

# Permitted – Prohibited

A study of state violence in Russia and the public's perception of it

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# Abbreviations

GAI	Main Directorate for Traffic Safety of the Ministry of Internal Affairs of the Russian Federation
MEB	Medical Evaluation Board
FOUO	For Official Use Only
ECHR	European Court of Human Rights
IVS	Temporary detention facility
MVD	Ministry of Internal Affairs of the Russian Federation
MRI	Magnetic resonance imaging technology
OMON	Special Task Force Unit of the National Guard of the Russian Federation
UN	United Nations
PMC	Public supervisory commissions for monitoring human rights in detention facilities
Rosgvardiya	Federal Service of the Troops of the National Guard of the Russian Federation
UKON	Directorate for Drug Control of the Russian Federation
CID	Criminal Investigation Department
CC	Criminal Code of the Russian Federation
CCrP	Code of Criminal Procedure of the Russian Federation
FSB	Federal Security Service of the Russian Federation
FSIN	Federal Penitentiary Service of the Russian Federation

# Introduction

## About State Violence

We may say that ideas of tolerance regarding violence in society are gradually changing. Step by step, encroachments on a person relating to torture or other forms of cruel, inhuman or degrading treatment or punishment is perceived as absolutely unacceptable. Thus in many countries, we may observe a significant decrease in the number of murders over the past 30 years.<sup>1</sup> This trend towards humanization is also true for state violence (that is, violence carried out by law enforcement officers or violence related to the detention conditions). The authorities of a number of countries have long abandoned public executions in city squares and transferred the execution of punishment to special facilities. The state fight against crime shifted the emphasis from the need to inspire horror of cruel corporal punishment to the idea of the inevitability of responsibility.<sup>2</sup> Therefore by the end of the twentieth century, advanced thinkers believed that state violence – at least corporal punishment – should have disappeared.

Nevertheless, the data proves that today states continue to use torture. For instance, according to Amnesty International data, this problem exists in most states, UN members, who have signed the Convention against Torture. Torture is not a vestige of the Middle Ages, it still exists. It appeared that modern developed states employ torture not by chance, but systematically, and each country develops its own tools.<sup>3</sup>

Today, a new round of public discussion about the limits of what is permissible in the use of force by the state can be observed in many societies. The use of force against "pariahs" – rioters, enemies, terrorists, that is, "others" who are distant from us – causes ambiguous reactions and active discussions. Thus, in the United States, the topic of torture was actualized in connection with the 9/11 attacks and the measures<sup>4</sup> that followed, and before that, discussions arose, for example, at the end of colonial regimes in the mid-twentieth century.<sup>5</sup>

In Russia, the discussion with regard to the problems of state violence and torture is also gaining momentum in the public field. For example, the public conversation was inspired by the publication in 2021 of photo and video materials related to torture in the Federal Penitentiary Service facilities. According to a Levada Center survey, 25% of respondents got into conflicts with police officers, 10% faced torture. We also observe growing interest in the topic of the police and the Federal Penitentiary Service.<sup>6</sup>

To some extent, the Russian authorities are responding to this interest. Thus, prosecutors acknowledge many of the revealed cases of torture as real and point to their mass character. In addition, in 2022, a bill was adopted to toughen penalties for torture committed by government officials (although experts criticize this bill). However, it is unlikely that the problem is being solved, at least at the system level. For example, the voices of people who had suffered from state violence and those who are ready to discuss this topic are rarely heard. Access to many media covering the situation in the police and the Federal Penitentiary Service is difficult.<sup>7</sup> Those who have served the sentence, who have suffered from violence and torture, are often

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<sup>1</sup> Global Burden of Disease Collaborative Network. Global Burden of Disease Study 2019 (GBD 2019) Results. Seattle, United States: Institute for Health Metrics and Evaluation (IHME), 2021.

<sup>2</sup> M. Foucault, 'Discipline and Punish: The Birth of the Prison', Ad Marginem, 2013.

<sup>3</sup> D. Rejali, 'Torture and Democracy', Princeton: Princeton University Press, 2009.

<sup>4</sup> L. Hajjar, 'Torture: A Sociology of Violence and Human Rights', Routledge, 2013.

<sup>5</sup> B. Crozier, 'Torture: Cancer of Democracy. France and Algeria 1954–62', (1963) *International Affairs* (39) 4, p. 598. <https://doi.org/10.2307/2609237>; R. Blakeley and S. Raphael, 'Accountability, denial and the future-proofing of British torture.', (2020) *International Affairs* (96) 3, pp. 691–709. <https://doi.org/10.1093/ia/iiaa017>.

<sup>6</sup> For example, according to Google trends, the number of "police" web queries has been steadily growing since 2007 (compared to neutral topics).

<sup>7</sup> For instance, such media resources as "Mediazona", "OVD-Info", "Memorial", etc.

regarded with suspicion: "there is no smoke without fire". Accordingly, for external observers, their experience is considered as completely inadequate source: it carries the stigma of distrust. As a result, the discussion about torture in Russia is fragmented, and therefore less efficient as a tool to fight it.

It may seem that violence and torture in the police and in the Federal Penitentiary Service is a problem of "law-breakers", as well as of specialists who are directly involved in protecting victims from power abuse. However, it is well known that situations involving any form of violence leave a serious trace not only on a victim, but also on his loved ones. When we talk about state violence, then the circle of those who directly or indirectly suffer from torture expands to all citizens.<sup>8</sup>

## Perceptions of violence in Russia

Studies show a somewhat increased willingness of citizens of the Russian Federation to justify violence, in comparison with residents of other countries (including, for example, former Soviet Union republics), especially in cases where violence is carried out by people with power (state power over the population, husband over wife, parents over children, etc.).<sup>9</sup> Why do we allow more? Judith Pallot, a researcher of punishments and the penitentiary system of Russia and the USSR, considers<sup>10</sup> collective beliefs, perceptions and notions rooted deeply in the history and culture of the country, as one of the reasons for a low sensitivity to violence of citizens of the Russian Federation. For instance, these might be the ideas of an external enemy, a cult of force, and, in general, a negative attitude towards prisoners. Politicians and the mass media often appeal to such convictions, somehow supporting their popularity.<sup>11</sup>

The popularity of such ideas implies that in Russia, violence by government officials towards citizens is perceived as a norm to some extent. The normativity of state violence makes it resistant to most of the tools that civil society has: public discussion does not lead to changes, and a relatively small number of people follow activity of public supervisory organisations and private initiatives ("Russia behind bars", "Crew Against Torture", etc.).

Conversely, the opposite is also true. A regular application of collective beliefs in practice might be the reason for these ideas to be so influential. Based on the findings of this study, the authors conclude that routine violence by the state against its citizens causes mass fear of the state. If fear and violence disappear, then these seemingly unshakable convictions may change. At the beginning of the XX century, Émile Durkheim<sup>12</sup> formulated the following principle: people's beliefs and ideas serve as the basis for actions in everyday life, but if everyday life changes, then beliefs and sacred ideas also change. If we interpret this idea with regard to torture, it turns out that when violence ceases to be part of the daily routine of the law enforcement system,

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<sup>8</sup> I. Maček, (ed.), 'Engaging Violence: Trauma, memory and representation' (1st ed.), London: Routledge, 2014, 214 p. <https://doi.org/10.4324/9780203490778>.

<sup>9</sup> The World Values Survey Data analysis tool, Variable "*Justifiable: political violence*". <https://www.worldvaluessurvey.org/WVSONline.jsp>.

<sup>10</sup> J. Pallot, 'The Gulag as the Crucible of Russia's 21st-Century System of Punishment', *Rethinking the Gulag: Identities, Sources, Legacies*, in M. David-Fox, ed., St. Petersburg: Academic Studies Press, 2020.

<sup>11</sup> An anecdote told by the Russian President Vladimir Putin may support this belief: "There is a modern joke. The son comes to a former officer and the officer is asking: "There was a cutlass here, where is it now?" The son answers: "Don't scold me, I exchanged it to the watch of the boy from the neighborhood". "Show me the watch. True, it's good. And if criminals come to us tomorrow, they will kill me, your mother, your brothers, and rape your sister. What would you say? Good evening, Moscow time 12 hours 30 minutes?" <https://lenta.ru/news/2017/12/14/anekdot>.

<sup>12</sup> A sociologist who played a central role in the birth of sociology as a scientific discipline, the author of such works as "The Rules of Sociological Method" (1895), "Suicide" (1897) and "The Elementary Forms of Religious Life" (1912).

which is an important element of the state and the political regime, then the big ideas behind this violence may turn into nothing but dust.

Thus, in order to fight torture efficiently, it is important to find out what exactly makes torture a part of everyday life, and to look for tools to resist such routine.

## **What we did it and why**

In order to identify the mechanisms of routine state violence and ways to combat it, we tried to understand how people do perceive an act of violence. To do this, we reconstructed the content of the practices of acceptable and unacceptable attitudes in the perception of the protagonists, we determined the basis of this perception as well as the logic and methods of considerations about torture, violence and ill-treatment. In this sense, we were particularly interested in the systems of arguments appealing to morality that people use when they talk about acceptable and unacceptable ways of treating detainees and prisoners. Are they universal, or do they depend on the social characteristics of detainees and prisoners, on their views, beliefs and actions?

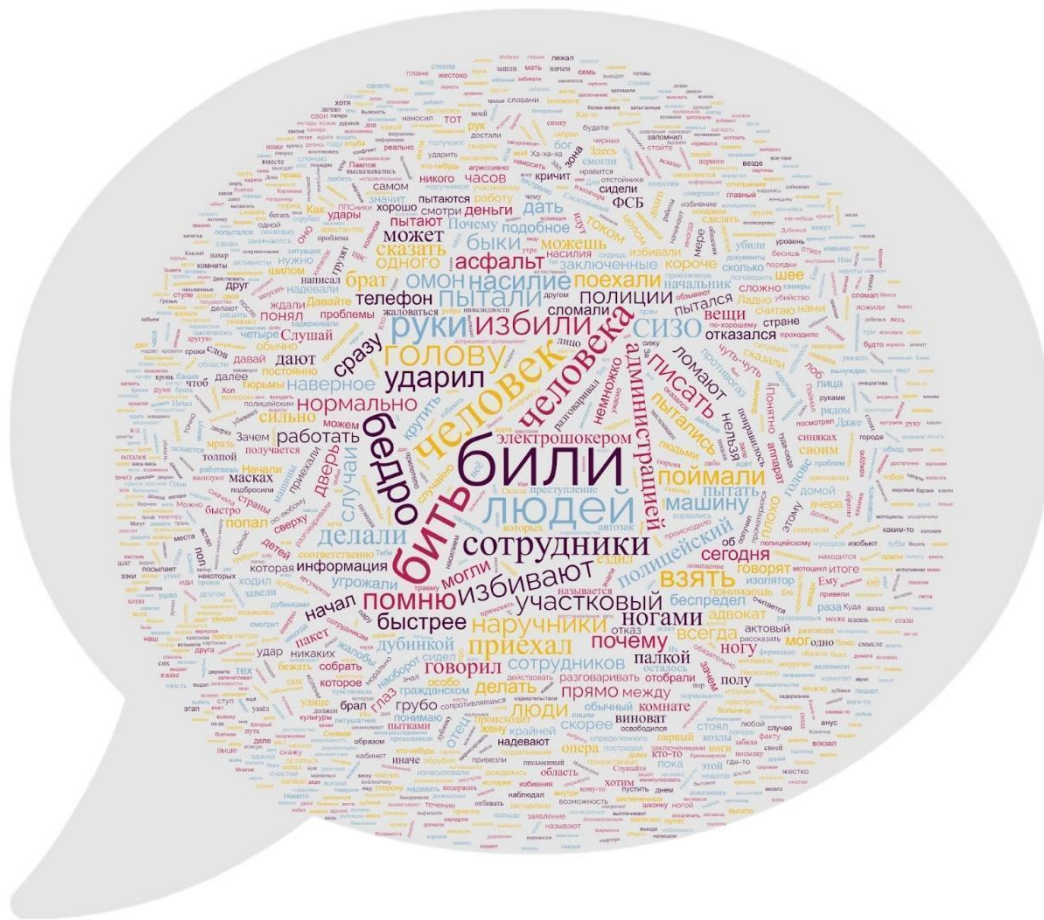
When selecting interviewees, we were guided by their proximity to the situation of state violence. Whom do we observe inside and around such a situation? First, a victim who is dealing with the system, suffering from violence and who may not freely leave the place of detention. Second, a law enforcement officer, an officer of the Ministry of Internal Affairs of the Russian Federation or an officer of the Federal Penitentiary Service of the Russian Federation, who uses psychological influence or physical force. Direct witnesses of the episode are a bit further from the core of violence, as well as a doctor, a lawyer, a human rights defender, members of public monitoring commissions (PMC<sup>13</sup>) (if the victim asked for help). At the same stage in terms of distance from an episode of violence, there are relatives and a "group of support" of the victim, who may not have direct contact with the situation, but who get involved emotionally, spend time and other resources to help the victim, and therefore their lives eventually change. A little further there are people who are somehow informed about the episode of violence, but do not have a direct connection with it. This includes acquaintances, colleagues, homies, those who are more actively involved in the situation, staff working with the case, journalists, researchers. Finally, the "ordinary people" turn out to be as far away from the episode of violence as possible – people who learn from the media (or do not learn at all) about what happened, for whom all that is on "the periphery" of the information space.

In order to analyze the range of ideas existing in society with regard to acceptable or unacceptable treatment, within the framework of this study we define state violence as broadly as possible. This definition may include both as "torture" as defined by the UN, and "mere" measures of discipline.<sup>14</sup> The key moment for us is the contact of a person with the law enforcement system, which in itself can lead to violence and torture. Therefore, by state violence we understand any manifestation of violence – psychological or physical – of law enforcement officers towards citizens, whether it is torture, severe beating or an unnecessarily long waiting in a police station.

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<sup>13</sup> PMC — public supervisory commissions for monitoring human rights in detention facilities. Members of public supervisory commissions visit police stations, prisons, colonies, mental institutions, assess the detention conditions and monitor the respect of the human rights of detainees and prisoners.

<sup>14</sup> M. Foucault, 'Discipline and Punish: The Birth of the Prison', Ad Marginem, 2018.



Words used to describe violence. *Source:* 34 interviews of this study

**Questions we were looking answers for:**

1. What does it feel like to be detained or imprisoned in Russia? What role does surviving torture, violence and ill-treatment plays in this experience?
2. How do the participants of these acts of torture and violence describe them?
3. What role do violence and torture play in the way the law enforcement system and the penitentiary system in Russia is organized?
4. How do assistance agents help victims of torture?
5. Where is a border line between acceptable and unacceptable? How do people justify their opinion when they talk about it, and what are their arguments?
6. What are the implications of surviving torture for a victim and the experience of torture for law enforcement officers?

**How we did it**

In this section we briefly summarise the methodology we used for the research. First, we justify our selection of interviews and focus group discussions as the main data collection tool. Then we explain the logic and principles of data *sampling* and note other important methodological solutions. Further on we describe the process of getting access to the field, as well as the collected data analyzing technique. At the end, the ethics of fieldwork is covered.



## **On understanding sociology as the main method**

In order to answer the question about the gist of perceptions of any acceptable and unacceptable treatment of detainees and prisoners, we used the methods of the sociology of understanding.

Usually, sociology is understood as the process and statistical analysis of surveys. However, in terms of finding answers to our questions, this method would not provide us with any descriptions of how various aspects of violence function, and explanations of the reasons why torture is still used in Russia. First, the first-hand experience of suffering from violence and torture is quite complicated and individual – there is no simple questionnaire to be filled out, which would make it possible to describe such an experience in all its event-related, material and emotional components. Second, any questionnaire survey (e.g. "What do you think about torture?") implies certain answers known to researchers in advance. However, in our case it's not only that we do not know any existing points of view regarding torture, but it's also unclear what different people think of when they hear the word "torture". Finally, most people do not very much think about any torture, hence, if we conducted a survey, many respondents would prefer to answer the question about torture as "I don't know", but it doesn't mean they don't have any opinion on the matter.

An understanding approach to the process of data collection and interpretation – interviews, media texts and discussions on social networks – provides an opportunity to grasp people's own perceptions of what is acceptable and unacceptable, as well as the basis for development of these perceptions. It is important to note that this approach does not include a quantitative measurement of the prevalence of certain ideas in society. Nevertheless, since each person's perceptions of any issue are not in a vacuum, are based on his or her life experience, and depend on the social environment and the information consumed, the sociology of understanding makes it possible to shed light on how these perceptions look like and are interrelated in society as a whole – not through their quantity, but through the depth of the data collected.

The main tool of the sociology of understanding is an in–depth interview,<sup>15</sup> which is a long conversation, in our case, with the direct participants of some torture situations, or those who are somehow linked to any torture cases through the nature of their work (with detainees, prisoners and their close relatives, as well as with officers and other experts in the area). The interview enabled us to understand how the same situations were experienced and perceived by various participants (detainees, prisoners, and law enforcement officers). At the same time, an understanding approach enabled us to analyse the events from the point of view of significance and interpretations which the participants of the situations give thereto. Questions for such an interview are prepared by researchers in advance, but the conversation is held naturally – the talk partners have every chance to forge a bond of trust and human contact, talk more specifically about some more interesting topics, go off the topic, skip some unwanted questions.

Focus groups with the so-called ordinary persons, i.e. the people who have not personally experienced any torture earlier, are the group discussions held between previously unfamiliar people. Based on the focus groups, we collected trivial perceptions, that is, perceptions of persons who are potentially alienated<sup>16</sup> from any violence situations at the police stations and correctional facilities. Through interactions, participants express their ideas and compare them

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<sup>15</sup> M. D. Vagle, 'Crafting Phenomenological Research', Walnut Creek, CA: Left Coast Press, 2014.

<sup>16</sup> For the most part, the focus group participants in fact had no direct experience of facing the state violence, but there were a few exceptions.

with the viewpoints of other participants, which may result in generation of some new ideas.<sup>17</sup> Thus, in the course of group discussion, the data emerges which is of interest to us. Following the logic of engagement of people with different experiences within the framework of a general discussion, we also conducted a focus group discussion with lawyers and human rights defenders who, despite similar fields of specialisation, deal with various aspects of supporting their clients and work in different regions of the Russian Federation.

Most of the law enforcement officers whom we managed to talk with, at the time of the interview no longer worked in the Ministry of Internal Affairs or the Federal Penitentiary Service: some retired, others changed their profession. In order to reduce the influence of this factor on the collected data, as well as to better understand the law enforcement officers' quite closed world of common day, we have studied several Internet forums, social media groups and open chats, which the current and former officers are present and communicate in. We talked to them in the Internet correspondence format and analysed the most vibrant posts and messages on these resources. We studied the online communities of the officers of the Ministry of Internal Affairs and the Federal Penitentiary Service, as well as practices therein, based on the tradition of "digital ethnography", a line of research showing how the techniques used to analyse interviews, and the offline observations can be applied to what is happening in the online environment.<sup>18</sup>

### Who we talked to and how we searched for informants<sup>19</sup>

In total, in the course of research our team conducted 71 interviews and 9 focus group discussions, each of which involved 3 to 5 respondents. The number of interviews and discussions held is shown in the following table.

Group	Number of interviews	Number of focus groups
Victims of violence (who have applied to human rights defenders), people having experience of detention and imprisonment, and their close relatives	33	–
Officers of the Ministry of Internal Affairs, Federal Penitentiary Service	16	–
Experts	22	1 (4 participants)
Ordinary persons	–	8 (3-5 participants in each)

In the end, we managed to talk to 33 persons, who dealt with the law enforcement system, and their relatives, 16 officers of the Ministry of Internal Affairs and the Federal Penitentiary Service, 26 experts and 34 ordinary persons. The respondents live in 25 regions of Russia, one of the focus group participants lives abroad.

The search for respondents affected by violence by the law enforcement system was carried out with the assistance of the Crew Against Torture. There are both those who have faced the law

<sup>17</sup> D. L. Morgan, 'Focus groups and social interaction', in J. F. Gubrium and J. A. Holstein, eds., *The SAGE Handbook of Interview Research (2nd ed.)*, Thousand Oaks, CA: SAGE Publications, 2012, pp. 161–176.

<sup>18</sup> A. Caliendo, 'Digital methods for ethnography: Analytical concepts for ethnographers exploring social media environments', (2018) *Journal of Contemporary Ethnography* (47) 5, pp. 551–578.

<sup>19</sup> For more details, see The Data Collection Pattern in the Annex.

enforcement system once (for example, were detained or imprisoned only once), and those who have multiple experiences. Two respondents from the group of experts also have experience of staying in a remand prison (which we touched upon during the interview, among other topics). We talked with the respondents about themselves, about their family, about their experience with the law enforcement system in general, about their experience of suffering from violence and torture committed by law enforcement officers, and about what happened thereafter.

We found the law enforcement and the penitentiary facilities officers through personal connections, due to invitations to participate in the survey which were posted in the special interest online communities, on forums and social networks. Often our talk partners had experience of working in different agencies within the law enforcement system. Interviews with them concerned their professional trajectory, everyday work tasks, attitude to their profession, situations from their working practice, particularly their attitude towards detainees and prisoners, and experience of interacting with them. In addition, during the conversation with the officers, various cases were discussed<sup>20</sup> – cases of different treatment of detainees and/or prisoners, in order to determine their perception of the same situations (described in the same way). The same cases were discussed together with experts and with ordinary persons in the focus groups.

Experts, precisely lawyers, human rights defenders, medical staff, psychologists and even clergymen of the Federal Penitentiary Service parishes were invited through personal social contacts of the research team members, as well as through the human rights organisations and experts' mutual recommendations of their colleagues who could participate in the survey.<sup>21</sup> Interviews with experts were dedicated to their career trajectory and area of expertise, specific character of their work in general and involvement with the victims of torture and violence in Russia. In addition, both the interviews and the group discussion with experts covered the cases mentioned above – specific cases of violence selected by the research team.

Ordinary persons were invited to participate in the group discussions through announcements placement on the specific job seeking websites. All potential participants of the focus group discussions filled out a dedicated questionnaire, and the data therein was used in the process of selecting respondents and formation of groups. Participants were intaken in such a manner as to form the groups diverse in gender, age, place of residence and sector of employment. All participants learned the topic of the discussion prior to the meeting and gave a written confirmation that they were ready to communicate on the topic of interaction between civilian persons and law enforcement officers.

In the course of conversation, participants shared their experience and attitudes towards the law enforcement system, studied the cases and discussed acceptable and unacceptable ways of treating detainees and prisoners, as well as the possibilities of potential reforming of this area. A moderate reimbursement was paid for participation in the discussion.

Interviews and group discussions were held through May to July 2022. In order to conduct the interviews, the researchers used phones, *Zoom*, *WhatsApp* and *Telegram* applications. 69 out of 71 interviews and all the focus groups were audio recorded and then transcribed. The resulting transcripts were encoded<sup>22</sup> and analysed, and the development of codes and interpretations were carried out collectively and by way of several iterations.<sup>23</sup>

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<sup>20</sup> For a description of the cases and how they were compiled, see the Annex, Research Tools.

<sup>21</sup> This method of recruiting, when some study participants are asked for assistance in finding new partakers, is called the "snowball" method. This method is especially efficient in terms of seeking informants in some small, closed communities.

<sup>22</sup> Encoding is a procedure of analysing the conceptual parts of unstructured data of interviews, for the purpose of subsequent grouping by meaning, comparison, generalisation and interpretation of what has been said.

<sup>23</sup> For more information on the data collection and analysis methodology, see the Annex.

## Digital ethnography

Within the framework of the Internet-ethnography and media analysis, we studied all the mass media materials, found through the *Google* and Yandex search services, covering the case of torture at the Brateevo police station, as well as the records of the four online communities ("Overheard from the Federal Penitentiary Service of Russia", "Forum of the MVD Officers", reviews on the "Yandex Maps", the "Yaplakal" forum on the police-related topics) as of July 2022. Besides, the researchers actively interacted with the members of online communities through personal messages, posting in chat rooms, communications in forums, etc. The most informative (from the research point of view) messages and publications were subjected to the same encoding and analysis procedure as the interview data.

## Ethics

We assign high priority to the sociological ethics of behavior, and namely the principles important for the qualitative studies: no harm done, respect for informants and their privacy, accuracy and impartiality.<sup>24</sup> All those people, whom we were able to talk with, gave their oral informed consent statement to participate in the survey and to present its results in anonymised form, and also had the opportunity to withdraw their consent at any stage of our joint work, up to the publication of the results thereof.

