the enormity of the 'law and order' tasks, the 'public assistants' were a welcomed opportunity to share part of their responsibility with the public. 'Controlled' public participation in order maintenance was not seen as a threat to the police's authority but rather an instrument to support their legitimacy. For the majority of the police officers of the experimental units, street patrols, voluntary informers or witnesses were the forms of public engagement they wanted to see. The public, on the other hand, did not hold great expectations regarding the willingness and the capacity of the police to protect 'ordinary citizens' and some of them were ready to engage in such mobilisations. There were nearly 16 thousands public organisations for the protection of public order in Ukraine in 2006, with 426,000 members. These organisations included detachments for self-protection, detachments for assistance to police, and student and Cossack organisations for protecting public order in dacha areas (Kosorgovski 2006).

The K project, particularly some of the schemes that were set up, such as anonymous reporting and public patrols of crime hot spots, would appear to respond to demands for 'law and order'. The need to revive patrols was the most frequently mentioned measure when respondents were asked in 2000 what forms of cooperation between the police and the public should be developed. There also seemed to be an enthusiastic response to the

initiative, particularly among men in the rural area who patrolled 'hot spots' such as cafes and discos at night (MG, 2006). This finding supports the argument that mobilisation of the public is easier than consultation and problem solving (Bayley 1994). This development was not a new practice introduced by the project but quite a widespread form of public participation in public order at the time. Favarel-Garrigues and Le Huerou (2004 p.19) argue that *druzhinas* and their activities were under the control of the local police staff. However, knowing the extent to which *druzhinas* were able to use discretion in the Soviet past (Shelley 1996) the capacity of the police to maintain full control over such activities can be questioned. Besides, given the poor human rights' record of the police themselves it is obvious that their control is not a guarantee that the activity of the 'public assistants' is within the framework of the law. The capacity of such units to detain people they suspect might be violating the law is worrisome, particularly given the numbers that participate and the scale of their activities. In just one oblast of Ukraine, Volynskaya, *druzhinas* detained and delivered to the police over 13,000 people during 1997 (Kondratiev 2001 pp.16-18).

As noted by Favarel-Garrigues and Le Huerou (2004 p.20) the main point is that such providers of public order might sometimes replace the state police 'in the very definition of what is to be secured and protected'. Indeed, as a newspaper report about the activities of one Russian *druzhina* suggested they treated their responsibilities and duties quite broadly, from intervening in a family dispute to putting pressure upon the owner of a private business who refused to pay medical expenses to an employee injured at work (Kartashova 2004). Another group of vigilantes in Moscow identified a group of illegal immigrants who appeared to terrorise a residential district; they 'found out quickly where all these Tadjiks and Uzbeks lived and reported them to four local police officer who organised their eviction' (Simonov 2004). The Ukrainian Law 'On the Participation of the Public in the Protection of Public order and State Borders' gave these public bodies the right to use physical force and special means of self-defence, even without warning in cases where

there was an immediate threat to the health and life of a member of the public body, other citizens or a police officer. It is unclear how such situations were interpreted and how such powers were used.