In order to observe the confidence principle, we used pseudonyms instead of the real names of the respondents,<sup>25</sup> and the collected data was anonymised in such a way as to make it impossible to ascertain any identity of the participants. Prior to the interviews commencement, all participants were notified that they could refuse to answer any questions uncomfortable for them, and to interrupt or end the interview at any time.

The research team members paid much attention to the issues of reflectivity, impartiality and accuracy in the collection, interpretation and presentation of the material. Although the survey was carried out with the support of the Crew Against Torture, the Organization had no influence either on the course of the research, or the results obtained in terms of content, even if the human rights defenders of the Committee Against Torture would not always agree with the laid out conclusions. In other words, when conducting the entire survey, we had a total freedom of research.

## How to read this text

Here is the text of survey conducted in the summer of 2022. It contains several dozens of pages. Here is a brief presentation of the main parts.

In the Introduction, we talked about what we mean by the state violence, we also regard the global and Russian context which it occurs in. Whereas here we talked about the research methods that we used, the data based on which we came to conclusions, and how exactly we analysed it.

The main part, "Results", is divided into five chapters. All chapters contain analysis, quotes from the interviews conducted, and materials obtained during the online observations. The text also reflects a "through plot", the story of Platon,<sup>26</sup> one of our talk partners who has some experience

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<sup>24</sup> A. Traianou, 'The Centrality of Ethics in Qualitative Research', in P. Leavy, ed., *The Oxford Handbook of Qualitative Research*, Oxford: Oxford university press, 2014, pp. 62–81.

<sup>25</sup> Except the cases when a respondent expressed an individual wish to keep his name unchanged.

<sup>26</sup> Hereinafter we use pseudonyms instead of any real names of our talk partners.

of suffering from torture. Snatches of his story, specified in the insets, display various aspects addressed in a given chapter.

The first chapter, titled "An individual in the law enforcement system: a way through", dwells on the circumstances which usually entail any situation when violence and torture are committed to a person, and how he copes with them.

In this chapter we describe at what stages of contact with the law enforcement system and on what occasions violence and torture are committed, and what can happen to a person at these moments. Here we also provide analysis of some personal characteristics which raise the risk for a person to suffer from violence to be committed by the law enforcement system. Such characteristics (we call them vulnerabilities) include age, nationality, previous experience with the police and much more. We also underline some special real world situations ("invisible problems") which make any interaction with the law enforcement system especially complicated.

The second chapter, titled """Neighbours" in a total institution", dwells on how law enforcement officers and those who happened to be under their control get along in the same environment. Here we draw on the concept of a total institution, i.e. an organisation which is fenced off to any interaction with the outside world, having an exact distribution of roles and regulations. We show how this general framework, differentiating between the roles of guards (law enforcement officers) and persons under surveillance (detainees), shapes interaction between the insiders, and what it entails in real practice. Total institution and its harsh environment become common for law enforcement officers and detainees, leaving mark, often forever, on both. We show that the chances of being involved in functioning of the law enforcement system's total institution in Russia in any role are higher for the persons of relatively low socioeconomic status, therefore the culture of shortage and scarcity, escalating within the walls of such an institution, is not only a source of adversities, but also a potential basis for interactions and mutual understanding. Common environment and similar features place law enforcement officers and incarcerated persons not only in opposition to each other, but also make them detention mates, bringing some overtones into their relationship.

The third chapter, titled "Agency", describes what helps and what hampers any actions of a person confronted with the law enforcement system. For that purpose, we use the concept of agency, which we define as the ability and willingness of a person to actively manage his or her own fate. Within the framework of this research, we believe that the sources of agency and any obstacles to its emergence in a person can be both internal and external. In particular, we examine the way agency changes depending on the financial position and support networks availability, the functioning of calls for aid, confidence in one's innocence, threats, bureaucratic acrimony, consequences of "routing" any person to a more and less favorable environment within the penitentiary system, and other factors.

The fourth chapter, titled "To be Continued", describes the consequences of state violence. We show how the current state of the Russian law enforcement system deepens the existing social disparity. When a person passes through the law enforcement system and even more so gets the experience of state violence, everything that comes into contact with him weakens: his health and financial situation deteriorate, his relatives and defenders suffer. His self-perception and vision of moral guides of all direct and indirect participants of the situation of violence and torture, including observers, are changing. That is where the spiral of involvement into violence is laid down, as the vulnerabilities (described in the first chapter) build up and enhance the chance of recurrence.

The last chapter, titled "Permitted – Prohibited: How people talk about it", describes the range of people's perceptions of violence and torture, their attitude thereto, as well as some arguments about justice or injustice of all that's happening. We identify several systems of arguments which occur in narratives justifying or condemning violence. For example, one of the systems, the "World of Mental Health", ties certain actions committed by law enforcement officers and

detainees with the lack of control and self-control. Another example is the "World of Legalism", which applies to the laws in force in making any judgments on the fairness of violence. By pointing out the difference between these worlds, we show that the zone of perfect harmony today is a domestic world, appealing to the need to ensure safety of civilian persons. In conclusion, we record a request for the real application of arguments from the field of ethics, interpersonal communication on equal footing in a situation of violence, and making any judgments thereon.

See the Annex for the "technical" part, including the program, interview guides and other details of the research component of the project.

## Results

*'It was Police Day. In the morning, at around 7 a.m., I took my wife to the hospital, then I drove my son to school. After that I went home and had some coffee. At around 9 a.m. or 9.30. a.m. I went out, and they got me, right in the courtyard.*

*I cried for help. I asked them who they were. "Why are you arresting me?" They were all in civilian clothes, they didn't show me any ID. They said that somebody wanted to talk to me. And then I saw handcuffs. I'm not shy, you know. I said, "Somebody wants to talk? Bring them here then, and we'll talk." I was innocent, I knew it. I knew they had nothing on me. They tried to handcuff me. I started fighting back. Then I saw more of them coming, three or four.*

*They put a bag on my head and handcuffed me. And so I was taken away. They just shoved me inside their car and drove me away. They were driving me around the city for 40 minutes. I didn't understand what was happening. "Where are we going?" "What are they doing?" "Where are they taking me?" I was frightened.*

*30 minutes later I started wondering, "Are we going away from the city? What's going on?" I didn't know what to think. So I just took the bag and tore it from my head. I saw that they were driving me around the city. They brought me to some detached house. They took me to the first floor, then I was thrown on the concrete floor. When they finally removed the bag, I realised that I was at the police station. They brought me to the local precinct.*

*At first I didn't understand anything. They took me inside and put me on my knees. Then they pressed my back with their knees and tied me. I ended up in a stress position. They said nothing and just started beating me up. They kicked me and hit me with a baton. I got blood in my piss for two days after that. They also used a taser on me.*

*There were marks. I had 60 marks on one leg from the taser. That's 30 blows. The same on the other leg. My whole body was just... They hit me they through my jeans. They didn't see the marks, and neither did I. In the hospital, when I took off my pants, I saw them. I was shocked. Marks were everywhere: on my hands, palms, heels, neck, head. Everywhere. I got two broken vertebrae processes, my pelvic bone was damaged, my legs and hands were swollen. It was f\*cking terrible.'*

### **'The room, do you remember anything about it? What kind of room was it?'**

*'It was the precinct officer's room. There were tables. I saw portraits of Putin and [Vladimir] Kolokoltsev. Small cabinets with inventory labels. All that stuff. I memorised the room furnishings. I remember, where was the cabinet, the TV, the phone, everything. There was a safe with two locks. A part of one lock was sticking out for about three centimeters. I remember it. Later, after everything was over, when investigators came, they asked me to go there with them and show them where everything happened. I said, "No need to go there. I can draw that place for you." So I drew the place for them. After that they didn't even take me there.'*

This is a story of 55-year-old Platon. We've allowed ourselves to make small changes for the reader's convenience and we changed his name, but we didn't change his words.

Every torture experience is different. However, we believe that the story of Platon can serve as the voice of other people who managed to survive torture and the alleged malicious prosecution. His interview will be cited further in the text together with our opinion on how his story and the described situations correlate.

## An individual in the law enforcement system: a way through

From our informants' experiences, the use of violence and torture against detainees is almost never accidental. It is a common practice integrated into the working routine of law enforcement officers. The discovered incidents involving violence happened regularly at the concerned police stations. We believe that some locals were aware of such practices.

*"We started working. In 2017 we began receiving applications from one city. Then came applications from another city concerning officers from the district CID. After that we received about 7 or 8 applications from a village. They complained about the same officers. They complained that those officers tortured them."*

Roman, human rights defender

Our respondents often noted that, when police officers tortured them, the officers' actions were clear and well-coordinated. They appeared to have some sort of task allocation, the officers did not hesitate and did not discuss their actions. Judging by such honed teamwork, we can conclude that the officers were not doing this for the first time. Sometimes our respondents witnessed officers teaching each other how to "use torture correctly".

*"One of them came in and said, "You're doing it wrong, you don't use this device like that. Let me show you." You know, when the device eventually stops working, it makes some sort of a "stopping" sound. A ring. After this ringing, the electricity ceases to flow. I waited for that moment, for that ringing sound. That's how they tortured me. "You're doing it wrong", he said. "You need to do it faster. Give that thing to me. I'll do it right." Man..."*

Ildar, has experience of detention

The calm reaction of other police officers, who did not participate in torture, is another "indirect" evidence that such practices are not considered extraordinary. In several cases, physical and emotional violence was inflicted with their silent acquiescence. They did not pay any attention to cries for help of people, who were subjected to beatings, electric shocks and boiling water.

*"He heard me screaming. I screamed and asked to stop beating me, to stop pouring boiling water on me. People were walking by, I asked them to help me. I just saw their legs, I don't actually know who was there. But they didn't care."*

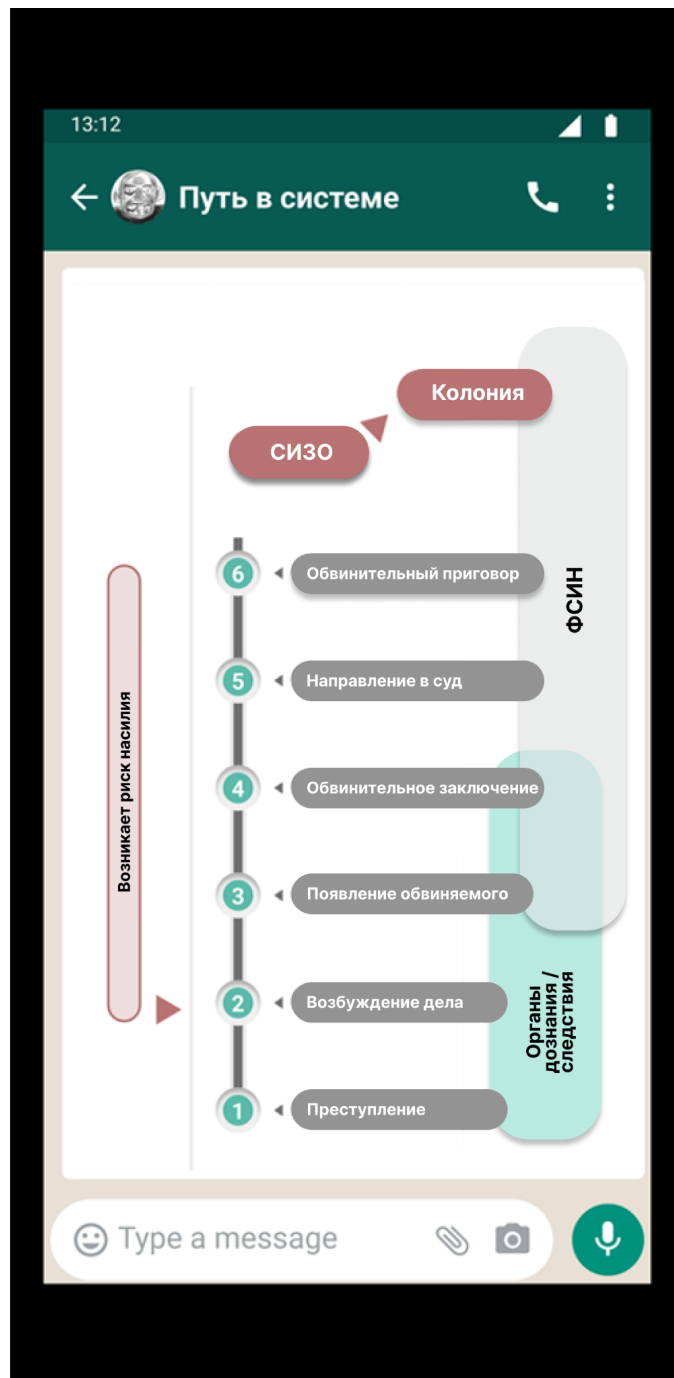
Daniil, has experience of imprisonment

Having regard to the aforementioned, one can assume that violence and torture can become standard work practices at local level or even regional level. However, it doesn't mean that such violations are omnipresent, or that there is a common pattern or rules for them.

In order to understand why torture practices persist within Russian society, first, we need to discuss the circumstances of such practices: who are the victims and the perpetrators, in what manner the latter use torture, whether the use of torture is systematic, etc. In this chapter, we explore the context of torture by analysing various reasons and scenarios of such practices.

Here are the main stages of an individual's path within the law enforcement system.





Path of an individual within the law enforcement system

This path usually begins with law enforcement officers arresting an individual and bringing them to the police station. This is the first time, when the individual faces a potential threat of physical and emotional violence.

At the station, police officers draw up a report concerning the arrest and the violation record. If the violation in question qualifies as an administrative offense, then the detainee is normally released after signing the necessary papers. On occasion, he or she can be held in detention until trial. In case of potential criminal liability, the authorities consider the question about preventive measures. If the criminal offense is grave, the individual can be placed in a temporary detention facility before a preventive measure is ordered.

Within 48 hours the court usually orders<sup>27</sup> a preventive measure, for example, an undertaking not to leave the place of residence, bail, home detention, prohibition of certain actions or arrest. The latter measure implies the status of a suspect or an accused. The person under arrest is to be transferred to a remand prison within the jurisdiction of the Federal Penitentiary Service.

Regardless of the preventive measure, this point marks the beginning of the key processes of criminal proceedings: carrying out confrontations, collecting testimonies, deciding on charges, etc. During all the proceedings a person has a right to counsel — a right to have access to a lawyer of his or her own choice or an appointed attorney. A lawyer plays an important role in the defendant's life. However, providing assistance is not always enough. The official duties of an attorney include representing the defendant before the investigating authorities and the court, as well as protecting his or her rights (if the defendant, for example, is denied contacts with family, or subjected to unlawful violence, or the detention conditions are inadequate). However, in reality, while the defendant is in custody, his or her communication with a lawyer can be difficult. The attorney's assistance depends on his own motivation and oftentimes remains optional. It is rather common for lawyers to deliberately avoid contact with the detainee's relatives, if the issue does not fall within the legal side of the matter. As far as detention conditions are concerned, the lawyer frequently acts as an "external observer".<sup>28</sup>

If the court finds the accused guilty, he or she acquires the status of a convicted person. The convicted can appeal against the sentence. His or her lawyer participates in the appeal proceedings. If sentenced to imprisonment, the convicted find themselves under the jurisdiction of the Federal Penitentiary Service — either they remain at the remand prison, or they are transferred to a correctional facility. There are several types of correctional colonies depending on the detention conditions: open prisons, colonies of general, strict and special regimes, and juvenile colonies. Within these facilities, contacts with a lawyer and relatives usually end, which leaves the convicted one-to-one with the Federal Penitentiary Service system.

We should also mention people, who decide to report violence by the State agents to the Investigative Committee, the Prosecutor's Office and the Ministry of Internal Affairs. The law enforcement officers have an obligation to respond to all complaints and initiate pre-investigation inquiry. Depending on the results, such inquiries can lead to an opening of a criminal case against the alleged perpetrators. If the case comes to trial, the perpetrators can be charged with abuse of power. For the punishment, the court can ban them from occupying certain posts and/or sentence them to imprisonment for a term of up to 10 years. However, according to our respondents, such cases frequently fail to come to trial. Oftentimes additional inquiries are ordered, and the overall investigation does not make any significant progress. In order to protect a person from threats and pressure during the consideration of a criminal case initiated after his or her complaint, the state can offer the victim to participate in a special protection program.

If the perpetrators end up convicted, the victim can initiate civil proceedings for compensation of pecuniary and non-pecuniary damage. However, in practice, the amount of awarded compensation is small. Previously, victims of torture had an option of applying to the European Court of Human Rights (the ECHR). This mechanism allowed those seeking justice to receive a decent compensation from the respondent State and to get their cases revised at the national level. However, Russia do not implement judgments and decisions by the ECHR that came into force after 15 March 2022.<sup>29</sup>

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<sup>27</sup> K. D. Titaev, 'Pretrial detention in Russian criminal courts: a statistical analysis', (2016) *International Journal of Comparative and Applied Criminal Justice* 41 (3), pp. 145–161.

<sup>28</sup> T. Y. Bocharov and E. N. Moiseeva, 'Being a Lawyer in Russia: Sociological Study of the Legal Profession', St. Petersburg: European University at Saint Petersburg, 2017, 278 p.

<sup>29</sup> A. Ivanova, 'Russia leaves the Council of Europe: what Russians should expect now', *DW: Politics. Russia*, 2022. <https://www.dw.com/ru/vyhod-rf-iz-soveta-evropy-k-chemu-gotovitsja-rossijanam/a-61100779>.

As our research demonstrates, the risk of torture remains present throughout the entire encounter with the law enforcement system. The exact agency does not matter: an individual can be subjected to violence during the arrest, at the police station, when placed in the temporary detention facility, in the remand prison, or in the correctional facility. Sometimes even the process of being transferred to the correctional facility can constitute torture.<sup>30</sup> Our respondents and their loved ones were often threatened when filing a complaint. However, the probability, possible scenarios and methods of violence vary between stages and depend on the characteristics of the individual facing the system. Those variations are described below.

### Do What You Are Told: Reasons Behind Torture

The Story of Platon (excerpt)

*'They spent two or three hours beating me up without any word. After that they just said, "Well, now, tell us how you kidnapped the woman." I was like, "What woman?" "How you stole the phone, how you stole the car." "Wait, you're mistaking me for someone else." "No, we have all the evidence, we have everything."*

*At that moment I still had the bag on my head. Then I recognised our CID head by his voice. I said, "Damir, it's you." He said, "C'mon, tell us already."*

*After two or three hours I just started snapping. "You're a coward", I told him. I swore at him. They were sitting there, drinking vodka, celebrating Police Day. They'd probably drunk everything in the world by that time. And they literally had zero control over themselves.*

*I shouted to the head guy, "Beating the tied one? You're just a coward!" Too afraid to talk face-to-face?" He was like, "I'm not afraid of anything." And he tore the bag off my head. I saw cops crowded all over the place.*

*They started talking again, "You kidnapped a woman." "When? I've heard about this. But it wasn't me." They were like, "You're gonna confess anyway." "I told you, it wasn't me." "We know. But it has to be done." I said, "No." And they started [beating me] again. Until six in the evening, I guess. I lost consciousness several times. I was bleeding. I was battered. But they got nothing from me.*

*They were completely drunk. They told me, "Okay, find us someone who can take the blame." I was like, "Okay. No problem. I'm gonna call someone." And they let me. I called my friend. He came and saw me, the state I was in. He was like, "What happened? What's going on?" I explained everything to him. And I gave him a sign. I told him, "Do as they want." He said, "Okay, no problem, I'll do everything right away." Those cops fell for it.*

*They believed us. They let my friend go. After he went out, he called all my friends, everyone he knew. And they all came, so that the cops couldn't get rid of me. So they couldn't take me out and leave somewhere. My friends were waiting until morning. In the morning, the cops didn't have a choice. My wife already knew. She called the MVD hotline. She contacted everyone. They had to let me go. Guys called an ambulance for me immediately, right from the yard. So I was taken to the hospital.'*

The use of violence can be explained by many different motives, from the desire to obtain something from the victim, for example, testimony or money, to personal enmity. Situations of torture during the arrest, at the police station, and in the places of serving sentences are

<sup>30</sup> J. Pallot, 'Russia's Penal Peripheries: Space, Place, and Penalty in Soviet and Post-Soviet Russia', (2005) *Transactions of the Institute of British Geographers* (30) 1, pp. 98–112; J. Pallot and L. Piacentini, 'Geography, Gender, and Punishment. The Experience of Women in Carceral Russia', Oxford: Oxford University press, 2012.

structurally similar, although there are certain differences. Various cases of violence at different stages of interacting with the law enforcement system are described below.

### Obtaining testimony

According to our respondents, torture was oftentimes used to improve the clearance rate scores (the so-called "quotas").<sup>31</sup> In order to achieve this, the officers were sometimes ready to fabricate charges and frame people, even if they were not related to the case. They used torture to make the victims confess or comply, for example, by signing the necessary documents, testify against other persons, etc. By means of torture the police officers frequently obtain necessary signatures for the reports, take fingerprints, check the contents of mobile phones, etc. Providing the court with the evidence of such actions is very difficult, if not impossible.

Below is the story of Daniil that took place at the police station. The officers tortured him to obtain a confession. When their attempts turned out unsuccessful, they threatened to torture his stepson. As a result, Daniil took the blame for a crime he did not commit.

*"As soon as we got to the right floor, I was immediately punched in the forehead. And it all began. "C'mon, tell us what happened." I told them everything, how it all happened. They were like, "You're lying." And they started beating me. They were hitting my sides, my hands. Then I was brought into someone's office. They told me to lie on the floor, face down, and then they began to hit my head with the door. They were opening the door and hitting my head with it. They punched and kicked my calves and my hips. They even started jumping on my hips. One of them was about a hundred kilograms. Then somebody said, "Bring some boiling water." They started pouring it on the back of my head, on my ankles. I was lifted up after a while. They put me beside the cabinet and started hitting my sides again. One of them said, "You think we brought you here for nothing? We'll take you away and kill you, man." They took me into the corridor once more, threw me on the floor and started jumping on my hips again. People walked on by, nobody cared. As if it's a common thing, beating a man right in the corridor. After that they poured more boiling water on my feet... Then my stepson was summoned. He was brought into another room. They told him, "If he doesn't confess now, you'll be the next one." They told that to the son of the deceased woman. He was like, "I didn't do anything. I don't know anything. Nobody did anything." And he was told that he "would be next". When I found out, I took the blame for something I didn't do so that he wouldn't end up beaten. Only then they stopped. Then we immediately went to the investigator, where I repeated the confession. My stepson was released. He was scared, he was shaking all over. We both were scared."*

Daniil, has experience of imprisonment

Not only the victims agree that obtaining confessions is one of the most common motivations behind torture, but the experts and the law enforcement officers themselves as well.

*"Clearance rate is very important for them [the officers]. Otherwise they wouldn't use torture. If they had done only what the investigator told them, they would not have tortured anybody. The investigator orders them to check the suspects. They report "Well, we talked to them, everyone denies their involvement. Our job is done." With such a formal approach, there is no need to torture. Because in this case the officers are not responsible for the result. However, apparently, they are responsible for the result, and they are motivated by some potentially negative repercussions. Apparently. "Guys, either you solve the case, or..." "*

Igor, human rights defender, has work experience in the Prosecutor's Office

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<sup>31</sup> The "quota system" is an informal name of the Year-Over-Year (YOY) method, widely used by the Ministry of Internal Affairs and other bodies to evaluate the effectiveness of law enforcement agencies. The officers are supposed to strive for a better performance comparing to the previous year. Lower scores will likely result in penalties and punishments. The quota system is widely criticised by human rights defenders and academic community.

*"Some guys abuse their authority, when trying to do their job. You arrest someone and... injure them... accidentally. That's one thing. But sometimes, officers abuse their authority when forcing someone to confess. What's behind this... there is a desire to solve the case quickly, without working too much on it. You know, without running around and looking for the real offender. Why, when you can just get some fool, beat him up and make him confess. What was the wording? "Misinterpretation of the service". I believe, that's what the court calls it in its documents. <...> Nobody walks around saying "Today I beat the confession out." It is not advertised. Because everyone understands that this is illegal."*

Nikolay, former law enforcement officer

*"Is it possible to detect torture in a case? Some particular signs, maybe?"*

*"Yes, for example, if there are confessions in the case, then there is a big chance that torture took place. You can put money on it. That there is a particular reason behind such confessions. In general, confession is a good marker. If the victim belongs to some vulnerable group, then it is very likely that they don't have money for a lawyer and that they don't know how the system works. The risks of such an individual undergoing medical examination and taking further legal action are low, and so are the chances of facing punishment, of which police officers are aware."*

Vasilisa, former member of the PMC

Individuals, that are already under investigation and are held in a remand prison, still can be subjected to torture for the sake of obtaining statements due to their unclear status, as they are neither convicted, nor cleared of charges. Such unclear status contributes to exposing the remand prisoners' vulnerability, who can be tortured for the sake of obtaining testimony or other evidence. As the investigation is ongoing, law enforcement officers can try to "solve the case" by exploiting the remand prisoner's vulnerable state. Torture and violence can become an ordinary practice to make the arrested person talk or cooperate with the investigating authorities.

Sometimes, in order to obtain testimony from detainees in remand prisons, the officers use not only physical torture, but also psychological violence. For instance, they can restrict the victim's communication with relatives and lawyers, use other detainees to put pressure on the victim, make the detention conditions of the victim unbearable, or threaten to injure the victim (for example, by placing the victim in a cell with a person suffering from tuberculosis). According to our respondents, in the remand prisons, torture oftentimes manifests through the detention conditions.

*"They called me for transferring every day for a week. The investigator just ordered them to call me out for the whole week. That is, they woke me up at 6 a.m. Then they sent me to the waiting room. I was there to wait for someone from the investigator to pick me up and escort somewhere. For a confrontation, or for the investigator's summon, I don't know. But in fact they didn't take me anywhere. I spent all the time in the basement, in that waiting room. Sometimes I remained there until 2 p.m., and sometimes until 3 p.m. With nothing to eat. Usually they come and say after a while, "Okay, no transfers today, go back to your cell." And that's it. They send you back to your cell. And that's how it was, every single day. It's psychological pressure, so that you confess all your sins faster."*

Veniamin, has experience of imprisonment

*"You don't have to beat them [the detainees]. But you can make it difficult for them while they're in detention. You can deprive them of something. You can be a little harsh to them while escorting. That is, you can create some physical stress. A detainee is an adult, there should be some respect. Nobody will beat them. It is a slightly different approach. However, our investigating authorities believe that a confession is the most important thing, the "queen of evidence", although the charges should never be based on the confession. But all the investigators, the operatives, everyone — they want to get a confession."*

Stanislav, lawyer, former law enforcement officer

## Extortion

Sometimes the reason behind violence is personal benefit. Some officers can beat and intimidate detainees to extort money from them. This happened to Evgeny and his friend. The officers had beaten them during the arrest and then tried to extort money.

*"If they see that a person is out of their mind, that's it. This person will have big problems, I think. They're lucky, if they just end up in a police station. I'm afraid the actual consequences would be much worse. <...> In my case, I suppose, it was about "making money". But it also could have been quota filling. It's just... If they really had been after the quota, I think, they would have planted something on us."*

Evgeny, has experience of detention

## Revenge

Some police officers use their official position to settle the score. They can carry out arrests, keep people under constant surveillance, call them to the police station and use violence for the purpose of revenge.

In some cases, it can be a situational thing — if a person does something that an officer does not like (according to our informants, a law enforcement officer can be angered when people record video, or make comments and behave in a way, that they find unpleasant). A police officer can respond by taking the person to the police station immediately or by returning a few days later to "teach this person a lesson", which usually means beating and charging the person with administrative or criminal offense.

*"It happened like that. Police officers were riding around the village. Apparently, they were a mess. Our boys were standing near the house. The officers got out of the car and started bickering with them, "Who are you? What are you doing here? Why are you standing here?" The boys replied that they were actually near their house, just talking. The police chief said, "You know who I am? I'm gonna put you in the boot. I'll take you wherever I want and I'll do whatever I want with you." My son gave the phone to a friend and asked him to record everything. After that he was released. And so the incident was over. A week later they came to our home and called my [son] for a conversation. Our boys ended up in the police station. The officers were beating them for 5 hours long."*

Ekaterina, mother of the victim of torture at the police station

If an officer thinks that some behavior undermines his or her position or taints the image of the entire law enforcement system, violence and threats can become regular. A person is at greater risk of experiencing violence and threats after complaining about torture or detention conditions, or getting the human rights defenders involved in the issue. It is worth noting that threats of violence can come not only from the officers who used torture, but from their colleagues and even local criminal bosses as well. One of our respondents recalled a situation when complaints and a hunger strike had led to torture and threats of murder.

*"Why the head of the colony demanded to kill him, as he said?"*

*"You see, that person himself assumed that this was because of the hunger strike and complaints. Apparently, that person was not very easy to deal with, he complained a lot."*

Igor, human rights defender

## Subduing and disciplining

Some officers use violence to subdue people. There are various methods of subdual, they are not limited to mere physical violence. They can exploit personal vulnerabilities and weak spots. One of our respondents, a mother of a young girl who suffered from physical and psychological violence at the police station, shared with us an example of such situation.

*"There are no instructions [how to torture]. It's just as simple as that. "We'll ask you a couple of questions, you'll have to answer them." That's all. Nothing else. The only thing is... the police take psychology lessons, right? They analyse the situation and identify the weak spots. My daughter's weak spot was that boy. She constantly asked about him, "where is he?", "what happened to him?", "is he okay?" They say, "You do this and that. And we will let you see him for five seconds to make sure he's alive and well." Or they say, "You do this, and we will take you to him. So you can see him and help." They do such manipulations."*

Kristina, mother of a detainee

One of our respondents (presumably a young police officer) described her approach to detainees in a similar way. She did not consider herself forced to use such methods and spoke about the ability to choose the type and degree of pressure correctly as a sign of a skilled law enforcement officer.

*"Psychology is also very important for my work. We need to observe human reactions and other things. There are many ways to make a person come clean, so to speak. Well, I know, I'm speaking to you in riddles, but **I think you got what I mean** (parts of text highlighted by the authors – the author's note)."*

Yulia, police officer

At first glance, violence in the penitentiary facilities differs from police violence both in the circumstances and in the methods used by officers. The main task, however, remains the same: to promote unquestioning obedience and cooperation with the system among inmates.

Interaction between detainees and officers is different in a situation of a long-term detention. Violence changes as well, as it acquires more regular and disciplining nature. We conclude, that from single occasion it evolves into a systematic behaviour with a long-term goal (for example, maintaining an established order in the facility). Over the course of time, each inmate learns the unspoken rules and figures out what actions can lead to punishment. By such measures, the penitentiary system seeks to achieve unquestioning obedience among inmates. One of our respondents, a retired prison officer, described the logic behind disciplining.

*"The law is quite mild in this regard. If a prisoner disobeys the officer's orders, I have to do it. I draw up a report on him, after which he ends up deprived of some privileges under the law. <...> The prison staff are serious people. It's certainly not their first time dealing with inmates. Of course, they use various methods to maintain discipline and order. Anything can happen. <...> You know, there are requirements like that — all prisoners must attend events, all prisoners must go to the dining room, etc. It doesn't matter if an inmate doesn't want to eat right now or has an upset stomach. They have no options, they have to go. To eat, or not to eat, that's up to them, it's their right. But they have to be there. If an inmate skips such gatherings, he or she must be disciplined. Okay. It might also be because of swearing, or something else entirely... They are to be disciplined for such actions. One of possible disciplinary measures is putting an inmate in a punishment cell. The punishment cell is not a joke. There are separate cells. The detention conditions are much tougher. The rise, the bunks are worse... And pretty much nobody to talk to. So, they commit those transgressions — they all do — and those transgressions are recorded. After that they go to the punishment cell. They spend 15 days there. Sometimes, this time get extended. After that they leave and do the same thing again. This makes them habitual offenders, you know. That means they won't be granted parole, they won't get transferred to a colony-settlement, they won't get easy work... In other words, no relaxed regime for them."*

Mark, retired officer of the Ministry of Internal Affairs and the Federal Penitentiary Service

Prison violence is very diverse. At the same time, the informal rules of the correctional facility do not always comply with the law. For instance, there is an illegal, but common practice — an unofficial ban on complaining about the detention conditions. According to the law, every inmate

has the right to complain about the officers' illegal actions or inadequate detention conditions. In fact, however, such actions can lead to severe punishment and tormenting, a "life turned into hell". Cooperation with other inmates in order to file a collective complaint can result in an even harsher punishment.

Some methods used by the Federal Penitentiary Service officers are allowed under the law. Such are, for example, placement in a punishment cell, solitary confinement, prohibition of visits or communication with a lawyer. Below is a description of a punishment system by human rights defenders.

*"They use many things, threats, parole offers... Sometimes they tell the inmates that they won't leave the punishment cell. They give options. From threats to benefits. Apparently, the inmates usually refuse. It works like that. "You either cooperate, or rot in here." We will make you cooperate. We can get you in the punishment cell, and we can arrange with criminal bosses, so they'll teach you a lesson." They can use the law and formal reasons, for example, you can receive a day in a punishment cell for not greeting the officers properly. Such punishments are very common. Or another example – they come into your cell while you're absent, or you went to the toilet, or you just got up and is currently on your way to have a shower. According to them, you're breaking the regime. That's it, next five days you spend in a punishment cell. If you come into the room and you don't say hello, you don't respect the administration, and so on. They're provoking. **They torment people.** There's a whole variety of methods to **make inmates' life hell**. Sometimes they offer alternatives. "You can get granted parole, or an additional visit, or a prolonged visit. Or you can go in a punishment cell." They are skilled psychologists themselves. They know how to work with inmates, how to keep them in line."*

Miron, human rights defender

*"There are legal methods of influence, relatively speaking. They can find some violation of the regime and put an inmate in a punishment cell. There the conditions are worse under the law. No visits and no care packages are allowed. You are not permitted to sit or lie in the daytime. You need to stand. They can also deprive inmates of any intellectual activity. It's a favorite method in torture colonies. Inmates have to sit and do nothing all day. They do not sleep, they do not close their eyes, they do not read, just sit. In the FSB remand prison,<sup>32</sup> during the first week people are kept in a cell without any letters or books. Only the radio is on. People start losing their minds. Because it's bad, when your only source of information about the outside is a crazy radio with crazy songs and jokes. Especially after torture and stress."*

Vasilisa, former member of the PMC

The collected data does not allow us to make general conclusions about the exact figures and prevalence of torture and other forms of violence. However, we are convinced that a practice of violence in detention facilities was integrated into a system of generally accepted social rules, which are supposed to be followed by both inmates and officers. In this sense, they are a system. Some of our respondents have experience of interacting with the penitentiary system for years — from their interviews we can conclude that bureaucratic and invisible ill-treatment has become more common than physical violence and undisguised cruelty. Below is a story of Artur, who compares his experience of imprisonment in 2000s with a recent one.

*"I spent two years in the Magnitogorsk prison. I was constantly beaten. My whole body was blue because of the bruises. Every time they beat me to a pulp – and for what? The more you ask, the more you demand something from them (even if you're entitled to demand such things), the more trouble you get. You are their worst enemy then. They*

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<sup>32</sup> The name refers to the Lefortovo remand prison. Suspects and accused of crimes investigated by the Federal Security Service are traditionally held there. The prison remained under the jurisdiction of the FSB until 2006, when it was transferred to the Federal Penitentiary Service.



*start beating you, and that's it. <...> But now [in the 2020s] the ways to put pressure are slightly different. They look for violations of the regime. If you complain, they make your detention conditions unbearable. If the court releases you, they claim that you're a habitual offender. As a result, the court can order a parole supervision for up to nine years. <...> If you stay in prison, they find a way to make you a habitual offender. That means, one care package per year and nothing more. They make your life hard. Beating is still there, of course. But it's not the same as before."*

Artur, has experience of imprisonment



## Vulnerabilities and vulnerable groups

The Story of Platon (excerpt)

***'Was there a way to avoid violence, what do you think? Or is it just how things are, and there's nothing that can be done about it?'***

*'I believe, it's just how things are.'*

**'Please, tell us more about your childhood. What kind of environment did you grow up in?'**

*'I was born in the countryside. Went to the city for studies. After the graduation I got enlisted. I'm married, we have children. I was working as a mechanic for living. And then this thing happened to me.'*

**'Did you have any experience of dealing with law enforcement prior to the incident?'**

*'I didn't have any problems with law enforcement at all. We were on good terms. I believe, we still are. The police chief, well... We've had drinks together often. And then this thing happens.'*

*I was just dumbfounded. After a while I realised, what they wanted. They wanted to get the company I worked for.*

*They were speaking about the woman. I was far away from the city, when she was abducted.*

*I told them that it wasn't me. And they told me, "We know. We don't need you in particular, we need a man in general... Let's do this. You write statements that you've been hired and that you've hired someone else."*

*It was our CEO they were after. The company was pretty big. I worked there for about 10 years. They tried to make it as if I had kidnapped the rival.*

*They probably had an agreement. We already know that no abduction actually took place. If I had signed their papers, they would have arrested the CEO. They planned to charge me with armed robbery, theft, a car theft and kidnapping. Those are serious charges, right? My friends told me in the aftermath, that if I had signed nothing would have helped me. The company would have been destroyed. The police made thorough preparations, but with me they backed the wrong horse, I suppose.'*

**'You were tougher than expected?'**

*'Yes. It seems, I was. Later, we filed a complaint... When you decide to go against the police, you need money, right? Luckily, I had money to hire lawyers. But the others... After we managed to land one of them, the CID officer, in jail, five or six people approached me. One of those guys, who was also beaten and who actually had signed the papers, he said to me, "When I heard about his conviction, I cried."'*

Certain social characteristics, situations and behavior patterns can increase the risk of attracting the attention of the officers, influence the path of a person within the system in a certain way, and raise the chances of more future confrontations with the law enforcement. Furthermore, weak spots leave a person unprotected in face of potential violence by law enforcement after the confrontation. In this regard, vulnerable groups are generally at higher risk, even if factors influencing the decision of a particular officer to arrest and torture an individual are not always clear.

## **Age**

Age is one of the factors that increase the risk of getting arrested. A young person (under 35 years old) is less likely to have a lot of experience of interacting with law enforcement officers. Such person presumably knows little about his or her rights in a situation of the arrest and the subsequent detention, as well as about the protection of those rights. This person therefore

becomes an easy way for an officer to improve performance scores, for example, by charging him or her with some administrative offense. It should be noted that a combination of certain factors (in particular, young age, male gender and presence at the street in the company of other people) makes a person more suspicious in the eyes of police officers, to whom such situation might appear as potentially criminal. Young people are more likely to attract the officers' attention. As a result, they are more exposed to violent arrests and torture aimed at obtaining testimony. In such situations, it does not matter whether law enforcement officers themselves believe in the detainee's guilt.

At the same time, the police are not immune to mistakes. They can make false assumptions and use violence against minors. This is what happened to Evgeny. The police officers beat him during the arrest. However, when they discovered that he was only 17 years old, their attitude changed dramatically. The officers tried to extort money from him and his friend. In the end, they simply released the teenagers.

*"Perhaps, they have a developed routine. They look for people in certain places. At that time, Hydra Market was still operating.<sup>33</sup> For them it was a common routine — riding around parks and observing suspicious activities. I was with a friend. We weren't even close to the place. We just saw the headlights, then they approached us. They didn't introduce themselves, they didn't show us any police ID. They ordered us to turn out our pockets right away. <...> [They] started manhandling us. They twisted my hands. I was stunned. Have I done something illegal? <...> I ended up alone with an officer in plain clothes, we were chatting about random things. My friend stood aside, someone brought money to buy him out. When they found out that I wasn't 18, they immediately brought me tissues and water."*

Evgeny, has experience of detention

### **Race, Ethnicity and Nationality**

Another characteristics that attract greater attention of law enforcement officers and increase the risk of the arrest are race, ethnicity and nationality (for Central Russia, sometimes referred as "non-Slavic"). People that have a different appearance or speak a different language can be perceived as suspicious strangers.

*"I am Asian. I have experience, when law enforcement confronted me because of my appearance. About 8 years ago, they regularly stopped me and checked my ID. So now I constantly carry it with me. I remember one time, when I didn't have it with me, and two officers tried to confront me because of it. Luckily, a friend of mine was passing by. He stood up for me and told them that we were studying together. Gladly, the incident was over then. I don't trust them. Why do they always stop me?"*

Alikhan, participant of the focus group discussion

Moreover, as some human rights defenders note, the rights of the non-dominant ethnic groups are violated more often. In particular, the authorities oftentimes ignore the cases concerning violence against those people.

*"When we only started investigating torture, there was a case — a citizen of Uzbekistan was severely beaten in the Investigative Committee's office. The investigating authorities honestly told us that they would not initiate criminal proceedings, because it was not a murder and because the victim was not Russian."*

Vasilisa, former member of the PMC

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<sup>33</sup> The biggest Russian language dark web marketplace. Shut down in April 2022. Among other things, the marketplace facilitated trafficking of illegal drugs.

## Gender

The exact form of violence can depend on the victim's gender. The absolute majority of our respondents who experienced violence were male. It is possible that cases involving women are less known, as they rarely seek help from human rights defenders. However, one of our experts, Vladimir, believes that high physical violence rates derive from the fact that men are more likely to commit crimes, which implies more interaction with the law enforcement system and higher chances to be physically abused.

*"According to statistics, men are more likely to commit crimes. However, I would say our sampling is not big enough to create a portrait of an average victim. In general, it can be anyone."*

Vladimir, human rights defender

The gender arguments should be made with great caution. Our respondents note that the law enforcement officers use physical violence against women less frequently, instead choosing other methods of coercion.

*"They threatened me that I would be expelled, that I would not find a job, that my whole family would be unemployed. My husband and my children too, although I have none. <...> Apart from me, there were two more suspects, two boys. They were treated quite differently. They were rather aggressive and uncompromising in their talks. Apparently, the officers thought that intimidating them was the easiest way. Their door was broken. Those boys were put on their knees. There were armed OMON officers. In my case it was different, they were trying to negotiate with me. And they were like, "Look, how well our communication is going. Let's talk more." They were always like that."*

Ruslana, has experience of detention

In female and male colonies, torture and inadequate detention conditions also have their differences. According to our expert from the Russian human rights organisation "Women in Prison", detention conditions for women involve many issues: from physical inconveniences (for example, lack of proper conditions for pregnant inmates, or inmates sleeping on the concrete floor, because they could not reach the higher bunks, etc.) to lack of support, which exists in male colonies and which is provided by local criminal structures.

*"[In female prisons] violence also exists. But it all works differently there. Women are easier to subdue. **They don't have a caste system. It's worse.**"*

Miron, human rights defender

## Previous confrontations with law enforcement

A situation when a person has already come to the attention of the law enforcement officers (for example, by having police records, etc.) is another factor that increases the chances of the arrest. For many victims experiencing violence and torture at the police stations such incidents are not their first encounter with the law enforcement system. Sometimes local people are already aware that the officers use violence and torture for obtaining confessions.

The story of Pyotr is a good example of such case. Pyotr was given his first sentence for a group brawl at the age of 16 and spent 8 months in the correctional facility. After that, he was a suspect for every crime that occurred in his neighborhood, a small town with just over 50 thousand residents. Apparently, the officers who tried to charge him with every new crime believed that more serious "solved" cases would allow them to earn more "points" within the internal reward system. In the end, their attempts resulted in "solving a case", for which Pyotr was given an imprisonment sentence.

*"It was a civilian vehicle. It stopped, they knocked me down and shoved into the car. There it all began. They tried to charge me with multiple rapes. You know how they carry out identification parades? The door opens, a girl comes in, looks at me and says, "It's not*

him." I'm like, "What do you mean, "it's not him"?" And the officer tells me that it was an identification parade and that I'm lucky, 'cause it wasn't me. I said, "You have strange ways to get your job done." Then they tried to charge me with robbery, some lumber yard... but some Caucasian did it, so I wasn't suitable for that one. The next time was me stealing earrings from some gypsy in some hallway, if I'm not mistaken. Well, in the end they invented a case for me – I allegedly robbed some store."

Pyotr, has experience of imprisonment

Some people, after being frequently stopped and arrested by police, eventually learn how to recognise a law enforcement officer even when in plain clothes.

*"I've learned to recognise them. So I knew those were the police officers, but I didn't pay any attention to them sitting there. Later I even remembered one of them."*

Pyotr, has experience of imprisonment

The risk of another confrontation with the police, of another experience of violence and torture, and of criminal prosecution changes the way people organise their lives when trying to avoid such situations. When an individual can be stopped on the street or summoned to the police station at any moment, it affects his or her course of life significantly and deprives him or her of a sense of predictability and control over his or her daily routine. At the same time, personal and work obligations themselves can become a vulnerability for the officers to exploit. For instance, some of our respondents could not afford to spend much time at the police station, so they did everything they were asked.

*"I had an interview appointment, so I was in a hurry. He [the police officer] caught me right before I was about to leave. He asked to take my fingerprints, but I wasn't willing. I told him I was in a hurry and asked him to let me go. He said, "Give me your fingerprints, and I'll let you go." So I agreed. And we were off."*

Vasily, has experience of detention

### **Lack of experience of navigating within the system**

One of the common vulnerabilities that can aggravate a person's situation at a police station is poor orientation in the law enforcement system and lack of knowledge about the legal context of the events. In order to achieve their goals, some police officers can deliberately mislead detainees, manipulate them and make promises which they have no intention to fulfill (for example, releasing the person after collecting the statements). Without knowledge about the procedures, recognising deception and manipulation is difficult. People do not always understand how to act while being tortured and after the incident, how to collect and secure evidence, and how to properly substantiate the case and bring the officers to justice.

Most of our respondents who have suffered from police violence confronted the law enforcement system for the first time. They made some decisions in a state of disorientation, which, retrospectively, they would have changed. Below is a story of Ekaterina, her son was summoned to the police station, where the officers beat him.

*"There was a way to avoid this incident. When a police officer comes to your home and invites you for a talk, **just don't go to the police station at all. That's it. This was the way. If police want to talk, they should send an official summons. That's a legal way. In this case we know who, where, when, why and so on. That time nothing was recorded, no documents, nothing."***

Ekaterina, mother of a detainee

Knowing what can happen during the arrest and the detention, how the system functions, what manipulations the officers use and how to act in such situations contributes to the feeling of security at the police station. One of our experts commented on a widely publicised case of torture at the Brateevo police station. He emphasised that the knowledge about how the law



enforcement system functions allowed the victims to secure the evidence of the incident and bring the perpetrators to justice in the future.

*"She's the ideal applicant! The way she acted... <...> "You're pulling my hair." She voiced the invisible things. That is very important. And she is under stress. They're beating her. It takes a lot of guts, you know. And it's very difficult. She clearly prepared before going to the rally, she read guides. "I'll sign a refusal to undergo dactyloscopic registration. You have no right. Article 51. Personal data." Brilliant! 10 out of 10, I would say!"*

Roman, human rights defender

At the same time, a person's political position and previous "political" charges can serve as an exploitable weak point at the police station.

*"Apparently, when politics are involved, they ask the CID officers to handle us. Because they think we're dangerous."*

Vasily, has experience of detention

*"There was physical humiliation. There were also issues with that girl being humiliated. There were phrases like "You are enemies of the State" ... "Putin told us." <...> We, human rights defenders, hear about such things regularly."*

Roman, human rights defender

Understanding the laws, bureaucratic procedures and unspoken rules is also very important in the penitentiary facilities. As we have already discussed, violence and torture are used against inmates to intimidate them, improve discipline and maintain the regime established in the facility. Consequently, remaining ignorant of this regime increases the likelihood of torture, especially, during the first months in a detention facility, when a individual is being "introduced to the local culture". One of our respondents, who has experience of both imprisonment and work as a human rights defender, illustrated his explanation of this logic with the example of filing a complaint, a potentially dangerous action.

*"You need to **know how to act properly** before you start filing complaints. In this regard, we do not have any special training. In fact, prison is not much different from ordinary life. Problems happen everywhere. We're supposed to solve them and we don't solve them instantly, without previous preparations. There are certain procedures. The process requires time and patience. Both here and there. If we ignore that, where does it take us? To conflict. Sometimes it is open and severe, sometimes it is hidden, but nevertheless it's still a conflict, it still means great losses for all sides involved. Losses for everyone, believe me. No one from the prison staff wakes up in the morning and kisses his wife with a thought: "I'm gonna do nasty stuff, when I get at work." There is no such thing, let's be honest. On the contrary, everybody wants to do something good, to live **according to the rules they agreed** to. But both sides still have a lot to learn beforehand, which currently causes problems to everyone."*

Seraphim, former CID officer, has experience of imprisonment

## Health

Poor health, both physical and mental, as well as psychological stability issues can become yet another exploitable weak spot. Such vulnerability can limit an individual's ability to endure and resist violence during the arrest and while in detention. Below is a story of a young man with a diagnosed mental health condition. He was arrested together with his friend and taken to the police station. There officers beat him and drew up a report on administrative offense without his legal representative. According to his mother, the beating was accompanied by humiliation, pressure and threats from the officers. It was not very difficult for them to obtain his confession, as the detainee was unable neither to understand what was happening to him, nor to read the protocol.