The initiatives to revive *druzhinas* in Russia and Ukraine have raised a few concerns. Such patrols it was suggested might be dangerous because 'we don't know who will volunteer... it may be someone who just wants to use force unlawfully against nationals from the Caucasus regions or elsewhere' (Bekker and Yablokova 2000). The decision of the Moscow authority to create a version of neighbourhood watch, where a council of residents would alert the police about signs of suspicious activity and suspicious newcomers, apparently reflected concerns about the threat of terrorist attacks after a series of bombings in the capital (Simonov 2004). These policy proposals were characterised in the press as a 'step back to the Stalin era'. The titles of the news reports spoke for themselves: 'Wanted: snoops in every neighbourhood', 'Moscow seeks spies in suburbs' (Yablokova 2003; Walsh 2003). Despite the rather critical media reaction, the Moscow Duma adopted in 2004 several new laws setting up public vigilance centres and encouraging the public to join voluntary patrols. The unfavourable media coverage has apparently not deterred the proliferation of such activities throughout the country (Beck and Robertson 2008 p.60). Often, the processes of setting up public organisations for protecting public order appeared to be highly politicised and raised the contentious issue regarding the participation of the providers of policing in political power battles. In Lugansk region, Ukraine, the Councils of Atamans of Cossack Organisations announced in December 2004 that they were going to set up public Cossack *druzhinas* and take 'adequate measures' if the forces of the 'orange' political opposition tried to seize power (Lenta.ru 2004). This observation about Cossack *druzhinas* in Russia supports the argument that the emergence of new auspices and providers of policing may meet a desire to defend non-democratic values (Favarel-Garrigues and Le Huerou (2004 p.27). However, comprehensive critical analyses of the

political and social implications of such developments in post-Soviet societies are still lacking.

The above discussion thus suggests that citizen mobilisations are far from unproblematic forms of public engagement in policing – they can serve to exclude and discriminate against certain groups and might defend non-democratic values. They replace a rational discussion about local problems and appropriate solutions with what appears to be a quick and active response to law and order problems, but such mobilisations tend to emphasise difference and conflict in communities rather than resolve them. There is also a question of legitimacy of such mobilisations and whose interests they represent.

The final section will discuss another possible consequence of public engagement in the issues of policing and safety – the emergence of ‘gated communities’ and their exclusionary potential in post-Soviet societies.

The commercialisation of security and gated communities

Favarel-Garrigues and Le Huerou (2004 p.20) argue that the development of private business has created two demands: the general need for protection of private goods and the demand for property rights’ protection. Protection and security have become a commodity (Foglesong and Solomon 2000 p.74; Los 2002) provided by organised crime groups, private protection companies and the police, who retained the monopoly on the use of firearms. The first type of demand (for protection of private goods), but also for individual protection, had a number of visible manifestations both in Russia and Ukraine - the appearance of new doors locks and armoured doors, bars on windows and other security devices, and increasing interest of citizens in studying martial arts; all this manifested a

trend towards citizens beginning to take responsibility for their own security (Galeotti 1997 p.148).

Concomitant to this process was the trend towards greater consumerism. Foglesong and Solomon (2001) for instance note the spread of a trend towards material and economic success among young people and the values of material accumulation becoming the predominant morality in society. Similarly Sztompka (2000) wrote about the flow of consumer mass culture of the lowest quality from the west, and the adoption of the 'most superficial symbols of capitalist affluence' reminding one of 'conspicuous consumption', 'nouveau riche' conduct, and the 'Great Gatsby syndrome'.

One could also observe in the recent two decades the emergence of new forms of public involvement in policing such as radio 'informational service' that passes information about crime from citizens to the police, committees for protecting blocks and concierges, and detachments for protection of public order. Block committees and concierges in Ukraine arguably helped to reduce burglaries by over 3 per cent (Kondratiev cited in Kobzin 2003, pp.48-9). The creation of 'gated' residential communities was happening in K right in front of the eyes of the K project's research team. The movement to close block entrances was not created by the project – there was a massive demand for private means of protection already there.

Closing off block entrances was, however, not simply a response to the fear of a surge in crime, but one of the manifestations of the ongoing process of privatisation of housing in Ukraine. In this process residents could not only privatise individual flats, but co-privatise parts of the formerly public spaces (the block entrances) transforming them into clean and secure residential spaces with limited and controlled access (usually with a paid concierge observing who is entering the block). The processes of privatisation, securitisation and

ordering of residential spaces were developing hand in hand. One could observe increasingly stark contrasts between tidy 'closed' entrances, and dirty and abandoned spaces outside the blocks and outside the private doors where the entrances were not yet closed'. The residents were at least as much concerned about the physical order and appearance of the entrances as they were about the physical security of their homes, as much time and the residents' own money was spent on repairing and beautifying the entrances.