*"It's not that I'm not afraid, of course... But what can they actually do? They said to him once, "If you tell anyone, we'll crack your head." They said that to a silly child. <...> Petya did something. He said that they'd given him some papers to sign. But he can neither write nor read yet. What kind of paper can he sign, if he can't write?"*

Ekaterina, mother of a detainee

Physical health issues can become another weakness. One of our respondents was severely beaten by police officers during his arrest. He warned an OMON officer about his condition, but the officer used the obtained information to cause more harm.

*"One of the OMON officers put his foot on my neck. I told him, "Don't press. I have metal implants in my spine, the second and the third vertebrae." I was wearing a T-shirt. He pulled it down and looked at my neck. "Where? How was it installed?" He turned me over and saw the scar. He turned me over again and pressed on my neck with all his weight. I felt extreme pain. I heard harsh sounds and felt that everything was broken. "What haven't you said anything?" He turned me once again and pressed his whole weight on me. 90 kilograms, I think."*

Ildar, has experience of detention

The health factor is even more important, when an individual faces a long-term stay within the system. The access to medical care provided in penitentiary facilities, in fact, is very limited: usually, the only medications available in a prison stock are aspirin and painkillers. Many inmates suffer from health deterioration due to untimely or not sufficiently qualified medical care. Every inmate is entitled to access particular specialists, to go to a "civilian" hospital, and to receive the necessary medications. In reality, however, as it follows from the interviews, those rights are rarely implemented in practice.

Sending an inmate to a medical institution outside of the Federal Penitentiary Service system involves certain risks for medical staff of the detention facility. For example, according to the interviews, the prison doctors may be afraid of accusations of taking a bribe from an inmate who decided to use the stay in the hospital as a way to improve his or her detention conditions. Other reasons can be the lack of material and human resources at disposal, or, sometimes, the perception of inmates as unworthy of medical treatment. Seeking medical help can be regarded as some kind of manipulation by a prisoner, who intentionally looks for additional attention without any justification.

*"Some prisoners damage themselves to get to the hospital. An inmate cut his veins. He is sent to the hospital. He gets his treatment and goes back to the prison. They call it "I had to open my veins". His cellmates tormented him. The environment was tough. So he opened his own veins ... Do you understand? Naturally, this is not about an actual attempt, it's an act."*

Innokenty, forensic psychiatrist, works closely with the Federal Penitentiary Service

Failure to provide medical care and necessary conditions for people with chronic diseases should also be considered as violence against inmates. Given that the detention facilities are oftentimes overcrowded, there is literally no way for prisoners *to miss each other*. Such detention conditions contribute to the spread of life-threatening diseases, for example, tuberculosis. In addition, detention facilities are practically unable to provide proper detention conditions for inmates with serious chronic diseases which require special medical treatment (diagnosed cancer, CVD, diabetes, etc.). At the same time, death in detention undermines the official records. Thus, the inmates are usually provided with the emergency care. Thus, a person with a chronic disease may be forced to exist in unbearable conditions, when emergency treatment replaces proper medical care.

*"I need a fridge to store my insulin. If I don't keep it in the fridge, it doesn't work. No insulin — game over. When my sugar level goes up or down, I'm dead. I can't talk, I can't do anything. They called ambulance for me 16 times. On two occasions I was hospitalised,*

*because the doctors found that my sugar level was 32 [mmol/L, the normal range is between 3.3 and 5.5]. My insulin wasn't working because the room was too hot, and it got overheated."*

Seraphim, former CID officer, has experience of imprisonment

Doctors play an important role in the fate of an inmate who experiences physical and psychological violence in detention. For example, when a patient claims that he or she had been tortured, it is the doctor who decides whether to document the source of injuries according to the patient's words. The doctor decides what kind of treatment and medications each particular inmate should receive. Medical staff is also responsible for documenting the state of health and medical manipulations, which can later be used as evidence to substantiate the torture allegations. One of the human rights experts told us about a case when the fact of torture was proved not directly, but by means of documentation concerning medical treatment.

*"Forensic medical examination had a fairly large list of questions to answer. Those questions were meant to help with establishing whether there had been a causal link between the actions of medical staff and the infliction of the injury. We were waiting for the final report. It was very important. We hoped that criminal proceedings would finally be initiated after that. <...> After the incident, victims should see a doctor and record their injuries as soon as possible. We accompany our applicants, if they haven't recorded injuries beforehand. This is the key evidence, with which the whole process of substantiating the complaint begins. It doesn't work like that in the colony though. It's nearly impossible, you know. An inmate had received injuries in May, but his medical records mentioned that he had been given ointment only a few weeks later. However, since then he regularly asked for medical assistance. There were medical records. He was prescribed a MRI scan, which was actually done in the colony. We use logic to reconstruct the chain of the events. In addition, we find and question eye-witnesses and insist the the investigators interrogate them all after us. Thus, we pursue establishing the fact that a person received bodily injuries at the hands of unknown individuals (even if we know, who actually did it). We try to get an official investigation report that the person had received serious injuries. In other words, that there are elements of a criminal offense."*

Anton, human rights defender

Although prison doctors operate separately to some extent, they are integrated into the Federal Penitentiary Service system and, unfortunately, do not have complete independence.<sup>34</sup> The medical staff does not interact directly with inmates, which means that any decisions, including those concerning medical care, are made with the participation of non-medical facility staff. As a result, the standards of medical care are oftentimes determined not by trained specialists, but by the Federal Penitentiary Service officers, who can use the doctors to pressure the inmates and to conceal the evidence of ill-treatment.

### **Lack of social and financial resources**

A detainee is severely restricted in his or her actions. Thus, he or she has to rely on support networks, relatives and friends. People from support networks should be ready to mobilise resources: it is now up to them to come to the police station, to find and pay for a lawyer, to learn how to act properly in such a situation and how to document the fact of torture and other unlawful actions of the officers. They will be expected to contact human rights organisations, to bring care packages and to interact with law enforcement agencies. Most people do not have those social resources, which contributes to their vulnerability.

*"If an inmate's lawyer and relatives are active, if they visit him regularly, I believe, the risk of torture is low for him or her. In any case, a little attention from public is always better than no attention at all."*

Vladimir, human rights defender

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<sup>34</sup> K. A. Runova, 'An Unwarranted humanism: How Doctors Operate in The Russian Penal System', (2019) The Journal of Social Policy Studies (17) 3, pp. 345-358



Financial limitations are another common vulnerability. Legal proceedings are very time-consuming and rarely compatible with the ordinary job. Sometimes the need to cover legal, transport and other case-related costs force people to sell their possessions and property. Without sufficient financial support, people oftentimes surrender and accept punishment for the crimes that they did not commit. Unfortunately, some cases feature both financial and social vulnerability.

*"Poor people are the least protected social group in this regard. Especially in some distant areas, for example, in a remote village. Cops know that these people won't make much noise. They are not very active and not rich. They live a quiet life. In some cases, they are heavy drinkers. Disadvantaged people, so to speak. **It's very easy for police to "fill the quotas" using those people.** We had a case. One of the applicants died after he had been taken to the police station. The investigation is ongoing. The police claim that he just died of epilepsy. We carry out our own investigation, and we believe that the police officers are involved. We know that they were constantly after this person. There were constant fake administrative cases. The district police officer just used him to fill some quotas, for example, for public intoxication. He knew that this man would do nothing, so he used him to boost figures."*

Igor, human rights defender, has work experience in the Prosecutor's Office

However, in some cases, sufficient finances become a reason for extortion and increase the chances of torture and ill-treatment. On many occasions, relatives are exposed to danger as well. Some officers turn pressure and threats against the relatives of the detainee into a mean of torture.<sup>35</sup>

*"They forced me to call my mother. When she came, they tried to pressure her too. Threatening with criminal charges, all that stuff."*

Ruslana, has experience of detention

*"He was interrogating me, and then he was like, "Don't wanna play nice? Now things will get bad." I was like, "What are you talking about?" "You'll see." I was sitting on a chair across from him. He got up and said, "Let's go to the assembly hall." They took me to the assembly hall. The second officer gave me a chair and took a chair for himself. Then he pressed my hips to the chair with his legs and tied me with a belt. He began to interrogate me again. For every wrong answer I gave, he applied a taser to my groin. He interrogated me in such a manner for about half an hour, I suppose. They didn't get a response from me, so they went after my brother. They brought him and started torturing him in the same way. They tried to beat out the "correct answer" to the question "Where did the money go?" from him. My brother told them that we didn't do it. They held us there until 2.30 a.m. Then the district officer said, "One of you should confess. I'm gonna go out for a smoke. One of you must confess and take the blame, when I come back."*

Gennady, has experience of detention

At the same time, maintaining communication with lawyers, human rights defenders and press requires a wise strategy. On the one hand, support networks can provide detainees with protection to a certain degree and help them to defend their rights. On the other hand, however, defense of one's rights from within detention has extremely limited options. Filing complaints and taking action in some other way may have negative consequences for the inmate and worsen the situation (we will discuss this issue in the next section). For this reason, prisoners sometimes do not want to advertise the involvement of human rights defenders and lawyers and refuse to protect their rights while in detention. Vasilisa, a human rights defender, told us about one of the cases with successful balance.

*"Sometimes the inmates do not want to talk to us for some reason. But we insist on seeing them anyway. There was a case, when we had information, that a certain individual was*

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<sup>35</sup> Prohibited methods of psychological influence: Analysis of Russian and International Law. <https://pytkam.net/doklad-kpp-o-psihologicheskikh-pytkah-v-rossii-i-mire>.

*beaten up in one of the colonies. We told the colony staff that we wanted to talk to him. They brought us a written refusal to communicate with the PMC signed by him. We insisted that we wanted to see him. We said that we don't care about his written refusal, because the law doesn't say that a person can refuse to communicate with the PMC. When they brought him to us, we saw that his face was mutilated indeed. We were able to record that important information. **That information was useful for him too. Later, when he was released, he tried to restore his rights.** Back then, however, he could not make his position clear to us. He was in a situation where he was forced to do what the officers told him. <...> Complaining explicitly about the colony rules is not possible without a risk of your situation getting worse. But you can complain about some other things. For example, you can complain about what happened to you in another facility. These topics are safe."*

Vasilisa, former member of the PMC

## **Invisible issues**

There are various groups of people who are in need of special conditions or special treatment, but those needs are ignored by the law enforcement and the Federal Penitentiary Service. Their ill-treatment is not always intentional. Our data rather indicate indifference towards their problems. In this section we will list some of these groups. This list cannot be considered exhaustive: although not all of these groups are small in numbers, the access to their representatives can be difficult.

### Homeless people

In general, people who live on the street have problems with documents and do not possess social and financial resources sufficient to defend themselves. They are frequently arrested by the police, because they are easy targets for "fake" administrative charges. After being taken to the police station, homeless people usually face the hostile attitude — from both the officers and other detainees.

*"I remember one woman... That detention room was actually very good. Excellent, I would even say. The woman had nowhere to go. She was an alcoholic. And she was taken there. Other detainees were decent women. So, where to place this one? In the end, the officers washed her clean and gave her a robe. She looked very nice and tidy in that robe."*

Arina, human rights defender

### People with addiction

Any kind of addiction, for example, alcohol or drugs, automatically increases a person's vulnerability. Such people have more chances to be arrested by the police as "easy potential criminals". In addition, any violent action against such individuals by law enforcement officers appears to be justified in the eyes of other people because of the generally negative attitude in society. The officers know that the general public is unlikely to stand up for them.

*"That man was a heavy drunkard. He has been suffering from alcohol addiction for a very long time. And the district police officer noticed it. So, why not use him for improving one's personal records? Unfortunately, this happens all the time, **people do not even try to protect their rights, they do not complain.** I don't know why. So, people with previous police records are the target no. 1, that's for sure. The officers love them. Them and other kinds of dysfunctional individuals."*

Igor, human rights defender, has work experience in the Prosecutor's Office

## Pregnant women and children of female prisoners

The environment of detention facilities is supposed to be suitable, first of all, for adult men. Detention conditions do not get adapted for needs of pregnant or recently delivered women. Such detainees require special conditions and access to specialized medical care.

*"The first time... I came into the cell. There was a woman lying on the concrete floor. I was surprised. I was like, "What's the problem?" She said that she couldn't get to the second level of the bed. Then I started working on the women's issues. The officers promised me to find a place for that woman. I visited again four days later. The woman was still lying on the floor. <...> We learn about miscarriage cases and pregnancy termination by accident. There are no records about this anywhere. Such things are not documented. There are no statistics. Try to find official statistics on child mortality and injuries by the Federal Penitentiary Service. You won't find any data."*

Miron, human rights defender

As we have already mentioned, inter-facility transportation is one of the most difficult periods within the law enforcement system. Children are particularly vulnerable during this time.

*"This is not just some kind of a car with several compartments. There are bars. The neighboring car can contain anything and anyone. There can be tuberculosis patients going to a hospital in some other region. There can be mothers with their children. That's how they spend this time: eight or twelve people in one compartment behind bars. Tell me, what is this? This is barbaric. An ordinary person will certainly find such treatment barbaric, but it is common for the Federal Penitentiary Service. It is not discussed widely, because nobody knows about it."*

Miron, human rights defender

## Transgender people

Transgender people (individuals whose gender identity, appearance and behaviour differ from those that are typically associated with their biological sex) face higher degree of stigmatization<sup>36</sup> and higher chances of ill-treatment, since their very way of thinking about themselves challenges the established public perception. The penitentiary system does not take into account problems of such people and do not make any attempts to protect them.

*"He is male, according to his documents. but some parts of his body are female, for example, breasts, etc., or he has both male and female organs. So, which colony he should be placed in? In a male one? Where he will most certainly face violence? He has a female physiology. I saw the examination report, the reproductive system was still intact. Under certain conditions, that transgender man was capable of giving birth. But he went to a male prison. Do you understand? Such cases aren't numerous yet. But they're still there."*

Miron, human rights defender

## Sexuality

People whose sexual orientation is considered unacceptable in prison culture face the same problems. In a male correctional facilities, such individuals are at the bottom of prison hierarchy by default, which makes them especially vulnerable and exposed to violence from both inmates and the prison staff.

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<sup>36</sup> Social stigma refers to "a quality of an individual that is considered shameful in society". E. Goffman, 'Stigma: Notes on the Management of Spoiled Identity. Part 1: Stigma and Social Identity. Part 2: Information Control and Personal Identity', translated by M.S. Dobryakova, 1963, p. 3.

*"If one's sexual orientation or previous sexual experiences with men become known in a male prison, the person in question will be bullied and blackmailed. We knew about such things and tried to control them."*

Vasilisa, former member of the PMC

## **Conclusion**

In this chapter, we have shown that torture and violence are natural attributes of the current law enforcement system. The police and the Federal Penitentiary Service officers can use ill-treatment to subdue individuals under their control. The officers receive their power and authority from the state and act on behalf of the state.

We demonstrate that some people face higher risks of the arrest (due to their gender, age, nationality, health and other characteristics) and, in consequence, higher risks of being tortured while in detention and during proceedings against law enforcement officers. Power asymmetry is always present in interactions between citizens and the officers. Personal vulnerabilities contribute to reinforcement of such asymmetry. Power imbalance makes a person more vulnerable.

Some officers try to "make a criminal" out of a detainee. If an individual have resources to protect himself or herself and to resist, the officers' manipulations might turn out unsuccessful. Does this person have enough experience and understanding of the law enforcement system's functioning, as well as physical and psychological abilities to withstand the pressure during the arrest and the detention? Is this person legally savvy? Does he or she know people who can help to protect his or her rights? Does this person have time and financial resources to hire lawyers and participate in legal proceedings? The answers to these and other questions determine the degree of vulnerability of each individual, which affects how easily law enforcement officers will be able to obtain confessions or achieve their other goals when interacting with detainees.

## "Neighbours" in a total institution

From the previous chapter we can conclude that, for the majority of detention and correctional facilities, torture is a normal and routine part of officers' interactions with detainees. Therefore, it makes sense to consider in details the specifics of such interactions between these two groups in general and figure out what influences them.

When a person is arrested by the police and sent to a remand prison or a correctional facility, he or she has a close contact with law enforcement officers. Contacts with the outside world, family members or loved ones are difficult, and the person is left one-to-one with a new life style and new "neighbours". These neighbours are not only others detainees, as not only suspects "spend time" in a police station, remand prison or correctional facility but police officers and officers of the Federal Penitentiary Service as well.

Plenty of barriers and secrecy catches one's eye in law enforcement facilities. Police stations, remand prisons and colonies are facilities with a special regime. In order to get inside one needs a special reason, a formal written permission, a badge. To the outside world these places are unfamiliar and incomprehensible. The walls hide the officers along with the detainees.

*"Locks are everywhere. I mean, you pass by some metal doors, checkpoints with card-readers. You understand that you are behind a certain fence, and it would not be easy to step out."*

Ruslana, has experience of detention

Following Erving Goffman, sociologists refer to these institutions as total institutions.<sup>37</sup> Total institution is a place where the interaction with the outside world is minimised and the internal routine is managed by the personnel, the main function of which is supervision and control. Without any doubts, correctional facilities, temporary detention facilities, and remand prisons can be classified as total institutions along with army, boarding schools, psychiatric hospitals and monasteries.<sup>38</sup> In all those institutions the everyday routine is centralised. Moreover, the private life, work and sleep of the "tenants" is happening in the same place and is targeted to a common goal (correctional, educational, religious, etc.)

Police stations and even police vans can also fit into the category of total institutions, if we consider the meaning not strictly. Though a stay there is time-limited, and detainees' behavior is not specially regulated, these detention facilities are closed off to the external world as well as colonies. In addition, routine and procedures there are governed by the administration. Furthermore, oftentimes police officers are willing to discipline detainees.<sup>39</sup> Taking into consideration the aforementioned, all law enforcement institutions can be viewed through the lens of a term "a total institution".

This term explains institutions' routine functioning, where law enforcement officers ("personnel") interact with detainees ("tenants"). These institutions are closed off to the outside world. Internal procedures, their regimented rules and roles' distribution are explicitly regulated.

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<sup>37</sup> E. Goffman, 'Asylums: Essays on the Social Situation of Mental Patients and Other Inmates', in A. Korbut., ed., Moscow: Elementary Forms Press, 2019, 464 p.

<sup>38</sup> It should be noted that sociologists, nowadays, move from a stiff term of "total" to a "porous institution" term. A "porous" institution is also closed to the outside world and maintains discipline and rules as well, but it reacts to what is happening in society and government. For instance, prisons absorb beliefs, ideas, morals and resources of other institutions like religion and politics. The prison population is not static, as new people come "importing" new culture, etc. [R. Ellis, 'Prisons as porous institutions', (2021) *Theory and Society* (50) 2, pp. 175–199]

<sup>39</sup> O. Owen, 'The Nigeria police force: an institutional ethnography' [PhD thesis], Oxford University, UK, 2012.

In this chapter we will use the term "a total institution" to carefully evaluate the conditions in which interaction between law enforcement officers and detainees is happening. We will observe how the interaction of these two groups is shaped according to the specifics of the historically established environment or even despite it. At the same time, we will note the barriers separating these groups and the similarities of their experiences, since any practices that work for the dialogue in a total institution can be used to effectively combat torture and excessive use of force by police officers. Thus, observations about practice of establishing good neighbourly relations are highlighted and presented at the end of the chapter.

### **Opponents in a total institution: tension between law enforcement officers and detainees**

Both officers and detainees feel deep mutual mistrust and keep social distance. Each group emphatically differentiates itself from the other one, stresses the differences and the superiority of one group over another, opposing itself to the opponents.

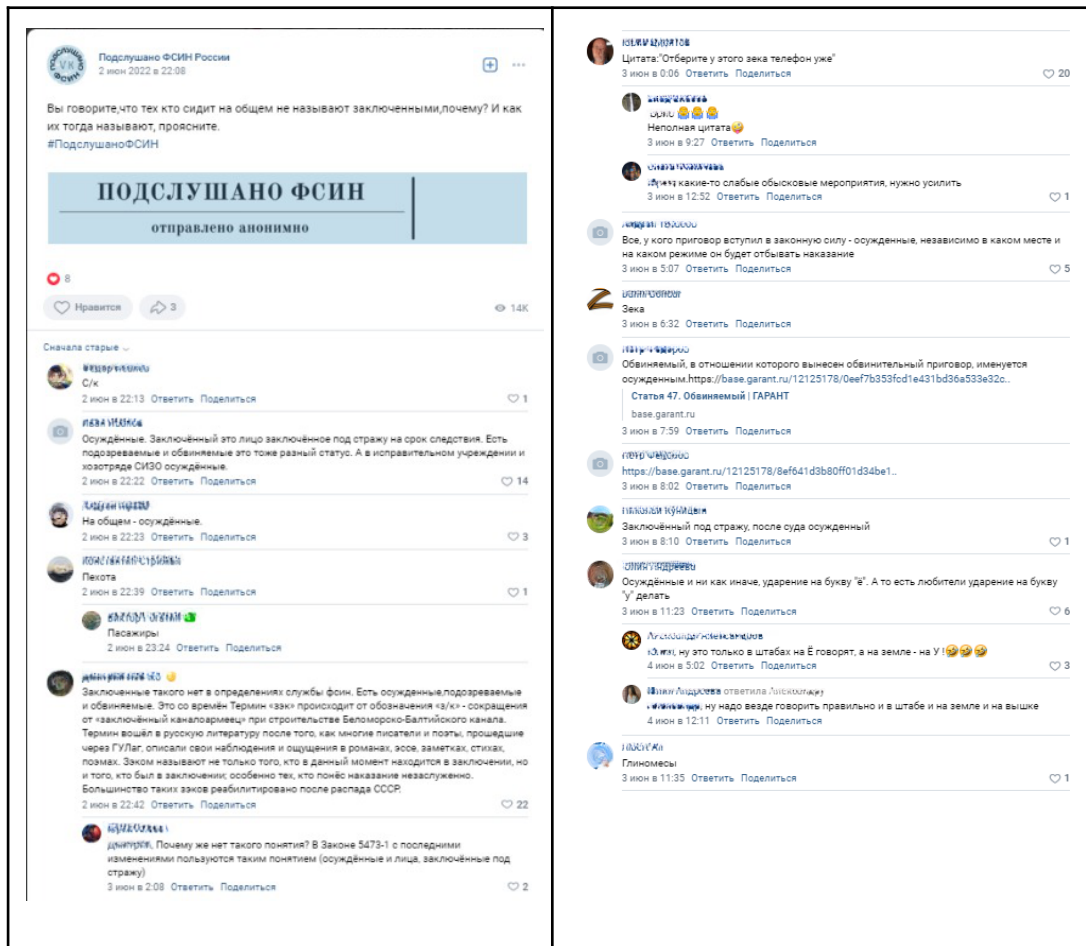
#### Reciprocal marking of opponents

Even at the language denomination level, there are strong labels and marks that are conspicuous and likely to insult. It is also crucial for law enforcement officers to separate themselves from those whom they guard and from whom they strongly differ.

*"At hearings about detention conditions, when I declared that there had been no bedclothes, the FSIN representative said, "It is because we are not a public transportation company, we deal with **special contingent**.""*

Aliya, activist, has experience of imprisonment

Below you may find some screenshots from a chat of the Federal Penitentiary Service officers discussion how the detainees should be called. It is worth mentioning that making statements in public and doing something in a real life is different.



## Search of special language markers concerning detainees

### *The Source: a post in the Federal Penitentiary Service officers chat*

The detainees and prisoners oppose themselves to the officers. In neutral speech the description is frequently based on functional roles: "district police officers", "operational officers", "convoy officers" or "guards", "special unit officers", but in sentences with evaluative judgments more disparaging assessments can be found: "babeshki", "cops", "trash", "beasts".

*"It is beyond my principals to cooperate with the administration and cops."*

Veniamin, has experience of imprisonment

In the majority of cases, officers and prisoners, even those who quitted the job and stopped serving their sentences, proceed to highlight mutual isolation from each other and emphasise the differences.

Opponents' groups of support: "our" side and "their" side

Law enforcement officers and detainees have their own groups of support. For instance, the prisoners support each other to fight for deep-rooted improvements of the system.