While residential communities could gradually privatise spaces inside the blocks, they could not yet do the same with the outside spaces (the yards) which were becoming in a sense 'no man's land' (as the land below the buildings where just some flats have been privatized but not the entire building, remained in the state's ownership). It was obvious from the interviews with housing authorities that the state was increasingly unable to maintain order in the yards around the blocks and the signs of civility (benches, entrance lights, playgrounds) were literally being taken apart. These spaces were becoming both less civilised and in the eyes of the residents more dangerous. In interviews, residents talked about gangs of youth in their yards and fear of going out after dark. The sense of these outside public spaces as immanently dangerous was expressed in a remark made by one respondent, an elderly woman who said that she always tried to get home fast before dark and lock up her door.

The NW programme revealed growing social polarisation and deepening inequality in the distribution of security accelerated by the processes of privatisation of housing and by the growing awareness of security and risks. The residential blocks that struggled to 'gate' themselves were inhabited by the poorer and more vulnerable. Better off families and individuals began to move out to newly-built and 'secure' housing complexes. Dilapidated old Soviet blocks were increasingly inhabited by those who could not afford better housing

and often struggled to pay for maintenance and security. These residential areas usually lacked lighting and were unlikely to be visited by the police patrols after dark. The Neighbourhood Watch coordinator commented on how local residents were impressed when they saw for the first time patrol officers coming to their yard after the installation of lights in front of the entrances:

...at the beginning of our work, the police were afraid to come to the yards of blocks, they only used to walk down the very well lit Marshall Zhukov Avenue. Everybody talked about this – residents, coordinators. And after the lights were installed and the yards were well lit, they were no longer afraid to come to the yards in the evenings. This was such a breakthrough! People told me: ‘you know, the patrol officers, came over to our yard, and even stayed there for a while ...they took a look around...everything was fine...and off they went’ (MG, 2006).

The emergence in Ukraine of the spaces which might represent what was termed ‘mass private property’ (Shearing and Stenning 1981; Kempa et al 2004) raises questions about the consequences of the processes of privatization of housing in terms of definition, configuration and distribution of security and policing, and the possible marginalisation of some residential communities that might occur as a result. Kempa et al. (ibid) for instance suggest that various ‘communal spaces’ around the globe tend to deploy exclusionary arrangements for the governance of security, while disorder is concentrated in the residual spaces occupied by the marginalised. Stephenson examines homelessness in Russia as an extreme case of social-territorial displacement and shows how transition to market capitalism created a powerful dynamic of displacement. She begins her enquiry into homelessness by recalling her experience of visiting a friend in a block of flats in Moscow – she saw a note next to the entrance door saying: ‘For the attention of the homeless: it is prohibited to enter this building. We will call the militisa [police] without warning’ (Stephenson 2006 p.1). She argues that with the increasing privatisation of urban space in Russia the homeless are denied access to communal and residential spaces. In the post-

Soviet world, space has become one of the new instruments of control⁴⁵. Similarly Crawford also argued that the commercialisation of security has an exclusionary potential: the private 'zones of governance' are themselves predicated upon, and potentially their appeal lies in, processes of social exclusion (Crawford 1999 p.521). He also suggested that the individualistic quest for personal security may undermine public sphere and can lead to greater inequality in the distribution of public resources between areas (Crawford 1999 p.523).

From the perspective of commercialisation of security and the rise of new providers of policing there are several problems regarding the future of 'community policing' in the Ukrainian, and more broadly post-Soviet, context. First, it is the emphasis on the creation of 'gated communities' the process by which some groups of the population and public spaces are likely to become increasingly spatially segregated and marginalised into kinds of ghetto, and when not just safety but more broadly civility and social order will become increasingly associated with private property. While state policing service will increasingly become available only to those who can pay for it, community policing might in this context take on a form of gated communities or vigilante patrolling of public spaces.

Conclusion

This chapter discussed three questions: first, the difficulties involved in improving the relationships between the police and the public in Ukraine, second, the issues of convincing people to get involved in crime prevention and safety activities and third, the potential consequences of public engagement in policing in the post-Soviet Ukraine. These questions were explored through the lens of the K project.

⁴⁵ Although in the Soviet society one of the major tools of control was citizen registration at a specific address (passport/*propiska* system) (Shelley, 1996).

In light of research from several countries, building public trust in the police is never an easy task, and direct police-public encounters might not be the best way to do it. The persistent levels of distrust demonstrated by the K data were thus hardly unexpected but did not necessarily mean that nothing changed in the relationships between the residents and the police. The difficulty of improving these relationships was, however, clearer when the broader context of policing and the image and reputation of the police in Ukraine was taken into account. The data from the project also highlighted generally the tense and poor relations of the police and of some sections of the local community with youth and marginalised populations, and the failure to 'include' them in community policing activities. Overall, in terms of the mechanisms that shape public attitudes towards the police and the relationship of the police with youth and marginalised populations, Ukraine seems no different than the rest of the world.

However, Ukraine's unique legacies of the Soviet past have also made an impact on post-Soviet fears, memories and attitudes towards reporting to the police and anonymity. There is a greater challenge of rebuilding the relationship between law enforcement bodies and citizens that demands that the legacies of the past be addressed and in this light that the ideology and ethics that underpin these relations be revised – a process that has never been initiated and accomplished in post-Soviet Ukraine.

But it is not only the way people think about the police, but also how they see themselves in the role of citizens of the new state, that has an impact on public engagement in policing and order issues. The post-Soviet decades saw large sections of the population excluded from the processes of privatisation and deprived of the security of the welfare system. Post-Soviet lawlessness, cynicism regarding law and order, the feeling of powerlessness, the lack of state support and the pressure to 'put food on the table' forced people to rely on individual strategies, informal means of survival and personal networks of support. These

processes, however, were hardly conducive to the shaping of a feeling of belonging to the new nation or the local community, and also discouraged people's involvement in formal consultation processes (such as beat meetings).

Nevertheless, as the evidence from the K project suggests, it might be premature to conclude that the post-Soviet Ukraine was simply an aggregation of individuals pursuing egoistic individualistic survival and enrichment strategies, little concerned about fellow citizens and social order and civility. There is a need to recognise the multiple aspects and roles played by social ties and networks of support in various spheres of social life, not least in relation to the issues of local order. The concept of social capital might be a helpful analytical tool to explore these various types of exchange and the meanings attached to them. However, there is a need to review certain conceptualisations of social capital, to recognise the interrelatedness between its forms and their potential contribution to the common good. In particular, it is important to understand that 'bonding' ties play a variety of roles in the post-Soviet world and can foster both exclusion and inclusion, contribute to both conflict and peace. It is important, therefore, not to equate informal networks of support with criminality and corruption. The role of informal networks and transactions in post-Soviet societies as survival strategies also requires a re-thinking of public tolerance towards certain forms of corruption or transgression, and of the role these transactions might play in the local social life. This means that formal interventions might be inappropriate ways of dealing with such practices and other responses should be sought.

Finally, the chapter considered two potential consequences of public engagement in the law and order issues in post-Soviet Ukraine: citizen mobilisations and 'gated communities'. Both these forms of engagement have an exclusionary potential, emphasise difference and inequality and tend to displace the processes of consultation and problem-

solving. These forms of engagement are unlikely to contribute to cohesive and inclusive constructions of public order and civility.