*"[I arrived to the detention facility, and those who were there, my inmates, had been filing complaints already]. There was less solidarity – one or two [were complaining]. In fact, they [the detainees] can do nothing. But we got together in a bigger group. I organised it, I brought together a bunch of normal people, and it started off. It was easier that way."*

Artur, has experience of imprisonment

The officers have their own support communities dedicated to fighting for their rights. There are non-profit communities and public organisations, online platforms and resources to support both groups, the law enforcement officers and the detainees. The emphatic hostility of the support group members towards the opponents is evidently noticeable. Human rights defenders might refuse to provide support or might refuse to show sympathy for law enforcement officers.

*"The FSIN officers say, "Why do you deal with the detainees? Our rights should also be protected. We are here, fiddling about with them, we also suffer." <...> There are no other job offers. Let's say, a village is far from the center, there is work only in the colony. They say that the inmates will stop serving their sentences one day, but they will still be working there, every day, from dusk till dawn... I respond that I can't help them with that. Nobody is keeping them there."*

Arina, human rights defender

In the same way, the officers, witnessing the violence, will not protect the victim because he or she belongs to the detainees. However, the victim's alternative affiliation changes the way he or she is treated.

*"After I was tortured, one of them started a conversation with me very calmly, "Why don't you report it?" When he heard my last name, [he asked], "And that guy, who is he to you?" He mentioned a name. I said, "He is my cousin." "Why haven't you told me before? I would have helped you in some way. We worked together in the OMON." After that he removed a mask, removed a bag from my head, gave me a cigarette and some water. <...> [His colleagues saw that he had removed the mask.] One of them said, "Why have you removed the mask? He will remember you, he could file a complaint. You never know." "No, he's our guy. I worked with his cousin.""*

Ildar, has experience of detention

Sympathy to people of the "our side" and "saving face" become more important than fair treatment of opponents. The law enforcement officers confirmed that they would support their colleagues and turn a blind eye to something, even if they disagreed with what was happening.

*"If one cop is beating somebody, another cop will support him, even if that first cop is wrong. He, most probably, will try to mitigate it all [the beatings] somehow, but first he will get out "his guy". Because even in a confrontation like that, verbal or physical, you always support those on your side. And in case "your" guy is wrong, you will be there for him to get him out. If **you see him doing some sh\*t, when he might be caught, you get him out, cover everything up.** I will tell you about my personal experience. Let's say, I knew that this man was a bribe taker. When he was caught, I felt sorry for him, **because he was "our" man, see?"***

Matvey, former law enforcement officer

*"These things must not be revealed to public. Those guys should be quietly sent to prison for very many [years] <...> It's a system. If generals are caught – you need to fire a bunch of people. Not only these high ranked officials but their entourage should be fired as well, because they all knew. I do not know what we have to do, but **we should do it quietly.**"*

Yakov, former officer of the Ministry of Internal Affairs

Those who criticise the system, cooperate with the "other side", or fall short of "corporate standards", is excluded from the group. The attitude to those who criticise "our side" is well illustrated by the discussion on the forum of the Ministry of Internal Affairs officers under the post about the suicide of a young man who used to be an intern at one of the police stations. He committed suicide and left a note, in which he had blamed the head of the Internal Affairs Department. In this discussion, by the majority of commentators, a young man is considered the one responsible for what has happened. They refer to him as a "coward", an "egoist", a "chicken", an "underdog", and a "loser". They noted with disapproval that the intern, "aside from



causing so much trouble to the family, made things worse by writing a note" which contributed to the problems and "besmirched esprit de corps of the police".

There were a few users (mostly with female nicknames), who, on the contrary, called a young man a "boy" and suggested finding out whether there had been actions on the part of the senior officer (who, according to them, was well known for his cruelty to colleagues) and on the part of the system as a whole that can be assessed as inciting to suicide. Many argued with them:

*"Only in Russia there are 'boys' of 24 years old. Because they bring up boys, not men and warriors. And afterwards they say that the psychologists hadn't taken care of the problem timely, that he was harassed by his superior, that the work was too hard for him, the MEB was negligent, the man on duty was a skunk and hadn't taken away the gun. Everyone is to be blamed, all should be prosecuted, but nobody is considering that the parents has brought up a sacrificial lamb instead of a man."*

*"To link suicide to his professional activity... How naive you are."*

*"This is not a charm school, so why he should be treated with delicacy? The staff has some other things to do. When I was a twenty-year-old boy, I had nobody to look after me, no servants or nannies, I was left to my own devices, learning to do everything on my own."*

At the same time, their own experience of bullying and abuse is devalued ("We also had a rough time, but we are OK"). Moreover, not only a young man, but also those who express sympathy for him are excluded from the community:

*"Most likely, you also need to quit, this job is not for you if that's what you're thinking."*

*"I beg your pardon, lady! You need to bring up children and avoid breaking your fragile female psyche in the police. Lay all your maternal love on your kids, not on 24-year-old children."*

A similar example of "exclusion from our side" among prisoners can be a border that lies between detainees and "bulls" – the prisoners, who agree to use force upon the orders of law enforcement officers.

*"We all are imprisoned here, waiting to be sent to a colony. And then the cops start working with you, trying to talk you into staying here and work at the maintenance unit as "bulls". That's when they can beat you up and play a dirty trick upon you, or plant a mobile phone in your cell, or something else. They will blackmail you with all sorts of illegal methods. They say, "We will tell that you had worked for us, for the administration. When you arrive at the colony, given your charges, they will turn you out immediately. So, think it over and stay." That's what they do to young people. Therefore, a lot of "bulls", up to 50%, are those who had been set up by the cops. <...> First, bobbies are always taking the piss out of the "bulls", and, second, they always... I mean, the "bulls" feel such a squeamish attitude from other convicts. Both, detainees and cops treat the "bulls" like dirt. Thus the "bulls" are between the devil and the deep blue sea. In general, only the very last scumbag can survive there."*

Veniamin, has experience of imprisonment

So, the division into "our side" and "their side" happens both at the level of everyday life and at the language level. In a community life, when mixing is inevitable, it is designed to maintain the existing social order of separation.

## "Neighbours" in a total institution: cohabitation and similar conditions

The total institution, according to E. Goffman, is "a mixture of neighbourhood community and formal organisation".<sup>40</sup> Indeed, apart from functioning of the correctional facilities, officers and ex-inmates also mention a significant number of details from their living side by side with each other.

*"I always tell them [the FSIN officers]: the difference between the convicts, the suspects and you is very subtle. You are all in the same boat, in the same universe. Everyone has a different status but you live the same life, in general. The only difference is that they are in cells, and you are kind of free, but you are in the same conditions, in the same building. So you need help, too."*

Mikhail, priest in a remand prison

Law enforcement officers and detainees<sup>41</sup> share not only one facility (and harsh conditions), but also have many other features in common. Informants, while describing their situation, mentioned poverty and limited life chances. The system gives these traits to both groups – the stigma of a total institution. In this part of the chapter we focus on similar features of law enforcement officers and those whom they detain and guard.

### Neighbourhood of dangerous hierarchies

The penitentiary administration distributes privileges and property, sets up rules and supervises their implementation. This can be applied to law enforcement officers as well as to prisoners. In parallel, there is a prison hierarchy that operates "in the shadows". The system's rigidity has become an everyday reality for both law enforcement officers and detainees.

On the one hand, law enforcement officers have power over prisoners. According to our respondents, this power is practically unlimited.

*"The soldier knows that he will return home in two years (back then they used to serve in army for two years), so he isn't in any danger. But in a remand prison, you can say, "If I ever see that there is grease on the pan, your stay here will be extended for at least six months or even a year." It was a little different in the remand prison. The detainees did whatever they were told to do, without a single question. You need to force soldiers to obey, but the detainees were ready to do everything."*

Elena, retired Federal Penitentiary Service officer, former officer of the Ministry of Internal Affairs

On the other hand, law enforcement officers themselves may experience the rigidity and violent exploitative nature of their system hierarchy. They are forced to obey any orders from the senior officers.

*"A very stringent hierarchy. There is no sign of any kind of democracy, subordinates do not have any right to oppose, this right is a mere formality. Unfortunately, it all comes down to the fact that you should do what your boss tells you, even if you don't agree. The relationships in the team are also appropriate. I mean, I saw an evil boss who stayed at work up until 6-7 p.m., so all his subordinates were to stay there as well until he left. No one would go home, although, officially, a working day is over (they do work according to the labor code, after all). No one leaves the workplace before the boss is gone. Everybody dreams of a promotion, so everybody is working towards one, everyone wants to get away and become some kind of a district prosecutor and enjoy their life. Everyone is busy with their own tasks, they perform their duties but with no enthusiasm."*

Igor, human rights defender, has work experience in the prosecutor's office

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<sup>40</sup> E. Goffman, 'Asylums: Essays on the Social Situation of Mental Patients and Other Inmates', in A. Korbut., ed., Moscow: Elementary Forms Press, 2019.

<sup>41</sup> In this chapter, by detainees we refer exclusively to correctional facilities' inmates.



Of course, a law enforcement officer can change the job and quit the system, as one of our respondents, Stanislav. He left the rigid hierarchy and got a different social and economic status.

*"I was not ready to be a puppet, that should do what it is told. Now I am an independent lawyer. <...> I live as I please, and no one says a word to me. I can wake up at nine o'clock or at ten if I want to. I can work at night if needed. I'm free. As in the song, "I am free, like a bird in the sky." In the system, I would have been working long hours, from dawn till dusk and would have been paid peanuts. Everyone in the street would give me a poke, spit in my back, "Hey, look, there's a cop." Why? Because everyone knows it – there is such a stereotype – that those, who work in law enforcement, they are dishonest, they are criminals themselves, they cover-up criminals, they beat everyone up, etc."*

Stanislav, lawyer, former law enforcement officer

However, Stanislav had a degree in law at the moment of quitting the job. As he confirmed, it gave him an advantage among other competitors in the labor market. For many other law enforcement officers, their professional experience and skills leave almost no chance to a

successful transition to another type of activity. The very habit of existing in hierarchical relationships and obeying the orders makes this transition unsettling.

*"It was so scary, because I had been in service since I was young <...>. When I retired, it was very difficult for me first, because I got used to [saying] "Yes, sir". An order has been received, you are obliged to obey. Commanders' orders are not to be discussed."*

Elena, retired Federal Penitentiary Service officer, former officer of the Ministry of Internal Affairs

Both staff and prisoners might point out the absurdity of and be sceptical about rules which must be followed at any rate (*"I know it's stupid, he knows it's stupid, but he's got the instruction"*). In some cases, the tyranny of superiors in the police or the Federal Penitentiary Service is perceived so similarly by law enforcement officers and the detainees that mutual hostility or dislike is replaced by a feeling, although not a long-lasting one, of solidarity of people in the same difficult situation.

*"A man worked in a remand prison, an officer, and he was hated by all – by his own colleagues, and those in custody. After he was transferred, everyone felt relief. Moreover, the officers themselves knew perfectly well that everyone hated him. And those who were in custody were like, "Hooray! Thank God, he's gone!""*

Arina, human rights defender

The "shadow" administration, although it has no legal status and state support (at least officially), rests upon criminal resources and has many similarities with the power structure. It has hierarchy as well and is built upon the principle of rigidly fixed statuses, comparable to ranks.

As in the hierarchy of law enforcement officers, in the "shadow vertical" the social lift moves differently when traveling up and when traveling down. In general, a "decent" prisoner, like an ordinary law enforcement officer, has an open way up the hierarchy (for example, there is a special status of "aspiring" for those who would like to get closer to the criminal "family"). At the same time, if we exclude "criminal bosses" (inmates who have financial and social support), then, in the most cases, the parallel path is not a bed of roses and implies a large number of routine tasks, the need to fit in, to demonstrate subordination and to flatter. In an example below, Evgeny speculates on how the social lift for law enforcement officers is structured:

*"All in a straight line. The commander is the main boss – you definitely should "suck up" to him. Then there are the seniors, you also need them to warm to you. For instance, you can buy them presents, a watch, for example. Then everything is fine and okay."*

Evgeny, has experience of detention

For a person who is not familiar with the system rules or who does not want to fit into it, the social lift will be blocked. Thus, a "first-timer" – a person who is in prison for the first time, especially one who has no connection in the criminal world – can become a "chump", a "sucker", an individual that can be mocked. In the same way, a recently hired and "dedicated" officer, a fighter "for justice" will not be accepted by the system – this officer will either be rejected or subjugated.

*"For instance, just imagine, someone at the top wants to make money by corruption methods, so he or she gives an oral instruction to his or her subordinates, "In criminal case number such and such we need a particular decision. I'm the boss, that's what I want." And the person to whom such a request is addressed starts thinking: whether to please the boss and comply with the request, or to incur his anger. That was exactly the reason why I had decided to quit. You see, when they say, "Hey, look, you give yourself airs! Respected people had turned to you with requests, but you did not fulfill them. Time to go." <...> Take the money and share or leave. You can't sit on a bag of money – you don't take it yourself and you don't give it to others. When I first encountered such a situation, I was already an experienced senior lieutenant who could stand up at a meeting*

*and say to the general: "I disagree with you, sir." only to see with how my bosses, supervisors, majors, lieutenant colonels "pulled their heads into their shoulders", because the next question of the general would be: "Stand up, subordinate. Who has brought him up like that?"*

Boris, lawyer, former officer of Ministry of Internal Affairs

Both hierarchies serve to maintain order in the team. If there is a conflict at lower level of the hierarchy, there is always an option to delegate negotiations to the appropriate higher officials. Although, on the one hand, in such cases the situation can often be resolved peacefully without any violence. On the other hand, the low rank representatives of both hierarchies have no guarantee that their interests will be taken into account and not those of their superiors.

*"There's some sort of hierarchical order: thieves, vagabonds, strivers (a convict who want to become a criminal boss)... In general, there are people who take on responsibility, the burden of authority, or they already have that authority. And they rule. They want some favors to be granted by the FSIN, and the FSIN wants there to be no riots, no escapes. Accordingly, some **very strange norms** arise there, like... it's a discussed norm, it's voiced, although it's very silly. It's not such a mainstream norm, but it's delivered from time to time, you can hear about it somewhere. You are not immediately told about it, when you arrive in the colony, but at some point you learn that if **you, all of a sudden, decide to escape you must inform a convict in charge of your "area"**, the feudal lord of this structure. This is nonsense. It is obvious that he will scold you, because he does not need any f\*\*\*king escapes, especially mass breakouts, because it will all lead to more pressure, extra checks, to further stiffening of the rules. An this convict doesn't need all this f\*\*\*king sh\*t, for sure."*

Yuri, has experience of imprisonment

In both systems a downward move is associated with violence and, basically, does not imply a mechanism of correction, a return to the top of the hierarchy. Law enforcement officers talk about the fear of being demoted, about being disciplined, about "loosing the epaulettes" and after that there is only one way – "a road to jail". For prisoners, the loss of position comes in hand with falling into the "turned-out" caste.

*"Downcast" are not considered as people at all. <...> No one, absolutely no one is immune to this. Once, in my barracks, a prisoner was "turned out" for picking up cigarette butts. They gave him a first warning, and then the second. He didn't got it. And that was it – he was made a "downcast". <...> He was taken to the colony boss. A specific group of inmates assembled there, and they made him a "turned out". Then they announced it to everyone in the colony that such and such convict is a "downcast" from now on. An that's it. <...> He keeps low profile, is very meek and mild, executes any command. Any convict can give him any task to do."*

Veniamin, has experience of imprisonment

Although the cultures of those two hierarchies – the official one and the "shadow" one – are built on mutual antagonism, anyone in the total institution, whether "in uniform" or in prison robes, experiences the burden of both hierarchies and the risk of violence.

*"The whole system, the FSIN, is built on psychological violence and discipline. <...> This is also true for the prisoners, these "men", who sit there. [They] are treated like dirt, they are under pressure of both the shadow administration and the FSIN one. And then there are these castes. Let's mock them, of course. Or there are weak people, your colleagues, for instance, "decent" ones, but you can make whipping boys out of them, for example, frame them up somehow."*

Yuri, has experience of imprisonment

*"The officers' rights are violated, and there is nobody to make a stand for them. They do exist, the officers' rights, but no one defends them, no one fights for them except the*

*officers themselves, but the officers are under pressure. And if we speak again about a colony, they are between the devil and the deep blue sea: on the one side, the superiors put them under pressure, and on the other side, the convicts. They are under tremendous pressure."*

Mark, retired officer of the Ministry of Internal Affairs and the Federal Penitentiary Service

### Traces of a total institution – stigma

We show above how some negative stereotypes might work to increase the chances of being arrested and detained. The homeless people have the greatest chances to be arrested by the police as all those tramps and people of no fixed residence are considered to be dangerous by the public stereotype. In the same way works a criminal record stereotype as an individual with a criminal record is believed to be an unreliable person: law enforcement officers check and re-check a former prisoner for involvement in new crimes over and over again. Stigmatisation is the reason of a wary attitude towards a person because of one of his or her characteristics. Stigma is a negative attitude or idea about a mental, physical, or social feature of a person or group of people. This implies that there is social disapproval.<sup>42</sup>

Sometimes we hear, that stigma can be a reason for a low credibility of the society towards the imprisoned and even detainees. The very fact that a person has been arrested, interrogated and detained is likely to "tarnish" him, to damage his reputation, to deprive him of trust.

*"But later on I realised: if you are convicted, no one will even talk to you."*

Pyotr, has experience of imprisonment

Even if a discharged prisoner looks healthy and wealthy, most likely he or she still faces difficulties. It can be complicated for a person with a criminal record to find a good job and dwelling and have equal access to material resources. Apart from that, a person can be deprived of respect, trust and acknowledgement from neighbors due to the stigma.<sup>43</sup>

*"Let's say I desire to get a presidential grant now. In fact, I don't want to, but let's just imagine such a situation. I have the "accused" status. Who ever gives me a grant? Nobody."*

Seraphim, former CID officer, has experience of imprisonment

An ex-prisoner, for an average individual, may also seem potentially dangerous, or as if from "another universe".

*"When my friend was released [from a prison], I met him and asked many questions about the life in prison. I was just curious: how things run there, what are the rules. In my understanding it's a completely different world, it has nothing to do with human concepts. As we communicate in the streets and in prison – it is absolutely different."*

Oleg, participant of a focus group discussion

An average person doesn't fully comprehend what law enforcement officers do, especially the specifics of their work. The same is about the prisoners. Introducing 'normal people' to the stigmatised is one of the tasks of the stigmatised community, designed to highlight, in a positive way, the difference between its members. It is worth mentioning that one of the respondents comments on Russia lacking educational programs about the law enforcement system.

*"In the Soviet Union there used to be political education, there used to be special programs about alcohol addiction and abuse. Nowadays nobody is working with the public. Nobody explains at school what a police officer or a prosecutor is."*

Pyotr, has experience of imprisonment

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<sup>42</sup> E. Goffman, 'Stigma: Notes on the Management of Spoiled Identity', NY: Prentice-Hall, 1963.

<sup>43</sup> D. E. Keene, A. B. Smoyer, and K. M. Blankenship, 'Stigma, housing and identity after prison', (2018) *The Sociological Review* (66) 4, pp. 799–815.

"Normal people" who do not carry a stigma of a law enforcement officer or a prisoner, often assume that those marked with the "seal of ugliness" tend to stick to their own and don't try to live in an ordinary society with "the disability". They say, police officers are not able to change jobs effectively. And this is not due to the fact that the specific skills are not valuable for other employers, but also because this community is perceived as stigmatised, where only "unhealthy" people can work.

*"I've been always telling you that a mentally healthy person wouldn't work in the police."*

Participant of the online discussion

There is a perception that former prisoners tend to return to places where they serve their sentences, where they feel more comfortable among "their kind".

On the one hand, stigma makes sense for an external observer: "normal" people set a boundary between themselves and the stigmatised, mark them out as separate communities, question their normality and their health. On the other hand, stigma can be felt from the inside by those who carry it. A stay in a total institution leaves a mark, noticeable and unpleasant, for those who have no such experience. This trace is evident to the carrier of the same stigma. Law enforcement officers and prisoners, including former ones, are more attentive to each other. They easily distinguish former "neighbours" from the people around them. It is well known that they understand each other better than other groups of "normal" people. A former prisoner in the example below described how easy it had been for him to distinguish a law enforcement officer among ordinary people:

*"Life experience – that matters a lot... Honestly, even if he doesn't wear his uniform, I mean, a police officer, an investigator or a CID officer. I might not recognise a district police officer, as they are close to people, they communicate and work with ordinary people. But those guys I can identify immediately: by a walk, facial expressions, by the way they look at you. Very often we strolled hand in hand with my wife, and I said, "Hey, there is a cop passing by." She asked, "How did you know that?" I replied, "Just look at him!" She cast a look over a man and said, "An ordinary man to me." The man comes up to a car, and here it is – there is a police cap in his back seat."*

Pyotr, has experience of imprisonment

Law enforcement officers have the same ability to single out members of the opposite group.

*"10 times he was recognised as an Honored Operational Officer of the Russian Federation. He is a professional. He sees everything. When we met for the first time face-to-face, he was standing in a room and reading my case. You see, you have to name yourself. When I did that, he looked at me and said, "It's not you." You see, he just looked at me and said, "It's not you.""*

Pyotr, has experience of imprisonment

After being released or quitting the job, neither the prisoner, nor the Federal Penitentiary Service officer nor the police officer can often completely come out of these roles. It is difficult to get rid of the "scar". They can have a painful feeling of being different from other "normal people". For instance, a former prisoner, can draw an explicit line that separates an experience of imprisoned and of those who don't have a criminal record.

*"But if it were not for all these moments in my life, I would probably be a completely different person.<...> You know, sometimes I ask people what Article 105 of the Criminal Code is about. A person stares at me and says, "I don't know", and I [say], "Lucky you!" Article 105 is a well-known article, it's about murder. When a person says, "I don't know what Article 105 is about", I say, "Lucky you, you've never opened the Criminal Code!" Just never. Anyway, after a person gets caught, he or she takes out that book, the Criminal Code, and starts reading it, and eventually they learn that it's about murder."*

Pyotr, has experience of imprisonment

Different paths are available for those who have stigma. Some remain in the circle of those who have the same experience, the same "career": with these people they do business, work, enjoy weekends, get married.

*"When in Anapa, I called an acquaintance of mine, whom I met in the remand prison. He got released as well. I called him and asked about a job. He said, "No problem at all. Where are you now?" I said, "I'm in Anapa, relaxing in a sanatorium." He said, "Let me come and pick you up!" "Wait," I said, "I'll rest for three weeks, and then I'll come wherever you say." We met and went to the place where he lived and worked. I had worked there for about half of a year or less. After that he sent me to another city to his acquaintance, an electrician, to work."*

Vitaly, has experience of imprisonment

Others find themselves in a group of stigmatised people somehow accidentally, even for themselves.

*"That's true. Police officers stick together. This is the fact. When you start working in the police, gradually all of your friends who are not in service are "vanishing in a puff of smoke". You communicate less with them, I mean. All of a sudden, you realise that people around you are mostly cops. You celebrate the New Year with them. You married a cop next door. The godfather of your child is a cop. You do find it strange, but you can't stop it."*

Elina, former law enforcement officer, criminal psychologist

To keep apart from those with the same stigma is another behavioral option after quitting a total institution.

*"The main thing is... It's always interesting when people leave the colony, when you say farewell to them, they promise to write back, to call, to help. But after an inmate crosses the threshold, a day or two and that's it, this person is gone. Old inmates explained this thing to us in the remand prison. This is a reaction of the organism, it's about psychology, any person tries to forget negative experiences, to separate himself or herself from everything that reminds about horror and bad times."*

Veniamin, has experience of imprisonment

All the aforementioned behavioral patterns that follow the leave of the total institution imply that a stay in a total institution is the prominent part of a person's biography. A membership in a stigmatized society, as well as dramatic cancellation of it, demonstrate that the "scar" is of vital importance to the owner.

People with similar stigmatised experience can unite to ensure their rights, especially in terms of acceptance by society. In addition, there can appear official representatives and ambassadors of such groups (for example, with a task of *"persuading the public to use softer social labels against this category"*), media, websites, and online communities (where *"the ideology of the members of this group – their complaints, hopes, policies – is formulated. The names of well-known friends and enemies of the group are announced"*).

In any case, a stigmatised person, whatever the stigma origin is, *"may feel uncomfortable regarding to how "normal" people will identify and perceive him"*. This general characteristic applies to both prisoners and law enforcement officers.