Overall, it might be concluded that the K project provided a useful lens through which to explore the issues and difficulties of improving the relationship between the police and the public in Ukraine, and of engaging the public in the issues of law and order. In some ways, the police in Ukraine are encountering universal problems of public confidence and engagement, and in these respects might benefit from lessons from abroad. At the same time, it has to deal with its own unique legacies that create additional difficulties in rebuilding their relations with the public. The chapter has also highlighted the importance of recognising the potential of the civic agencies and local communities to create forces of opposition, resistance or influence over state officials and promote less coercive and more human rights oriented policing.

General Conclusions

This thesis revisited an experiment in community policing transfer, in order to highlight the difficulties and dilemmas of community policing in a post-Soviet society. It examined the origins, actors, and research strategies employed by the project, and the difficulties and problems of implementation. In the 17 years since Ukrainian independence, a number of attempts have been undertaken to reform the police, but with little tangible success. Structural and regulatory changes have occurred, but have police-public relations changed? Despite the rhetoric of reform and the aspirations to make human rights and the rule of law central to their activities, there was little evidence that these principles have been successfully incorporated into the everyday practices and conduct of rank-and-file police officers with respect to the public.

The thesis is the first detailed critical revisiting of a community policing transfer from the UK to a former Soviet society. It provides a critical perspective on community policing and explores the politics of transfer, the impact of the institutions and governance of policing in the recipient society, the significance of socio-cultural and historical context, and the normative questions that emerge in relation to the transfer.

The contribution the thesis makes to transnational policing research

Community policing has become the predominant model for exporting policing from the US and UK to 'transitional' and 'failed' societies. Earlier research on this form of policing export has suggested that it has largely been unsuccessful because community policing cannot be 'transplanted' to societies with different policing traditions and political and legal systems (Brogden and Nijhar 2005). This thesis provides an opportunity to take a close look at the detail of implementing community policing in a post-Soviet society to see

whether this criticism is justified. It supports the argument that structural factors such as centralised organisation, poor resource provision, corruption and the lack of public confidence make community policing problematic in countries like Ukraine. The thesis explores how a specific context of governance of policing, constituted by a combination of corruption, coercion, clientelism and weak law, makes broader police discretion and police-public cooperation problematic.

The thesis demonstrates the importance of acknowledging the ways in which the informal mechanisms of power and opportunities for accumulating wealth contribute to the persistence of existing policing institutions in Ukraine. In particular, small scale corruption is not simply the use of positions for personal gain but provides enrichment opportunities for police officials via 'extortion pyramids' and plays a role of an instrument of control 'from above'. This argument challenges the assumption that broader police discretion in Ukraine will lead to a better service of public needs, and that more frequent contacts with the police will increase public confidence and trust. Broader discretion provides additional opportunities for extortion, because discretion means when subordinates comply with the superiors' informal requests they can act with respect to the public with little external or internal restraint. Co-existence of command, coercion, clientelism, practices of informal exchange, weak law and opportunities for abuses of power creates a context in which innovations in policing are easily subverted, appropriated and manipulated by private interests. In addition, partnerships are difficult to establish and sustain when the employment situation of key office holders is uncertain and policy horizon is short.

The thesis also questions the conception of the 'public' as a cohesive homogenous group capable of and willing to engage in crime prevention, and the view of crime prevention as a consensual co-production of safety and order. The thesis demonstrates how multiple and conflicting 'publics' and demands on policing in K meant that certain publics were more

likely targets rather than beneficiaries of policing and others remained invisible as a 'public'. In this, the thesis supports the existing criticism that community policing tends to ignore conflict and diversity in communities (Crawford 1997) and suggests that it experiences similar difficulties in the former Soviet societies.

The thesis demonstrates the importance of certain historical, economic, social and political factors in Ukraine explaining why people may not consider crime prevention a priority, be unwilling or unable to act as 'volunteers' or be in touch with the police. These include the impoverishment of the majority of the population, disappointment with post-communism and political alienation, Soviet memories and 'vicarious knowledge' about the police associated with the existing regime and presenting a deeply compromised institution, defying the notion of 'consensual policing' in Ukraine.