"Neighbourhood" of people with low living standards and limited life chances

Despite antagonistic positions at the moment of arrest and detention, law enforcement officers and prisoners may live side by side in "normal" life:

*"Two people [tortured], two of them appeared to be officers. I knew one of them very well but the second one was not familiar to me, he was just 10-11 years younger than me."*



*During the investigation I found out that he was actually my neighbour. He lived in the next street, 150 meters away."*

Ildar, has experience of detention

Many prisoners and officers have rather limited life chances. Both law enforcement officers and detainees often have a perception of zero alternative in choosing their own career. Those who have not committed a crime but appear on the system's radar are also targeted often because of their poverty (or related problems such as homelessness, addiction, etc.).

Although the stated purpose of imprisonment is to protect society from criminals, "prisons are usually filled with poor, vulnerable, stigmatised and rightless people" who are victims rather than danger. Many prisoners "were brought up in extremely poor and broken families; a significant proportion were unemployed; most likely, with a very low level of education; some of them might just live in the streets and have no social connections". All these conditions are also associated with poor health, both physical and mental. Apart from that, low socioeconomic background is associated with difficulties for relatives of a prisoner in terms of arranging a care package with food, clothing and other necessary items, and to pay for travel to the place of detention in the case of permitted visits.

Former prisoners face difficulties in getting a good job. Apart from lack of social and labor adaptation skills, there is a significant influence of the "prisoner stigma". Former prisoners often appear in a gray zone – for example, where possible, they prefer unofficial employment so as not to disclose their criminal status.

*"I used to work in a company, I hadn't provided the required docs for half a year. They offered me an official employment, but I refused. <...> Six months later, the security service provided them with all relevant information about me. The manager called me and asked me to come to the office. When I came, he asked me, "Why didn't you tell us that you have such an interesting past?" I replied, "Just fancy, I know you for one day. How am I supposed to come to your office, tell you all about my background, and then ask you to hire me?"*

Pyotr, has experience of imprisonment

Since many former prisoners find themselves at the correctional facilities again over some time, it can be affirmed that quite a lot of people there face a somewhat limited choice of work opportunities. If they are not officially employed, they may be underpaid, deprived of some benefits, etc.

As for law enforcement officers, often they launch their career because they need to cover their most essential household requirements and demands which cannot be satisfied otherwise, for example, getting a free housing.

*"Therefore, if you lack appropriate experience, where can you go? If you have a military background, you can go to any law enforcement agencies, work for a couple of years and then get some free housing."*

Arina, human rights defender

Getting a job in the law enforcement agencies "right after" the army service is quite frequent. Ex-servicemen may be attracted by the "clear and straightforward" nature of such work, similarities between routines and social environment. They also may be actively persuaded to join in. Seraphim answered the question why he decided to work for the Ministry of Internal Affairs after the military.

*"In fact, I had a choice. First of all, **public service was basically the only environment familiar to me at that time anyway.** But when I faced a choice between working as a local police officer, a traffic police inspector, a riot police officer, or an investigator, I chose the criminal investigation department."*

Seraphim, former CID officer, has experience of imprisonment

If we talk about the law enforcement officers' perception of their own financial standing, we can see, for example, that most of all messages on the online community of the Federal Penitentiary Service officers, and 10% of all messages on the police forum touch on financial issues: level of wages, options concerning benefits, etc. Just like representatives of any other professions, the law enforcement officers lacking good education, connections and other parameters, which may enhance their life chances, often face an extremely narrow range of career options.

Remunerations for the law enforcement officers' work, despite the almost inevitable overwork, are still widely reckoned as rather low.

*"I would stay in the system from dawn till dusk, work as a slave, and get some peanuts."*

Stanislav, lawyer, former law enforcement officer

*"To be honest, those were somewhat hungry times."*

Elina, former law enforcement officer, criminal psychologist

At the same time, working in law enforcement can limit your chances in the "outside" world. These are kind of parallel tracks, and this combination is somewhat problematic. For example, working in the police can only be combined with "teaching, scientific and other creative activities."

Thus, a significant part of both prisoners and officers steadily suffer financial straits. This culture of pecuniary burdens, most noticeable within a custodial institution, with limited prospects of making money or getting some desired personal belongings, is to some extent a unifier for both groups.

Once in prison, in any status, people face some scarcity of everyday life. At the same time, whereas for some wealthier people staying at a penitentiary means just a temporary deterioration in their living standards, for quite a number of both prisoners and law enforcement officers the scarcity of everyday life (through their low incomes) is rather common throughout their whole lifetime.

### "Neighboring" in harsh environment

So, people who mostly don't have any high level of income and earning capabilities meet up at a penitentiary as the staff and the prisoners. Law enforcement officers and prisoners share the same confined space without any chance of privacy, wherein they can hardly have an opportunity to make a dent in some smells and sounds. Within those walls, they shape their daily routine – not common to all, of course, but partly quite similar – and become witnesses to and even participants in the everyday life of their opponents.

In detention facilities, people most often live in crowded places. Neighbouring is almost intimate. Descriptions of detention facilities often mention smells, various items, toilets. This is something that is difficult for a beginner to accept and that creates permanent inconveniences and psychological pressure on the person staying in this space. This is a prison community, a material world shared by both guards and inmates.

*"There are a lot of smokers. Almost everyone. And of course, smoking inside the cell. It's very difficult, so hard to breathe. And then all clothes are very smoke-filled. It just stuck in my memory."*

Aliya, activist, has experience of imprisonment

*"Yes, it was obnoxiously not really clean, not really fresh, old stuff like that."*

Elena, retired officer of the Federal Penitentiary Service, former officer of the Ministry of Internal Affairs

*"I faced some very complicated, really disgusting world, even in terms of personal physiology, which was quite difficult for me to somehow get over. <...> The very*

*environment: entering a corridor full of doors with the so-called food hatches, and the very spirit, smell, and staying there, because many smoke in the cells. Then again it's, sorry to say, very poor hygiene in terms of the corridor, dispensation of food therein. All that together. In prison cells, there are, excuse me, a "slop pail", a toilet, and at the same time beds, and tables, and food ingestion, and all that goes on in the same room. They smoke a lot, and when they open the window, all the smoke and smells come in. And when you enter the corridor, you feel right at once that you definitely have not come to any office, or some hotel, or some administrative building, it's some, excuse me, trash hole. It's really shocking. And it was very difficult to get over."*

Mikhail, priest in a remand prison

As such, staying among a lot of people, especially when you don't choose any neighbours (and this is true for both prisoners and law enforcement officers) is also a tough condition of life in prison. A person is in front of everyone all the time, and it concerns not only the inmates.

*"In the canteen, we went, as the saying goes, to the same lavatory. Me, being a woman, and the convicts. It's just that I always had some con accompanying me. I'd say, "Stay here, near the toilet, don't let anyone in." <...> So that no one comes in while I'm inside. Not because they'd want to come in, rape me or anything. But just to avoid any ugly situation, when someone accidentally comes in when their superintendent is in the can. That's why I put a guy at the entrance for a minute or two, who wouldn't let anyone in, saying that the chief was in the toilet."*

Elena, retired Federal Penitentiary Service officer, former officer of the Ministry of Internal Affairs

There is practically no chance for anyone to stay alone, but everyone respects this wish and tries to help make it real when they can see such a need. For example, when a person covers up in a blanket over his head, that's a clear marker for all the others. As former convict Yuri noted, the yearning for privacy is a common place for the prisoners.

*"And when in prison, after all, people somehow feel sorrow for their hard lot a little bit. And everyone needs some privacy, and all of them really understand its value."*

Yuri, has experience of imprisonment

Despite the fact that such a mix of harsh conditions and forced neighbouring can cause mutual aggression between the officers and the prisoners, it also makes it possible to better see each other's lifeworld. Thus, people confronted with the law enforcement system often witness the lifeworld of police officers and sometimes even feel for them.

*"To be honest, they looked kind of weary, somehow. Because he [an officer of the Ministry of Internal Affairs] tells his story, "Look, I'd like to take a vacation, and the chief says, "The special military operation [in Ukraine, launched by the Russian authorities in February 2022] will come to an end first, and then you can leave." They all basically spoke up this way, so tired and miserable because they have to do all that."*

Ruslana, has experience of detention

There is a widespread idea that any experience of staying in the harsh prison environment is fraught with a burning sense of justice and appetite for action. Thus, both Fyodor, human rights defender, and Timofey, who formerly worked in law enforcement agencies and then was detained in a remand prison, believe that it is exactly passing through a detention experience which facilitates professional and personal becoming of people working within the legal sector.

*"The real prosecutors are those who are in prison colonies. They are really legal experts, ready to speak up and defend. They can analyse the law. And those prosecutors who are on the outside, who have not done a stint, are semi-finished products, they are not duly trained yet."*

Fyodor, human rights defender

*"I don't remember the country, think it's in Indo-china, before being granted the status of a judge, a candidate has to spend two months in prison, in a remand prison. And then he starts thinking, "Is it really worth it to remand in custody?" Therefore, I'd also make a suggestion here that a judge should do a stint before his or her certification. And not in some "crony" prison, but in a conventional, ordinary facility. So as he could see the way they eat, and so on.*

*That's the only way [learning first hand], there is no other method. No manuals, no articles, no movies, nothing else can help."*

Timofey, has work experience in law enforcement and experience of imprisonment

Of course, there are such cases, but there are also examples to the contrary – when the system cracks up a person and he or she goes silent. Therefore, under the conditions of a total institution, what really matters are support and human relationships, which are, to some extent, even if not opposed to the terrible conditions, then at least enabling anyone to maintain dignity and personal views. Some of the seedlings of cooperative relationship are described in the next section.

### **Solidarity and cooperation**

Total institution works to replace a human personality with some office role. First of all, it sets boundaries between the officers and prisoners, as shown in the section describing opponents within a total institution. At the same time, law enforcement officers and prisoners, living side by side and sharing some similarities, build relationships and establish both formal and informal bridges of contact. Informal bridges may be reckoned as systemic symptoms of, even if not solidarity, then at least some cooperation.

The first option of cooperation between law enforcement officers and prisoners is their informal or even corrupt relations, agreements that allow for a little improvement in everyday life, detention conditions, and use of a prohibited item.

*"Of course, it does not look like a FSIN officer comes along and tells you that there are such services, and they cost that much money. Of course, all that is based on personal contacts. That is, at first you just make some joke and somehow get in touch with a person, just talk to him, communicate, ask how he is doing. <...> Then, if it works out all right, if you understand that somehow the contact is more or less established, the person reacts OK, in some little things, I don't know, you give him a pack of good cigarettes, for example. <...> Well, just going this way, gradually, step by step, at some point, in some snug of the building, you just up and tell him that you need, for example, a phone or something like that."*

Yuri, has experience of imprisonment

"Payment" can be made by the prisoner by way of both monetary payment and services (for example, writing an essay for the successful completion of the law enforcement officer's training program), it may be provided not directly by the prisoner, but his relatives and loved ones on the outside. Quite often, having wish and respective "payments" do not happen simultaneously, but take place at different times. This way the "straight swap" relations are built, being non-market and not quite hierarchic, assuming some bilaterality. Such relations not only imply some relative "equality" between law enforcement officers and inmates, but in some cases are also aimed at a joint violation of the rules established in the total institution.

At the same time, certain asymmetrical relations between the persons under surveillance and the guards definitely remain in place: whereas the former often see such corrupt practices as the only way to get some vitally important things (such as pharmaceuticals), the latter regard them as just a source of additional earnings, which can be rejected in the event of any trouble.

The second option of cooperation between law enforcement officers and inmates includes some activities intended to ensure the safe passing of inspections made by the supervising agencies. Both groups are seeking to conceal the corruption practices mentioned above. Joint efforts

intended to maintain attractive appearance of a correctional facility for the world outside, according to E. Goffman, is typical for total institutions. At the moment of an official bossy inspection, "inmates and officers can feel their unity",<sup>44</sup> this is a kind of solidary action, where both teams act together and as one in regard to the outside world representatives.

*"At this moment, they act as allies, and not separately, because if the inspection finds some deep sh\*t, for example, drugs, or lots of phones, or some PlayStation in the colony, it's kind of really bad for everyone. Because they do understand why and where it comes from – due to the corruption ties and schemes which the local FSIN officers are laced with, and it's not just the inmates' problem that they should lose their corrupt stuff. And because of this, there is a concept of rotation, but in fact it's a kind of working in a correctional facility, which is divided into different social categories. **And the FSIN officers also appear as a social category of this somewhat large community**, same as there are categories of prisoners: mugs, supervisors, prags and downcasts, and there is also a separate category of the FSIN officers. There are some nuances, but they are certainly a part of the community, too."*

Yuri, has experience of imprisonment

In anticipation of an inspection to be made by the higher-ranking officials, or a visit of journalists, the average law enforcement officers of the Federal Penitentiary Service request help of "influential" inmates, that is, the informal hierarchy mentioned above. This is done in order to temporarily put the correctional facility into "presentable appearance" together: hide some prohibited items in special caches, change leisure suits into work clothes, clean up, etc. Thus, prisoners and law enforcement officers join together to maintain their common internal order and protect it from any external criticising impact.

According to E. Goffman, ritual ceremonies like inspecting the premises and respective preparations may vary to a large extent from one facility to another. However, it can be definitely said that such joint efforts of law enforcement officers and prisoners, made with a formally common purpose (passing the inspection), have an effect similar to the action of group therapy: relationships can become more collaborative. It's not quite clear whether such forms of casting roles<sup>45</sup> may generally entail any solidarity between law enforcement officers and prisoners. Nevertheless, even the effect of group therapy seems very important to us for the current situation in Russian detention facilities, as this is a possible pathway to mutual understanding and show of solidarity in the future.

The everyday form of cooperation is based on good neighbourly human relationships: facile acts of mutual aid that are neither shown in any procedures, yet nor violating any penitentiary regime.

*"The guys [officers] were helpful, too. Sometimes we ran out of cigarettes, they also helped, took some from others, handed over. And when in prison, first of all, any person would smoke because of his nervousness. Cigarettes run out fast. Yes, they helped us with that."*

Ildar, has experience of detention

For example, from Aliya's experience, in the remand prison, gender roles (male and female) could prevail as compared to institutional roles (law enforcement officer and inmate).

*"For example, a sign of benevolence is giving a helping hand when a convict is leaving a prison van, helping out with a heavy bag, bringing some fresh boiled water on request, looking for a headache pill, giving a pen and paper. That is, these are all the little things that they are not obliged to do, but without these little things, of course, life becomes much worse."*

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<sup>44</sup> E. Goffman, 'Asylums: Essays on the Social Situation of Mental Patients and Other Inmates', in A. Korbut., ed., Moscow: Elementary Forms Press, 2019, p. 130.

<sup>45</sup> Ibid. p. 140.

Aliya, activist, has experience of imprisonment

By itself, a long stay in a detention facility, accordingly, a fairly long acquaintance also leads to informal, friendly communication, unlike the first contact of a prisoner with a law enforcement officer.

*"When a person stays in a remand prison, one way or another he or she develops some informal relations with the administration and officers. Many people communicate all right, on a first-name basis, discuss some things, laugh and so on. And when they are taken to the police officers, who see them for the first time, they initially peg them as some criminals or murderers, basically. They begin to make all sorts of demands on them, aggressive physical inspections of all physiologic cavities, people usually don't like it, they start back talking, for example, and the police start beating them in response. <...> They begin to mansplain."*

Vladimir, human rights defender

Another basis for friendliness is kinship ties and homies.

*"Let's say that they have to [provide] an hour a day as time in the open air. Some are moved out, but in five minutes they put them back. And it never happened to me, I'd tell them I'll be out for exactly one hour." And I walk there for an hour. But then again, my cousin worked in the Federal Penitentiary Service, everyone knew him, besides, our brother-in-law also works in the Federal Penitentiary Service as a spec ops chief. They all knew about it, all staff members who worked there, and maybe that's why they were flexible. <...> Our region is rather small, almost all people know each other."*

Ildar, has experience of detention

This method helps withstand the "perfunctory" categorization of people as suggested by the total institution, as there is another category – homies, relatives.

## **Conclusion**

The total institution facilitates growing violence and dominance relationships. The order of behavior in a law enforcement facility assumes the existing roles of criminals and guards. The antagonism between these roles is expressed in the nature of daily routine, in the living space (some stay in prison cells, others walk in corridors and offices), and in the ways they call each other. Supporters of one side are not inclined to help the other side. This opposition is connected with the practices of discipline and violence in a total institution.

Nevertheless, many features of the total institution work similarly for both law enforcement officers and prisoners. For example, rigid hierarchies operate for both groups, capable of sanctioning violence at any moment. Both groups bear the stamp of a total institution – a stigma: the outside world does not fully accept its natives, whether they are a guard or a prisoner. Moreover, the natives often feel their "otherness", an invisible wall between themselves and the rest of the world. Law enforcement officers and prisoners are quite close, have common experience of staying in prison, and in some ways live a similar life. Both groups include many people with low life chances and incomes. All of them face a harsh everyday life. Regimes of a formal institution and shared households are mixed.

Despite all the functional gap between inmates and law enforcement officers, their position in prison and even the socioeconomic class, to which they belong, are often identical. Their common features and joint stay in a total institution give rise to neighborhood relations and even some good neighborliness, mutual support, even though sometimes of a compensatory nature, for example, due to the scarcity of everyday life. Occasionally, some signs of solidarity or its precursors can be observed.

It's difficult to talk about any full-fledged practice-oriented recommendations aimed at developing solidarity between law enforcement officers and inmates. It may be useful to identify

areas and types of relationships that are opposed to the division of roles in a total institution, such as informal payment for services and indulgences, corruption, joint preparation for verification, acts of disinterested assistance and courtesy, strengthening contacts based on, for example, fraternity or time spent together by law enforcement officers and prisoners.

## Agency<sup>46</sup>

Fighting the system alone is extremely difficult. Investigation of the case, sentencing, appealing – all those steps take years and require huge financial investments. The individual must be ready to repeat his or her story time and time again, to understand the bureaucratic nuances, to face rejection from investigators, prosecutors, judges and his or her own acquaintances. Police officers, in turn, have to handle multiple tasks and paperwork. Investigators spend hours interrogating the accused in remand prisons.<sup>47</sup> Prison guards are forced to perform their duties regardless of their own vision of justice. In other words, all the involved parties experience certain difficulties, which sometimes need an explanation.

The quotations below demonstrate how similar are the views of different social groups regarding the system. These statements emphasise the inevitable existence of the system and the impossibility of fighting it and are quite common among the public society.

*"How to change the system? I think, it will never change. They will escape punishment one way or another. This system works somehow. I don't think we can change it."*

Anna, mother of the deceased at the hands of law enforcement officers

*"Changing the system is a depressing goal. Because it's not clear how to do it. I had no goal to change anything."*

Vasilisa, former member of the PMC

We can conclude, that, oftentimes, our respondents decide to yield to the system and to withdraw from further action. Sometimes, they even try to find positive sides in their experience in order to cope with it. In this chapter we will try to analyse how this happens and how this behaviour becomes a routine through the *concept of agency*. We define agency as the ability of an individual to make decisions independently and put them into action. There are external and internal factors that can increase and decrease it. People are inherently capable of action, but the inequality and rigid structures limit or even eliminate agency altogether.

The system tends to convince people that its existence is reasonable and to restrict the agency of those who disagree. We do not know how many people choose not to share their experience of state violence. However, some individuals not only talk about their cases, but also try to bring the perpetrators to justice. We always discuss the actions of individual people, but their stories are parts of a bigger "person versus the system" struggle, where the system wears down the person. Protection of one's rights and views leave people exhausted quite literally — it takes time, money, motivation and energy.

The struggle between law enforcement and detainees resembles a football match on an uneven ground: the match can be held, but the parties are not in equal conditions from the very beginning. First of all, the system itself operates in a manner that tends to provoke violence and encourage impunity of those who demonstrate their loyalty to it. Secondly, people to whom offering resistance is the most difficult are more likely to find themselves inside the system.

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<sup>46</sup> Ability to act according to one's own interests.

<sup>47</sup> B. Gladarev, 'The profession of a Russian policeman: Service Conditions and Internal Institutional Logic. Anthropology of Occupations, or Not Staff Only', pp. 113-143; E. Khodzhaeva, 'Private and Public in the Spatial Organization of Everyday Practices of Neighborhood Police Officers (An Attempt at an Ethnographic Study)', (2011) *Labaratorium. Russian Review of Social Research* (3) 3, pp. 18-52.

Among our respondents were both people willing to give up and people willing to fight the system. We tried to discover what circumstances encourage and discourage the feeling of being able to change the situation.

The Story of Platon (excerpt)

*'I managed to turn on my phone when I was still at the police station. Of course, I wasn't able to film anything. I couldn't even move. I couldn't raise my arm, only my fingers. But somehow I managed to turn on my phone.'*

*'It all paid off later. We managed to satisfy the court that I indeed was there. When I turned on my phone, I immediately received a text from the bank, and a notification about who called me, all that stuff. The CID head was on his phone at the same time. The tracking data showed that we were at the same place at the same time. Good for me, of course.'*

***'Were there witnesses of your abduction and transfer to the police station?'***

*'No. My children and my lawyer looked for them, but to no avail. It happened in the morning, the streets were empty. There was a CCTV camera. But we failed to get the recording, it was seized beforehand.'*

***'You may find my question rather naive, but can you please describe your feelings during the beatings apart from physical pain?'***

*'There were some thoughts, of course. I was thinking that I needed to remember everything in case I would manage to survive. I tried to memorise everything I could. At some point I was ready to sign everything. But then I imagined people asking me why I did that. How should I answer? I signed because I couldn't endure torture? People may get me wrong. In the end, I didn't sign anything. I was already severely beaten, I no longer felt any pain. I spent three days in intensive care after that.'*

***'Did you immediately explain to the doctors what happened? Were you conscious?'***

*'Yes. I immediately told them that I had been beaten. My wife even wrote to Bastrykin and called his hotline. The police arrived immediately and asked me about what had happened. Then the Investigative Committee arrived, they took my statements. I spent 27 days in the hospital.'*

*While I was there, my wife contacted the Russian Committee Against Torture. Friends helped her. They told her about the Committee. Their man visited me. He said, "If you're ready to go 'till the very end, we will help you with the case." I said, "Okay." I was so ready. But he warned me, "Keep in mind that it won't end soon. The whole proceedings can last up to five years." Then I thought to myself: how on earth can it all last for five years?'*

*The police chief came after that and said to me, "Come on, man, take your crime report back. We will help you." I was like, "You've already helped me. I won't take it back." Then the CID head arrived himself, the one who beat me. He was threatening me as well. "Take your report back. Then I can guarantee you absolute safety." I was like, "What safety? I have nothing to fear except you." He said, "From me you will get your safety."*

*Then the Investigative Committee also asked me, "Maybe you can take it back?" Our city is small, you know. There is a communication between the Investigative Committee and the Ministry of Internal Affairs. I said, "No."*

*Then the local gangsters called me, "We're all doomed because of you." "Because of me? What have I done to you?" "Leave the CID head alone, take you report back. And everything will be fine." I refused. Then some random criminal boss called me, "Hey, buddy, take it back!"*



*You still go to jail anyway." I said, "No." It doesn't matter if I end up in jail. I won't take anything back." I'm already in the hospital, I don't care about surviving anymore. So I talked to him more boldly. "You stick up for the cops?" He immediately hung up on me.*

*When I started walking again, I left the hospital. With a lawyer I underwent an examination. They recorded the marks and did the chemical examination. The final report stated that there were metal particles on my skin. This helped to prove that the officers had used a taser.*

*Then the Committee found psychologists for me. Those psychologists have helped me a lot. I underwent an examination and rehabilitation, but still my condition was not very good.*

*The Committee offered us to go to the sanatorium. I spent there a week. Then one day there is a knock on my door. I open the door and see the same guys! They were like, "Well, let's go?"*

**'Those guys were the same police officers?'**

*'Yes. They handcuffed me and took me away. They said that they had an arrest warrant. It was winter. They left my wife and my child there and took me away by bus.'*

**'It was the same "case"? The kidnapping of a woman?'**

*'Yes. While we were on our way, my wife called the lawyers. My lawyers arrived too. And my lawyer said, "Listen, they showed me your case file. You have to confess." I was like, "Confess to what now?" "They have all the evidence." I asked, "Have you seen it?" "Yeah, I saw it. They have strong evidence that it was you." I was like, "How so? It couldn't be me." He said, "Let's go. I'll ask them to allow you to see everything yourself."*

*He took me to the investigator and showed me two volumes of my case file. "Here, look." The investigator showed me the cigarettes. My friends passed those cigarettes to me through the cops the night I was beaten. "Field", with white filters. There was also a DNA testing report, it stated that DNA was mine. It was as if the cigarettes had been taken from the abduction scene or from where that woman was held. As if they had found them.*

*Okay. Then he showed me two hairs. I have a short haircut, my hair is probably just 1 cm long. But they have another DNA testing report that the hairs are mine! They said those hairs were from the crime scene.*

*Okay. My lawyer asked me, "Enough for you?" I said, "No." They took all those things while they were beating me." I tried to explain everything. We were in front of the cops, but they didn't give a f\*ck at that moment. The lawyer thought I was lying to him, that it really was me. With such evidence... how can it not be me?*

*But I still didn't sign anything. He said, "Too bad you didn't sign. Now they will try to get you the maximum sentence." Then that guy came in.'*

**'The CID head?'**

*'Yes. He said, "Confess, and you get the minimum sentence. I promise you'll get only six or seven years." I was like, "What for?" "Refuse, and you'll get fifteen years." Well, we had a little quarrel, and then he left. I didn't sign anything and got detained.'*

**'You didn't sign the indictment or the confession? You didn't sign the confession?'**

*'Yes. They locked me up in the temporary detention facility until the trial. There we were told, "Get ready, now"<sup>48</sup> we will transport you all to the colony. Platon, you're going to the hospital. They will quickly check you and send you.'" At that time I was still limping, I was still using a cane. I said, "No." They took me to the hospital, and the doctors really declared me healthy. "Off you go! Back to the IVS."*

*My cellmates told me, "If they said that you're healthy at the hospital, then you're going to the colony for sure." And I had some strange feeling. I told them, "Guys, I can't go. I feel it. I won't go." They were like, "No, it's not possible." About half an hour later the officers came and said, "Okay, that's it. Now we go to the court, they will uphold the decision, and you'll go to the colony." I was like, "Okay, bring it on already." We went to the city court.*

*We arrive... and then the judge said, "Release." No undertaking not to leave the place of residence. No house arrest. Nothing. Just "release".*

*We didn't even understand why. Maybe because of the Investigative Committee. Maybe because I refused. I do not know why it happened like this, but they just let me out.'*

***'Right at the court hearings? They took you back to the temporary detention facility?'***

*'Yes, so I could collect my things, but there was no convoy anymore. They let me out, but I was still under investigation. That was when we started fighting back. I had a lawyer after all. I even was on "The Court Hour".<sup>49</sup> They made a film about me and my case.'*

***'You mean the TV show?'***

*'Yes. I told them about the cigarettes with white filters. After all, they somehow had proved that the cigarettes were mine. We requested another examination of the cigarettes. My relatives run a grocery store. They knew that, in 2015, those cigarettes didn't have filters. We requested an examination to establish when exactly those cigarettes were released.*

*According to the report, they were released just on the day when this woman was kidnapped. So there was no way they could have been at the station at that time. The crime took place in 2015, and the cigarettes turned out to be from 2016. Just like that. Okay, maybe we should check the hairs as well? Are they really mine or not? We send them for an examination. It turned out that they had been cut off. I couldn't possibly cut them off myself at the crime scene, right?*

*Another dubious evidence. And the tracking data.*

*I'm still under investigation though. They were about to terminate the proceedings several times, because I wasn't involved after all, but apparently something went wrong. No idea what exactly. We haven't received any answer on the matter. The investigation was suspended, that's all.'*

***'What about the proceedings against the police officers?'***

*'At the very beginning, when my wife contacted the Investigative Committee, the Second Special Investigative Department arrived. They arrested the CID head. He spent two days in the cell next to mine. Then he was released. They're all on the same side after all.*

*We wrote more requests. In January, a higher court placed the CID head in a remand prison. The president of the court requested a higher court to transfer the case to a court in another*

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<sup>48</sup> Forced transportation of prisoners to the place of detention.