The thesis also challenges the notion of 'community', exploring why people in a society like Ukraine may not see themselves, or be able to identify themselves with a 'community'. It is argued that 'collective' rather than 'community' is still present in local vocabularies and discourses about crime and control (this was captured by some of the K project materials). Thus further research is needed into how such 'residual' identifications with the Soviet and 'collective' might impact on and further complicate the attempts to reform policing in Ukraine.

The thesis shows how the assumption that a transfer of community policing implies a commitment to human rights and democracy is problematic. Drawing upon the empirical material from the K project, the thesis provides illustrations of dividing, excluding and punitive potential of risk-oriented and customer-oriented policing in post-Soviet states where security and crime have come to dominate political agendas and policing becomes

increasingly multilateral and 'hybrid' (Favarel-Garrigues and Le-Huerou 2004). Whether these changes in policing and security expose 'global' trends requires further research.

The contribution the thesis makes to discourses on international policy transfer

The critical re-examining of an experiment in policy transfer provided an opportunity to demonstrate the criticality of the questions about 'why transfer', 'who is involved' and 'what is transferred'.

Why was the Ukrainian state importing criminological expertise? One answer was the pressures of integration with Europe, which demanded it to demonstrate, at least rhetorically, adherence to European principles and standards. A second possible answer, drawing upon the explanation suggested by Edwards and Hughes (2005) was the weakness of domestic criminological expertise and the recognition of the failures of the government to govern its subjects (Foglesong and Solomon, op cit). One indication of this was its failure to manage the performance of the police. Although the initiative in community policing started as an academic entrepreneurship, it was the 'community policing' agenda of the funding body and the Ukrainian government's prioritisation of 'crime prevention' that had major influence upon the language of the project, the programme of research, and the range of activities implemented in K.

The thesis challenges the assumption that export of community policing is an unproblematic transfer of expertise and 'best practice'. It highlights the problematic nature of the relations between funders, academic entrepreneurs, the local police, academics and the non-governmental sector, and the importance of the recipients' agency, perspectives and potential impact. It is suggested that the donor's priorities and the structure of donor-recipient relationship limits opportunities for local practitioners, academics and non-

governmental sector to engage in a debate about police reform. This inequality is in some sense predetermined by the weakness of local criminological knowledge, the lack of accessible and reliable data and a dependency of civil society on foreign funding. The thesis thus highlights how policy transfer might represent unequal relations of power rather than being a straightforward transfer of knowledge and expertise. It is suggested however that despite such limitations international police experts and academics have a potential to have a beneficial impact locally in terms of knowledge transfer, offering alternative ways of thinking and inspiration, and in this sense they have the capacity to stimulate debate about what policing might mean in a specific place.

The thesis also supports the argument that meanings change when they cross borders (Lendvai and Stubbs, 2007; Newburn and Sparks 2004; Karstedt 2004; Jones and Newburn, 2006). The research has revealed the difficulties the concept of community encounters when it meets with Soviet realities and legacies, and the local struggles of making sense of imported ideas of community policing. This suggests that processes of transfer and travel of policies can be examined as 'struggles of translation'.

The contribution the thesis makes to critical understandings of building and maintaining civil society in post-Soviet satellites

The thesis draws attention to the importance of sustaining civil society as an independent space of free debate and contestation rather than being merely a 'depoliticised technical tool' (Pishchikova, 2004) in assistance programmes and initiatives. It demonstrates how non-governmental actors tend to be offered and take on a role in international initiatives that is little more than an implementation of ideas developed by donors. In K, the NGOs were seen as facilitators of closer links and conduits between the police and the public. This thesis suggests that there are other ways in which NGOs in post-Soviet states engage

with social order issues. It is argued that the importance of the nongovernmental sector lies in its emancipatory role as a voice drawing attention to pressing problems of inequality and injustice, raising 'rights awareness' among various 'publics', promoting non-violence and democratic and liberal values within law enforcement agencies, and being an agency that can develop and introduce new ideas and sensibilities with regards to policing. It is also argued that there is a need for reviewing existing conceptualisations of 'bonding' capital to recognise the multiple meanings and significance of informal networks of support and their potential to contribute to building and maintaining civil society in post-Soviet states.

The contribution the thesis makes to critical understandings of 'rights consciousnesses' in post-Soviet satellites

The thesis highlights the influences and significance of 'human rights' discourses in post-Soviet satellites. It is argued that the K project has illuminated the presence of these sensibilities (and in a way stimulated the debate albeit indirectly). On the other hand, the thesis argues that the K project has stimulated a revival of Soviet forms of control and 'evoked' Soviet memories. The thesis suggests that 'collective' is an aspect of post-Soviet identity. The 'collectivist' legacy of mutual surveillance, censure and naming and shaming is combined with a continued reliance of the police on confessions and coercion. In this context, community policing has a potential to evolve as an authoritarian, moralistic, coercive and exclusive form of control. The thesis points out that state-centred Soviet stereotypes with regards to crime and criminals are still widespread and human rights discourses remain often separated from everyday reality where there is little recognition or a sense of what might constitute 'misuse' or 'abuse' of power. This highlights the importance of developing 'rights consciousnesses' as a precondition for developing any notions of impartiality and fairness in the provision of policing.

Further, the thesis challenges the assumption that all forms of public engagement in crime prevention and order maintenance are unambiguous 'public good'. It supports the earlier observation that in practice mobilisation is often given a higher priority than consultation and problem solving (Bayley 1994) – in K, it was relatively easy to engage the public in patrols and 'target hardening' activities and more difficult to engage them in consultation. It is suggested that 'citizen mobilisations' in post-Soviet satellites may lead to exclusion and discrimination against certain groups and might defend non-democratic values, while the development of 'gated' communities is often associated with spatial segregation and marginalisation of disadvantaged groups and public spaces. The thesis also argues that public tolerance of low level offences and disorders in post-Soviet states largely stems from a recognition of survival needs but also signals the need to re-think what policing might mean and what it can offer to deprived populations in 'failed' societies.

The contribution the thesis makes to furthering a critical understanding of evaluation research

The problematic nature of scientific rationalism as politics of research is recognised by critical criminologists (Armstrong and McAra 2006). The thesis contributes to this debate by asking how evaluation of police research initiatives in the former Soviet states might affect findings and policy recommendations. Why evaluation and whether it is done is important?

The thesis explores the influences of scientific rationalism and evidence-based thinking in the K project, discusses critically the role of evaluation and evidence in K and offers a critique of shortcomings of quantitative approach to evaluation. It is argued that this approach limits the possibilities of understanding the 'local context', because clearly quantitative methods are not sensitive enough to explore what crime and policing mean in

a particular place, and are not capable of identifying structures and powers affecting policing and its relation to various 'publics'. This approach to evaluation also serves to foreclose the debate about the ways police reform could take in a local area and more broadly, and restricts the inclusion of voices of local participants in the process of research and in decision-making about implementation. This illustrates how a commitment to scientific rationalism and a narrow conceptualisation of 'evidence' in evaluation research has political implications. From a perspective of participatory, emancipatory and collaborative action research a close engagement of research with local participants and 'publics' is a necessary aspect of the processes of research and evaluation. It also follows from the idea of promoting democratic and human rights sensitive policing. The thesis argues that trying to adhere to this principle might be particularly challenging where recipients are countries with different history, culture, legal traditions and systems of policing and where engaging and making sense of what the new model is about is likely to meet linguistic and cultural barriers. From the point of view of a realist approach to evaluation, when little is known from previous research about crime and policing in the subject population, it is unlikely that the researchers will be able to identify 'context-mechanism-outcome' patterns using mainly quantitative methods. It is therefore important, from this perspective, that a qualitative enquiry aimed at developing and refining theory about the local context precedes experimental design.