<sup>49</sup> A court show simulating private court proceedings. It ran on Russian television between 2004-2012 and was aimed at eliminating legal ignorance.

*district, because the police officers were interacting with the judges, they all knew each other. Our case was transferred to another court. The proceedings took more than a year. But they were convicted at last. Both were sentenced to three years of imprisonment. Now, however, they're already out of prison. They were granted parole.'*

### **Control over the body**

Using violence against an individual means exercising power over their body, health and life in the most direct way.

*"Initially, yes, [it was terrifying], to be honest. But after a while, I was ready to die. I was feeling like that, really. For me, nothing seemed important anymore. I mean, the first two or three hours, maybe... I was tortured with electric shocks... At first I thought I was going to die."*

Ildar, has experience of detention

Bodily subjugation can manifest itself not only by means of inflicting physical pain and suffering. Controlling a posture while escorting constitutes another way to reduce a detainee's agency. Control over the position of body can provide a sense of controlling the person, instilling fear in this person or witnesses. Such method of reducing agency can be perceived as something normal, a part of ordinary course of events, which should be considered a separate problem itself.

*"For some reason the FSB bend the individual while escorting, arresting or bringing that individual to the court, even if there is no actual resistance. The individual is forced to keep his or her hands behind the back. They [the FSB officers] also bend the individual so the [individual's restrained] hands would be raised up in the air, and they [the officers] put hands on the individual's head. And the individual walks, gets into a car or leaves the court building in such a half-bent state. Even if he or she has not been convicted yet. <...> I sent requests to the regular convoy and to the FSB convoy. "Under what regulations you bend a person in such a way? You force individuals to keep their hands behind their backs and you bend their heads. What are the legal grounds for this?" Of course, I received only formal replies. And I asked the lawyers to look into the matter, but to no avail. It's a pity, because these are things that we somehow got used to and we don't question them anymore. Why every time they escort somebody, that somebody should be held in such humiliating position. Some people even take pictures of the detainee in those moments."*

Olga, former member of the PMC

The same is applicable to the detention conditions, as direct touch is not necessary for causing bodily suffering.

*"There were no windows in the basement of one of the prison buildings. There was nothing, actually. And the water was always ankle-deep. It was running down the walls. I was constantly ankle-deep. There was also a swarm of mosquitoes under the ceiling all year round. There were planks on the floor around the cell. The water was all over the floor, so you could only walk on those planks. Imagine that you're sleeping all wrapped up. The humidity is wild. You can't lean against the wall because of water."*

Veniamin, has experience of imprisonment

Detainees seek ways to regain agency. Occasionally they try to use physical force against law enforcement officers, which contributes to their situation escalating even further. As a result, such extreme measures as hunger strike, suicide attempt and other intentional self-harming practices appear to be the only way to defend one's position.

*"Well, one officer started swearing at some prisoner. So the prisoner attacked him. They almost came to blows. That prisoner then entered the cell and cut his wrists. Then he*

*called that officer. The officer opened the window. The cell door has windows, you know. That prisoner splashed his blood out into the corridor. There was a riot following that incident. That officer, he acted very rude towards the prisoner."*

Ildar, has experience of detention

Exercising control over a person's body deprives this person of his or her rights and agency. Deprivation of rights influences one's physical well-being. Thus, deprivation of liberty essentially refers to keeping a person in harsh conditions of a correctional facility. Long periods of waiting during the ongoing proceedings "force" people to physically remain in one particular place, etc.

*"She remained outside from 12.30 a.m. up to 6 a.m. That's five hours and a half long. The temperature was actually not very high in April, no more than 4°C. She was wearing a short dress and tights. Then we spent some time at the police station... she was brought there at 6 a.m. I arrived at about 8 a.m. We left at around 12 p.m. From 12 p.m. up to 7 or 8 p.m. we were at the department for Drugs Control. We spent only an hour and a half in the office. The rest of the time we were just sitting in the corridor. Then we went to the office of the Investigative Committee. We remained there until 2.15 a.m. That is, from around 9 p.m. up to almost 2.30 a.m. At 2.30 a.m. she was taken to the temporary detention facility, but she was admitted there only at 3.30 a.m."*

Kristina, mother of a detainee

## Threats

The effect of threats of physical violence is similar to the one of direct use of physical violence. However, there are other threats that the law enforcement and the Federal Penitentiary Service use to force people into submission and make them accept the rules of the system. For example, they may threaten a detainee with a severer punishment and an arrested person with unpleasant cellmates. They can threaten to deprive a prisoner of his rights, for example, right to parole, right to receive visitors and care packages, right to correspondence, or to place a prisoner in a punishment cell. Sometimes law enforcement officers try to make a prisoner obey by changing his or her status within the prison hierarchy.

*"The boss was furious. He wanted to get me into a cell with sex slaves,<sup>50</sup> he wanted me docile, so that I wouldn't file any complaints. 'Cause the turned out... They have no rights at all."*

Artur, has experience of imprisonment

In some cases law enforcement officers make detainees, human rights activists and witnesses cooperate by threatening their relatives and friends. A lawyer from Crew Against Torture provided details of one of such cases.

*"A year before the events she [the victim] spent 10 days in a temporary detention facility. Then she was released, because they could not charge her with anything. She did not admit her guilt at that time. But at that time, although her son was threatened, he was a minor, so she wasn't worried about the issue that much. This time her son had already turned 18. She got scared and signed the confession. She was taken into custody. The court convicted her of alleged murder of a neighbour and sentenced her to seven years of imprisonment."*

Arina, human rights defender

Detainees also resort to threats for the sake of restoring agency, but the law enforcement respondents discussed such threats with disdain.

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<sup>50</sup> A cell where prison officers gather together sex offenders and inmates who are considered low in the prison hierarchy due to their sexual orientation (including the ones forced into sexual relations while in detention), the so-called "turned out", "sex slaves", "bitches".

*"He told us, "Do you know who I am? My sister works at the Prosecutor General's Office. I'm gonna sue you all!" I couldn't stand it. I got up, gave him a kick and said, "If you don't shut your mouth, I'll bring the girl's father here and leave you with him alone. He'll rip you. And we'll say that it was your own fault. We will report that you fell or something, that we arrested you, when you already were like that. Don't try to be a smartass here."*

Stanislav, lawyer, former law enforcement officer

Apparently, the victims succeed in restoring their agency more, when they employ legalistic threats or express their intent to attract public attention.

*"I had three judges, all of them refused to work on my case. Because it was a dead-end case. No evidence. There was nothing. Besides, my case attracted public attention. There were videos on YouTube. They made a film about my case, and then another one. They got the message. "We put him in jail, and the next moment they tear us up."*

Daniil, has experience of imprisonment

On some occasion, solidarity between detainees can contribute to progress even in the most difficult cases. Pavel told us a story how the entire colony threatened the administration with self-harming:

*"Imagine six thousand people standing up and saying, "If you don't call the medics, and the boy dies, we all kill ourselves." There is no way out for them. They have to report the issue. The administration has no choice."*

Pavel, has experience of imprisonment

"Shifting" of agency can occur among the law enforcement officers as well. An officer can lose support and special privileges after being exposed by his own colleagues. A targeted internal inquiry can endanger the career in law enforcement. At the same time, our respondents hinted that there is a practice of fabricating the inquiry results, which means that inquiries can be used for threatening.

*"There is a department for internal investigations. They also need to work, you know. They also care about the clearance rate. They too need to find thieves, forgers and other wrongdoers among the officers. So, the quota system includes the officers as well, you see."*

Mark, retired officer of the Ministry of Internal Affairs and the Federal Penitentiary Service

In order to avoid an internal inquiry, law enforcement officers can document the use of force against them "just in case" as a measure of protecting themselves, especially when an individual threatens to file a complaint.

*"It was all very unpleasant for me then. In fact, I didn't want to lodge it. Actually, I prepared the case file out of fear that someone could have something on me. Such practice exists among police officers. Better to prepare a case under Article 318 [of the Russian Criminal Code] beforehand, than to be charged with abuse of power later."*

Matvey, former law enforcement officer

## **Humiliation and degrading treatment**

Humiliation is another measure that causes severe suffering. Humiliation may constitute an additional effect of applying the aforementioned techniques, controlling the body and intimidating, for example, when a person is placed in conditions that he or she finds insulting, or when humiliation implies acquiring a dangerous social status (for instance, in prison, etc.). In this section, we will focus on humiliation that is not related to physical pain and endangering.

Victims of state violence often mention that they were insulted, humiliated and "bad-mouthed".

In a situation, when an individual feels exhaustion, a single word or a slight push could cause a lot of pain.

*"You get humiliated. They just destroy your human dignity.*

*They call you names, they can poke you, they can smack your head or your bottom, they can give you a pull, they can push you. For them you're nothing. It's like a machinist in a factory, he does not treat machines like human beings. Same thing here. For them you're nothing."*

Veniamin, has experience of imprisonment

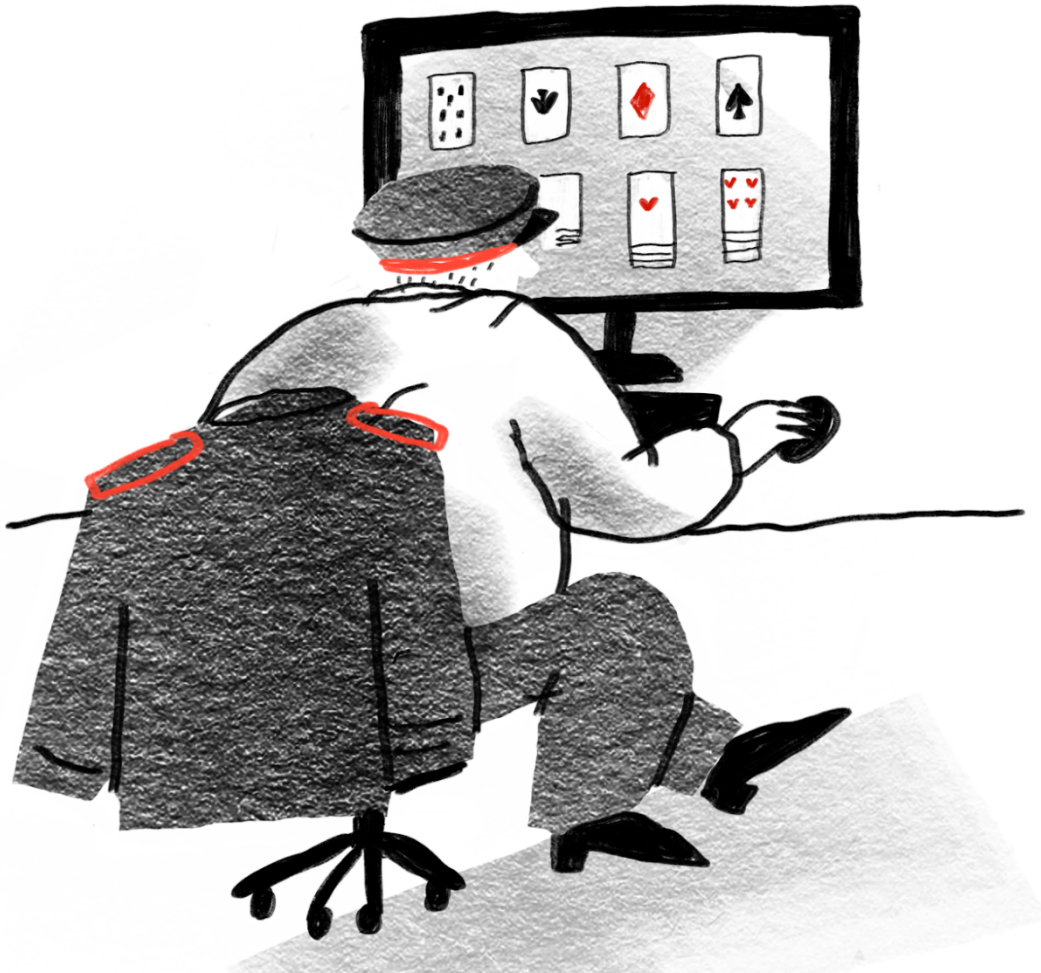
Humiliation also influences the symbolic status of a person within the system. In the example below, Anna tried to get a procedural decision confirming her victim status. Law enforcement officers refused to acknowledge her as a victim for three months. Victim status provides an individual with expanded list of legal options to influence the situation. Apparently, officers tried to avoid that in Anna's case. She was searching for a way to make local law enforcement bodies respect the law. She eventually decided to get into conflict.

*"I remember, I lost my temper once. I came with a lawyer. There was that guy in the office, an acting head of the local investigative committee. He was sitting there with his feet on the table. I walk into the office and I see his feet on the table! And he's sitting there, playing some games on the PC. <...> I said, "Okay, it's Monday now, I give you five days until Friday to resolve my issue. Next time... I'll make you a media star. I won't come alone." Of course, I said that on purpose, you know. I said, "I'll make you a star on Channel One." And then I left. And it did the trick. [Next time I came, I got what I wanted]..."*

Anna, mother of the deceased at the hands of law enforcement officers

Months of the investigator's humiliating attitude and unavailing visits to the Investigative Committee ended at the moment when Anna also applied symbolic humiliation to the officer.





### **Bureaucracy, routine, "procedural waiting"**

The respondents confirmed that, when they interact with the system, they feel supported, if they can see an outcome (for example, if they manage to have a personal appointment with the officer in charge of the investigation or to receive all the necessary documents, or if there are important developments in the course of the investigation). Every new development provides a feeling of control over the situation and increases the confidence regarding one's right to have their case considered further, right to complain, etc.

At the same time, the procedural opponents live in a different system of rules, deadlines and regulations, a system of reigning bureaucracy and formalism. This interaction pattern is more familiar and convenient for the security forces and allows them to achieve various goals: from subduing the morale and manipulating to wearing the individual down by following the law to the letter. Law enforcement officers are good at navigating the bureaucratic system, which puts the victim in a more vulnerable position.

A victim of torture may feel that going through numerous procedures (oftentimes without an option of skipping some of them) leaves him or her completely drained, shatters the faith that

truth is on his or her side and that the whole proceedings will have a successful end, and contributes to a sense of powerlessness and the need to surrender. On the other hand, such hurdles might not be intended to obstruct the investigation, but occur due to the flaws of the bureaucratic system.

*"One violation is followed by the other. So they pile up and prevent you from obtaining justice. Here is an example: you were not notified of a procedural decision. You appeal against the authorities' failure to notify you. You receive the decision eventually. That is the first part, right? Then, for example, you need to request an access to the case file. That's easy. What could go wrong? But they need to grant your request. They keep you waiting for another month, while they're in the process of granting your request. You lodge another appeal. You complain that your request isn't answered. So you end up with another delay. Then you finally have access to the case file, you familiarize yourself with it. You appeal against some illegal decision, for example, the refusal to open a criminal case. It takes some time. Then suddenly the investigators submit the papers to the court, that they've already quashed the decision in question on their own. In fact, you run in circles. You're glad that the illegal decision was revoked. You think, that now you can request the investigators to interrogate witnesses or, maybe, to order an examination. But the more you work, the more requests you submit, the more appeals you end up with. Because the investigators just don't respond."*

Renata, human rights activist

At the same time, on some occasions detainees manage to use the congestion of the system to their own advantage. For example, knowledge about punishment cells being overcrowded helped one of the respondents, Aliya, to realise that the officers of the Federal Penitentiary Service made empty threats.

*"Yes, of course, they were threatening me with punishment cells and other stuff. But those cells were full. And they reached the limit capacity of the remand prison. In fact, in order to get into the punishment cell you have to wait in line. I figured it out quickly enough."*

Aliya, activist, has experience of imprisonment

Exercising control over the time of an individual is another way to establish power over them and deprive them of agency. For example, law enforcement officers sometimes make the applicants come over and over again in order to obtain required documents.

*"The investigator couldn't give me the decision confirming my victim status for more than three months. <...> She appointed me for 10 a.m. once again, and I was there exactly at that time. She told me, "Leave my office, I haven't invited you." I knocked at her door and then came in. I said, "But I've got an appointment with you, you invited me. I knocked at the door." She said, "I haven't said that you may come in." Leave, knock, and then I'll think about whether to invite you in or not." I was like, "What?" What the hell was that? I was appointed for 10 a.m. I was told, that I should come right on time. And here I stand, at exactly 10 a.m., like a fool... I hang around this Tver Garden every day to avoid being late. It's not like I'm living next door, for God's sake!"*

Anna, mother of the deceased at the hands of law enforcement officers

The quotation above demonstrates, how the investigator exercises her power over Anna due to unequal conditions. Apart from being able to decide on visiting time, the officer is allowed to change rules of the game at any moment as well. Anna described the beginning of her three-year journey, when her anger and her will to fight for justice dominated the feeling of powerlessness that came later. The repetitiveness of required actions, as well as the never-ending return to the same point without achieving any results take away the energy to continue fighting.

Waiting is one example of how a person can get stuck in a swamp of bureaucracy. The victims and experts described other similar practices, that they have witnessed. For example, some



respondents could not receive the necessary documents for a long time, others were constantly sent from one institution to another or to different departments of one institution. Other respondents talked about their cases being transferred several times from one investigator to another, which impeded the progress of the investigation. They also mentioned attesting witnesses, that turned out to be connected with the investigators; loss of important documents; officers refusing to consider the results of independent medical examinations; an acquittal by a jury being quashed due to a flaw in the paperwork, etc. The list of the obstacles alone can give rise to a feeling of despair.

*"He was acquitted by the jury, and then his acquittal was overturned due to some formalities. Lawyers told me that the issue was somehow related to the jury. Something about how they were sitting in an incorrect order. That is, they were not sitting, like, jury number one, number two, number three, four. Apparently, they were like... number one, three, four, two. Something like that."*

Arina, human rights defender

In some cases, however, victims and their representatives can exploit formal rules (for example, the duty of the officers to respond to requests) in order to achieve certain goals.

The officers also mention bureaucracy as a factor that reduces their agency at the beginning of the career. The system "absorbs" the officers until they are deprived of almost any freedom. Mechanical work and absurd tasks force the officers to practice formalist approach and to abandon their own vision.

*"In the prosecutor's office, if you're a newbie, you'll be tasked with writing formal replies to complaints. You spend day after day and month after month choosing between three or four templates. It's no big deal if your reply doesn't correspond much to the subject of the complaint. A few months of this work can change your attitude to complaints. That is how they train prosecutors. A former prosecutor told me about this. I tend to believe it, because I know several stories like that."*

Aliya, activist, has experience of imprisonment

Law enforcement officers themselves use a method of exhausting the detainees. One of the prisoners, Veniamin, told us about such treatment. The officers woke him up every day for questioning and sent him to a "waiting room" (a place between the gates of the remand prison), where Veniamin spent half of the day without food. After that the officers informed him that the planned interrogation had been canceled, and returned him to his cell. Veniamin believed, as some other prisoners, that this treatment was a method of psychological pressure to force him to give statements to the investigator.

Victims and their allies can "counter" the actions of their opponents by complaining to their superiors. Mass complaints helped to turn a "remand prison kicks" into<sup>51</sup> an ordinary "remand prison no. 6". The most violent and cruel officers were removed from duty. The victims engaged in complaining were treated like "better left alone" detainees since then.

*"I think, they were afraid [to torture me]. They learned from my criminal record, that I was complaining and appealing against my conviction until the very end. I even complained about previous time I got beaten up."*

Pyotr, has experience of imprisonment

### **Bluff, deception and manipulative discourse**

As we have already noted, the lack of knowledge about how the system works makes a person especially vulnerable. This is largely due to psychological manipulation and deception, which can go unnoticed for a person without experience of interaction with law enforcement. The range of manipulation techniques is wide: the "good cop, bad cop" interrogation tactic, rushing

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<sup>51</sup> An informal name that indicated a high level of violence in this particular remand prison.

the events and taking a person by surprise, breaching the formal protocol (officers communicating with individuals without introducing themselves and stating the reason for the inquiry).

Individuals get misinformed frequently about their rights and obligations when interacting with law enforcement officers. Many respondents mentioned, that nobody explained what was about to happen to them and their loved ones. Officers in charge claimed that they were not obligated to do so.

*"Nobody approached us, nobody. We wanted to talk to these policemen. That didn't work. Someone from the investigative committee told us later, "We don't have to provide you with any explanation."*

Maria, mother of a detainee

In some cases, law enforcement officers directly lied about their actions and motivations. Maria from the example above said that when she asked to see her son, she was told that the officers would *"just talk to him and let him go"*. In fact, her son was beaten and threatened for several hours. Kristina described a similar situation.

*"The investigator said, "I'll let you go home." And then it turned out that my daughter must be transferred to a temporary detention facility instead. It was like a manipulation of some kind. The investigator promised us one thing. Then she claimed she couldn't do it. She was even throwing her hands, "Well, I'm sorry, but I can't."*

Kristina, mother of a detainee

Judging by how many times such attitude was mentioned by our respondents, we can conclude that it should be considered a practice in itself. Many respondents have faced deception and cunning from the police, the Investigative Committee, the court, the Prosecutor's Office, the Federal Penitentiary Service and its affiliated medical institutions, etc.