Limitations of this research

Finally, it is important to note briefly the limitations of the current research. The scarcity of literature about policing in Ukraine represented a major difficulty, as well as the scarcity of information about the operation of the police and criminal justice system. It would be

helpful to have access not only to adopted laws, but also to current developed proposals for reform and draft laws, which are difficult to access.

The research is based to a large extent on findings from one local action research project, and therefore strictly speaking such findings are not generalisable to the whole of Ukraine, which is, as noted earlier, a very diverse and divided society. However, reliance on a range of literature in this subject area, including political science perspectives on Ukraine and broader analyses referring to post-communist societies, helped to some extent to overcome such limitations.

It is also important to note that it is possible that more recently (2008-2009) some policing policy changes have occurred in Ukraine that the researcher is not aware of, or there may have been changes in the practice of policing, of which little is known at present but which might become more evident in the future. In that sense, the research provides a snapshot of a specific historical period of police reform in Ukraine. The analysis of the K project refers to the period between early 2000 and March of 2003. Some broader analysis of the context of policing in post-Soviet Ukraine refers to the period between 1991 and 2008. The analysis and arguments in this thesis do not extend beyond these specific periods.

Suggestions for further research

Further research could provide greater insights into the dynamics of Ukrainian policing by examining the issues of transformation of police-public relations in relation to broader issues of criminal justice reform, rather than seeing it as a separate process.

From another perspective, further research could explore the differences and divergences between policing systems of post-Soviet states such as Ukraine and Russia that, although

they have common legacies, no longer represent a coherent group of societies. From what is currently known it is reasonable to expect that post-Soviet processes of police and criminal justice reform in these societies have been quite different. Furthermore, the concept of 'governance' might provide a lens through which to examine police powers and crime control in Ukraine and other post-Soviet societies in comparison to trends in crime control in advanced liberal democracies.

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Appendix 1

Interview schedule

General questions about the project

How well do you remember the events of the project and what do you think about it now?

Was your opinion different back in 2003? Why/how? The most memorable moments. Was the project useful? How well organised it was?

Planning and implementation (questions to organisers/coordinators)

The choice of partners and participants (including experimental divisions and NGOs) – who was chosen and why, how decisions were made. Decisions about the schemes. The role of the University. Whose help/support was of most (critical) importance. Main problems/obstacles. Processes of monitoring of the schemes.

Participation in the project (questions to all participants)

Reasons for/circumstances of involvement in the project. Role within the project.

Recollections of events/participation in the schemes. How decisions were made/by whom.

Teamwork and relationships between participants: Recollections about the relationships with other participants. The impact of the relationships on the respondent's participation. Any lasting relationships that developed over the course of the project.

Reliance on personal contacts/connections when working in the project.

International aspect: General thoughts about Western donor assistance to police reform. What role do you think donor assistance played in this project? Thoughts about the visits and the role of the UK-based team.

About specific schemes: Respondent's recollections about beat meetings; school liaison; Neighbourhood Watch and burglary reduction; foot patrols; the Crimestoppers; crime prevention literature. Thoughts on similarities/differences between the schemes and Soviet forms of public involvement in policing. What was the most/least successful? Why? If you were to do it again what would you have done differently?

Expectations in 2003 and events since the end of the project

What were the respondent's expectations (at the time of the final conference in March 2003) about the future of the project? Were any expectations met? Any schemes/initiatives that continued after the final conference. Any lasting impact of police training and of reorganisation of the police divisions. Any further expressions of interest/requests (tel calls/other contacts) from participants/local residents/other groups?

Dissemination and the policy of the Ministry of Interior

The Ministry's decision to disseminate the results of the project – has anything been done? Have the results been disseminated in any way/form at all? Any interest in the project in other areas/regions of Ukraine?

Feasibility

Were such changes possible at all at the time? Is today any different? What could be done to improve the police-public relations?