Direct lies not only mislead those lacking necessary information, but also can demoralise those understanding that they are being lied to. Obvious deception acquires an additional meaning: it emphasises powerlessness of those who are being lied to. Individuals are forced to either tolerate such treatment, or try to protect themselves at the risk of losing self-control and control over the situation.

On the other hand, detainees and prisoners themselves occasionally use certain rhetorical techniques to confuse their opponents by saying something unexpected.

*"That guy was provoking everyone and made everybody angry for some reason... He sat me down and said, "Now tell me, what were you doing on March 7th?" I said, "I woke up." "And after that?" "Then I got up." He said, "And after that?" "After that I brushed my teeth." He freaked out and started yelling, "Are you kidding me? We're having a serious conversation right now!" Everyone was laughing. That officer was yelling at us. Then he said, "Come on, spit it out already. We'll get the papers done, and then off you go. I'm sick of you." I said, "I plead the 51st [Article of the Constitution of the Russian Federation]." Or something like that. After that they sent me down."*

Vasily, has experience of detention

Vasily also mentioned one of his fellow detainees using bluff to increase his own agency.

*"Then the medics approached another detainee, an old man. I think, he tried to talk himself out of the situation. They had a long conversation. He claimed that he had high blood pressure. Maybe, his head was spinning too. And his memory deteriorated. Nothing of that was true, actually. He was just stalling."*

Vasily, has experience of detention

Choosing polite and respectful communication over making threats, searching for problems in common (for example, misconduct of the facility administration) appears to be another safe and successful strategy. Many respondents noted that restraint allowed them to find a more productive way to resolve a conflict.

*"I always speak in a friendly manner. I ask questions, then I lodge a complaint. I have never framed a single officer of the remand prison. When I lodge a complaint, for example, to the prosecutor's office, I write my questions there. Like "Why prison staff is not provided with conditions, which would allow them to comply with the law?"*

Aliya, activist, has experience of imprisonment

Some of our respondents emphasised that getting out of the conflict situation with minimum losses is more important than feeling sincere respect.

*"[I would advise] finding courage and strength to survive the moment and minimize the harmful consequences. Avoid escalating the conflict. Don't provoke and don't annoy your opponents. It's easier to discuss the situation and try to resolve the issue through legal instruments, when things, at least partially, normalise."*

Seraphim, former criminal investigation officer, has experience of imprisonment

### **Exercising power over material objects**

Some disciplining practices focus not on verbal manipulation, but on exercising control over material items and surroundings. Unlike measures for manifesting power over the individual's body, materiality-related methods are not supposed to inflict direct physical suffering. Instead, they bind the fate of the individual to certain objects. Manipulating important documents, for example, identity papers or a driver licence, is the most common example.

*"The same was with my passport. They issued a passport for me. But my new passport of the Russian Federation was invalidated. I'd been living with an invalid passport for two years. And everyone who was released [in this village] had an invalid passport. Passport office issued those passports, but they were made with a violation. You know, any violation, and your passport is invalid."*

Pavel, has experience of imprisonment

However, in most cases, manipulated items are those that can be used to determine which account of the events is "real": the one produced by the victim or the one produced by the law enforcement officer. One of the most frequently mentioned objects in this regard are video cameras and voice recorders, as they serve as important evidence in cases involving abuse of power.

*"The car was equipped with a camera, I saw it. At that time it reassured me, that nothing would happen to me inside the car."*

Pyotr, has experience of imprisonment

However, torture is more likely to occur in places without cameras (for example, some special premises). Alternatively, officers might refuse to provide recordings (as in Platon's case) or even damage either them or the recording equipment, as well as take and switch off the phones. This happens not only to victims of state violence, but to human rights activists as well.

*"Actually, they [members of the PMC] should be able to use cameras, voice recorders and other equipment to record what they see [and hear]. In practice, however, when we inspected police stations, we only had phones on us. Moreover, we were never allowed to bring video and audio recording equipment in temporary detention facilities, remand prisons and colonies. So we always ended up with only a pen and a piece of paper. At the same time, the officers, the Federal Penitentiary Service staff at least, always had their video recorders turned on and filming. There are some regulations. These recordings are*

*stored for a long time. But they're almost impossible to get, even if you file an official request."*

Vasilisa, former member of the PMC

Laboratory results and material evidence are frequently manipulated: sometimes certain objects are planted just to be discovered later, and sometimes the necessary evidence goes missing.

*"I was like, "Do you even hear yourself now? You're telling me that the investigator in charge of my case went on vacation and took the key to the safe where the evidence is stored with herself. And you can't open the safe right now. Are you kidding me? I do not work in law enforcement, but I know for sure that evidence is not stored in a safe. They are stored in special refrigerators. You really think, I'm such an idiot? That I'll believe in your tales?"*

*That's a complete nonsense! And he just said to me, "Well, it happens." So I said, "Okay, open it. Break the safe open. When the investigator returns from her vacation, the repair of this safe will be done at her expense." He was blushing like some tomato."*

Anna, mother of the deceased at the hands of law enforcement officers

Manipulating material objects frequently involve direct deception.

*"I didn't expect such arrogance, of course. We were performing an investigative experiment. Actually, there was nothing I could have demonstrated. So they came up with some stones, [because] the confession mentioned ten stones. Those stones were sent to the examination later, and it showed that there were no prints, nothing. No one even touched those stones. Back then I said, "Why didn't you take them all? Look, more stones over there, take them too." And he said, "No, ten stones is enough."*

Daniil, has experience of imprisonment

Possessing tangible property inside a total institution is especially important, since it helps the individual not only to improve living conditions, but to win back some of the control over the his or her own life as well. The collective defense of property exists among prison practices.

*"They were tossing one of the cells. They found a phone. You know, there is a thing, you shouldn't try to save things. One guy rushed to get the phone or to break it at least. Because there are numbers, messages, all that stuff. They don't need to know about it. So the guy rushed there. A brawl began. And the whole prison started banging on the doors, making noise to distract the guards from him. They were trying to make guards check other cells. It wasn't a riot, but something similar. The whole prison started buzzing."*

Daniil, has experience of imprisonment

In a sense, law enforcement officers face the same problems. The superiors can reduce their agency by demanding from the officers to pay for work-related items with their personal savings (uniform, office equipment, etc.), or organise a fundraising for the needs of the police station, a football club or the Russian Orthodox Church. Such practices provoke outrage among the officers, as they restrict the right to exercise control over one's own money and property.

*"Same here. Once they tried to get us at the finances, while we were receiving the payment. Everybody ran away like scared bunnies.*

*Today we were told to "donate" 500 roubles each for the domes of the police church... We nearly fell off our chairs at the meeting... This is supposed to be a voluntary thing, but, in fact, it's not... 🤔 We're not obliged to donate, but they will cut off benefits and financial*

*support for those who refuse...*



*That's the police for you, damn it..."*

Internet forum of the Ministry of Internal Affairs officers

## The surrounding people

State violence and subsequent interactions between victims and law enforcement officers do not occur in a vacuum. They are surrounded by a large number of people. Some of them are initially hostile towards the victim of violence. The others, on the contrary, might support the victim. Most people are neutral, and can contribute to either increase or decrease of agency. The result of their interaction with the victim frequently depends on the situation.

It appears that hostility towards the victim is more likely to be shown by those, to whom law enforcement officers delegate their power and who act according to the aforementioned scenarios. Most frequently, the ones who are being delegated power to are other law enforcement officers. In some cases, however, such individuals may not have an official status. Power can be delegated by the system to criminal bosses, as in Platon's case, or quasi-official units, as in the example below.

*"One of my cases concerned a situation, when a police officer and a Cossack<sup>52</sup> tied two people to a pole... They held those people tied for two hours because it was convenient. They handcuffed them to the pole and left in the heat. They had some paperwork to do. So they handcuffed those people to prevent them from running away. Cossacks are one of the most debatable topics, really. We even have this discussion at work, whether they should be held responsible for abuse of power, given their status."*

Igor, human rights defender, has work experience in the prosecutor's office

Initially neutral social actors can become hostile. For instance, fake attesting witnesses can participate in falsifying evidence. Another example is an "accomplice" who agrees to give false testimony.

*"I participated in a confrontation. My conviction was based on the testimony of a cooperator. It's a person who concluded a pre-judicial cooperation agreement with the investigation. I was shocked, of course. How can a friend of mine, relatively speaking, look me in the eyes and say "she stole the money"? That's so absurd. Perhaps this was the most shocking thing in the whole situation."*

Aliya, activist, has experience of imprisonment

There are also social actors that provide support for detainees and prisoners. A detainee needs support from his relatives and loved ones, as well as from lawyers and human rights activists throughout the entire process. Handling such situations might be difficult even for those experienced in interacting with the system: it is not always clear how one is supposed to act, what he or she needs to do and say, etc. Offering advice, material and emotional assistance can help to balance the effects of inequality and return a detainee a sense of control over the situation.

In some cases the victim cannot achieve any results on their own, even if they perform all the necessary steps. However, having a lawyer to accompany them in the investigative committee or the prosecutor's office might significantly increase their chances of success. Such effect is due to the way the law enforcement see and assess the risks of dealing with the victim and human rights defenders. Kristina, mother of the detained girl, gave such an example while sharing her story.

*"It would have been much more difficult, if I'd been alone. They [members of the Crew Against Torture] provide you with support and advice. What my actions would have been, if I'd worked on this case without them? I would've come to the prosecutor's office to just*

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<sup>52</sup> Here we refer to representatives of the Russian Cossacks. After being registered as voluntary guard squads, Cossack groups can officially work for the Ministry of Internal Affairs. For further information, see A. Litoy, 'Nagaika vs Virus: How Cossaks help the police', *RadioLiberty*, 2020 (April). <https://www.svoboda.org/a/30560806.html>.

*yell at them, to pound the table and to tell them that I would complain more. I probably would've thrown a tantrum there."*

Kristina, mother of a detainee

The connection is particularly noticeable when comparing the complaints lodged by prisoners and the ones lodged by their relatives. The complaints of individuals from outside of law enforcement facilities turn out to be more effective.

*"Complaining about the remand prison from outside is safer. Because you can always terrify a detainee. You can always take away their complaints. But if complaints are lodged from outside, the facility then has no choice. They have to address the issue and sort things out."*

Aliya, activist, has experience of imprisonment

Law enforcement officers may attempt to destroy support networks in response to engaging "help from outside". The closed nature of the system appears to be contributing greatly to this task. It is often difficult for relatives to find out what kind of support a detainee might need while in a remand prison (food, medicines, personal belongings, financial support, phone payment, etc). If informal means (for example, using a cellmate's mobile phone, or passing notes through relatives of other prisoners, etc.) are not available, exchanging information through a lawyer appears to be the only way of maintaining communication with a prisoner.

Sometimes law enforcement officers exploit the importance of a lawyer for detainees to establish control over them and offer to provide a state-appointed lawyer who is loyal to the system. Such lawyers might recommend cooperating with investigating authorities in exchange for lighter punishment or even discontinuation of proceedings ("nothing happens, if you admit guilt"). Those promises are practically never fulfilled.

*"[There was] pressure from the lawyer. "Previously, we said that everything was fine. Why change our statements now? If we claim that everything is okay and then suddenly it turns out the opposite way, that means that we lied. That's a criminal offense, you know. Think about it. Better to stick to our statements as they are now. Why should we delay the proceedings further?""*

Kristina, mother of a detainee

Law enforcement officers might try to break established support networks, if the actions of allies of detainees are excessively effective and impose threat of publicity and official inquiries. This also applies to specialists trying to help.

*"We [the members of the PMC] leave, and he [the prisoner] stays there. They can do whatever they want with him. They can make a deal with criminal bosses... You see, the person we visited remains there alone, without support. We left. We're outside. He doesn't know if we'll come again. Maybe, they already tell him, "They have deceived you, they will never come back." We collect five complaints. We go out. There were violations. But we don't send the complaints to the prosecutor's office, because a week later three people claim that we forced them to write those complaints."*

Miron, human rights defender

In some cases, the system agents try to provoke conflicts between victims and their loved ones.

*"The officers of the anti-extremism centre wanted me to make particular statements. When I was leaving, I told them that I would think about it and that I might come to them myself tomorrow. Their words convinced my mother to some extent. She thought that I would really go there and tell them that I'm not going to cooperate. She was somehow convinced that I have to communicate with them further. My father, though... he and I had a nasty fight. He wanted me to go. He was like, "you create the mess, you sort it out." Go and explain yourself. Give them answers. Since you*

*promised them that you would come tomorrow, you should be there. Like that. I said that I'm not going anywhere."*

Ruslana, has experience of detention

Support might come not only from the outside, from relatives, lawyers, human rights activists, but from the inside, from other prisoners, as well. Some respondents were convinced that officers might deliberately put unpleasant cellmates in the cell as a constant source of irritation to prevent prisoners from creating a comfortable atmosphere.

*"They were after "nice" cells. When they saw that mates are all well mannered and behaving, that there are no troublemakers, that the cell life became calm, they made sure to remind you that you have to suffer while in prison. That was mandatory. They are like, "You think you're on vacation here? You're here to suffer." A prison guard or a cop, someone will make sure to tell you that. As soon as they see a comfortable environment in the cell, they pull someone out right away and put in some asshole instead. Just to make it uncomfortable for you. <...> They want to destroy the idyllic atmosphere, so that everyone get nervous and uncomfortable. The imprisonment should never become comfortable. The prisoner must always has something to worry about. Something should always give him headaches. So they put in some drug addict, or some thief, or some manipulator. As soon as everything is good in the cell, it's game over. You know that they will take anybody and put in some sh\*t so that the things become bad again. That's how it works in the prison."*

Veniamin, has experience of imprisonment

Sometimes the officers might provoke conflicts between cellmates in order to break prisoner solidarity.

*"An officer managed to divide us. He split us into groups somehow. We had fights often. He was saying, "This guy, I would've punched him in the face. And that guy, I like him, he makes funny jokes. And this one is okay.""*

Vasily, has experience of detention

### Helpful practices and coping techniques

When the agency of the individual is reduced, his control is practically limited to his mental activity. But even such small areas of agency might help an individual to preserve himself or herself as a human being while in the total institution. Below are some helpful practices that the respondents shared with us.

*"When I got into the temporary detention facility, I took a notebook and **started describing the cell**. You know, I walk in. What do I see? There are three coat pegs about two meters from the floor level for outdoor clothes. The wall, its colour, a table, some benches. But I write everything down in much more detail. The beds. I describe the cell with as much attention to the details as possible. I can write five pages. <...> I like making every single day very busy. **I practice my attention skills**. It's a good memory exercise. Moreover, I got so many things recorded. More than 500 pages for my future book."*

Seraphim, former criminal investigation officer, has experience of imprisonment

*"They gave me books, so **I was reading. Sleeping, meditating... I even practiced yoga on the bed..** <...> I did Vipassana, it helped me to feel better."*

Ruslana, has experience of detention

*"I was resting and thinking. I felt nervous and worried. I was thinking about what would happen next, what was I supposed to do. **I did push-ups, squats**. I did everything I could. **I kept telling myself that everything would be alright.**"*

Daniil, has experience of imprisonment

Officers might take away books and notebooks, however, they are not able to strip the individual of their ability to establish internal boundaries between themselves and the situation.

*"I managed to understand that **prison was a separate thing**, and that all this would pass eventually."*

Yuri, has experience of imprisonment

Considering state violence as a separate and wrongful matter and oneself as its opponent remains an effective way to preserve agency.

*"I was sure I hadn't committed theft. So I felt confident. It was a matter of conscience. How am I supposed to take responsibility for crimes I didn't commit? So I stood my ground. <...> I was wondering **why did they have to get me?** For what reason? **I don't do such things.**"*

Ildar, has experience of detention

Ildar refers to his own conscience in the example above. In general, appealing to moral qualities, truth, justice and other ethical categories is common. As many of our respondents repeatedly mentioned, believing in their innocence and being confident that justice would eventually prevail helped them immensely to endure torture, bureaucratic obstacles and psychological pressure.

*"They are initially taught to intimidate. For some reason, that's what they're taught in police academies – how to terrify people. We have some kind of intimidation propaganda, I believe. But you just need to understand that by no means anybody will die. You just shouldn't be afraid. **Everything will be fine, if you're absolutely sure that you didn't do anything.**"*

Evgeny, has experience of detention

Another way to withstand the pressure of opponents lies within maintaining symbolic solidarity with other people and appealing to one's sense of duty. For example, Anna mentioned that she felt having no right to abandon her mission to find law enforcement officers that killed her son, because she made him a mental promise. Other informants felt responsible for the suffering of their "fellows in misery".

*"I met a man in the remand prison. He was tortured by the same officers who tortured me. There was a special place in the center, they gathered there people who were to be brought to court. Apparently, that man had heard a lot about me. When he realised it was me, he approached me. You see, everybody there knew that we complained. He told me, "Don't give up, for God's sake. Go through with it. This man tortured me for three days, you know. I'm walking with crutches now.""*

Ildar, has experience of detention

Political opinion also strengthens feelings of solidarity, which occasionally results in law enforcement officers deviating from standard behavior patterns.

*"He asked me, "Why is everyone laughing here [in the police van]? You were arrested. We will take you for questioning." I said, "You see, everyone here understands why they are here." He said, "Actually it's the first time I see people laughing after the cops arrested them.""*

Vasily, has experience of detention

Many victims of torture, who turned to the human rights defenders, emphasised the importance of the fact that the human rights defenders tend to help them without seeking to profit, showing a friendly face and empathy towards them, sometimes they even provide financial support from their own funds and personal savings. At those moments, the impact of human rights activists on the agency of victims extends beyond the scope of regular case support. Their involvement encourages the will to continue fighting for justice until the end.



*"I wouldn't win anything, although it's just coming up now. [My lawyer] is just eminent in his profession. He is fully understanding, really quick on the uptake. **And one most important thing: he's doing it for a good cause, he has no axe to grind.**"*

Evgeny, has experience of detention

*"The lawyers said that they had already talked with my relatives, with my uncle, my brother, and my sister. There won't be any help coming from them. **"But we will keep working on your case. For free." I'm so grateful for this.** They still keep working with me. They said, **"We will not leave you, until we get this done."**"*

Daniil, has experience of imprisonment

In a situation, when the individual remains alone against his opponents without any allies to rely on, their own self-respect becomes their last measure of support.

*"First of all, you have to be honest with yourself. That is the most important thing. It's like in our famous proverb. "Get into the basket, if you call yourself a mushroom." If you start something, then you'll have to keep going until the end. No back down. No half-truths. Never stop until you complete your task. Show yourself respect. **You respect yourself, if you can go the distance. You see, I respect myself very much.**"*

Pavel, has experience of imprisonment

## Conclusion

There are specific practices within the law enforcement system by which some officers establish control over individuals in a conflict situation. Manipulating the body is not the only method of exercising control: law enforcement officers can manipulate the psychological state, time, reputation, property and support networks of their opponents. Sometimes they delegate their actions to third parties and objects.

The victims of state violence can try to defend themselves and bring to justice those responsible for ill-treatment. To achieve that they need to acquire, return or preserve agency for the struggle. They can use the same fighting techniques as their opponents: attracting allies with higher agency (human rights defenders, lawyers, ordinary people whose rights are not restricted) or try to turn the situation against law enforcement officers. However, due to inequality and the way the law enforcement system is designed, techniques that were applicable against the detainees turn out to be ineffective towards the officers. Nevertheless, in some cases, the course of the struggle can be turned in the individual's favor.

Most of the tactics of "winning" agency constitute a mirror response to the actions of law enforcement officers, as far as the power asymmetry allows such responses. Law enforcement officers use violence to improve statistics – victims complain to their superiors and initiate official inquiries; operational officers and investigators fabricate material evidence – lawyers find new ways to prove facts of torture; law enforcement officers humiliate victims – victims find ways to make such things public, etc. The power asymmetry most strongly manifests itself in cases involving physical violence: an ordinary individual cannot respond to a law enforcement officer in the same way, thus, in order to regain control over his or her own body, this individual resort to self-harm. People can also act out of despair, having lost hope of demonstrating agency in any other way.

Among other practices that help victims of state violence to maintain control over their lives even during the most difficult times, forming a specific perception of the situation, themselves and others is another method that is worth mentioning. When the individual manages to draw a symbolic boundaries between himself or herself and torture, or to feel that they constitute something bigger and better than an object of attention of the law enforcement system, he or she acquires inner freedom that is difficult to control from the outside.

## To be Continued: Consequences of State Violence

From the previous chapters we can conclude that sometimes an alleged struggle between a person and the entire law enforcement system in reality is the clash between certain individuals. Specific law enforcement officers use the instruments of the law enforcement system in their favour and can torture, humiliate, deceive and deprive people of help following their own reasons. Why do not such stories remain private cases, what is the social effect of state violence and torture?

The answer to this question, which we will be presented below, is based on the analysis of what happens to the participants of the acts of torture and to the society as a whole after the torture, detention and imprisonment ends. During our research, we heard many people saying that state violence poisons, stains, infects and changes everything it comes in contact with. In some cases, the dirt was quite literal: for instance, in descriptions of the harsh conditions of stay in a total institution or in stories about garbage scattered by police officers in police cars. In other cases, it is more about symbolic pollution: about corruption spreading over the law enforcement system like a contagious disease, or about how a person released from prison continues to carry stigma. To describe such processes of "pollution" and "spoilage", for this chapter we developed a concept of *contamination*.

The Story of Platon (excerpt)

**'Have you applied to anywhere apart from the Crew Against Torture? To some human rights organisations? Maybe, you've filed a lawsuit<sup>53</sup> with the ECHR?'**

*'We planned to file a complaint with the Crew. But in connection with the recent events,<sup>54</sup> the ECHR option is not considered anymore.'*

**'And what do you think about the fact that Russia no longer wants to implement the decisions of the ECHR? How do you feel about that?'**

*'Probably, I am the one who's not happy with it. I believed, we might get our money back as we had to sell our apartment and our car to cover the costs of the lawyers. We didn't work. We had been under a special protection program for four or five years. It was horrible. Russian Special Protection Program – do you know what it is?'*

**'Tell us, at what point you entered the special protection program and what it is in general?'**

*'I entered the program in 2017, in February or January. These are police officers [of our city], a special police unit. They follow you to the court. You are prohibited to go anywhere without their permission. You have a tracker on your hand or your pocket. If you need to go somewhere, you phone them and they confirm whether this is possible or not. If there's an emergency, they say, "Don't leave the house, before we arrive." We had lived in such a way for four years. My wife, my kid and me. I have a son, we were under state protection. The program doesn't work. You don't get anything from that. You can't work, you can't go where you want to, can't mind your business.'*

**'Am I right to think, that you didn't feel particularly safe under that state protection?'**

*'Absolutely not. They come only to the court hearings, 5-6 gunmen. And they are not around at all other times. I was living in N at that time. They saw that somebody messed with me,*

<sup>53</sup> We refer to lodging an application with the European Court of Human Rights.

<sup>54</sup> Russia's membership in the Council of Europe ceased on 16 March 2022, and the ECHR therefore stopped considering cases against Russia for events occurring after 15 September 2022.

*they called me. They said, "We have to take you to the capital of the region. You will be isolated. You will be provided with a room or apartment. You will live there and will be on welfare, minimal wage."*

*We have declined the isolation. We rent an apartment. We have completed the reconstruction works but not yet move there. We still rent an apartment. I used to run a business, we owned two shops. Not a supermarket, but a convenience store. I used to have two, but there is only one now. I had to close one shop as we were away from our city. Another shop is operating but we don't have control over it. Currently, we can't go to our hometown. This situation persists. I have not been working for a long time.*

*We were left with nothing, you may say. We used to own a 5 room apartment and we had to sell it. We bought a country house and only managed to cover the cost of repair works there. But the plans that we used to have... We planned to change our car, but in the end we had to sell it. We incurred a financial loss.*

*And one more point... I would not recommend anyone to endure this. It's probably easier to sign and serve the sentence, than endure such torture. It's been five years but reminiscences still echo with me.'*

### **A weak person will become even weaker**

State violence, in the forms of ill-treatment, torture and torturous detention conditions, has a negative impact on all aspects of the life of the person who experiences it. First and foremost, of course, it affects the victims themselves, their resources, health and socioeconomic status, but, as the definition of contamination suggests, the negative effects also extend to those close to the direct victim – relatives, friends and protectors.

#### Health contamination

Expectedly, torture causes trauma and injury, but this is not the only effect of state violence on human health. Many of our respondents with experience of imprisonment described how they had been exposed to infectious diseases while in prison.

*"In a correctional colony I was infected with an incurable, fatal disease – HIV. That was confirmed. To make things worse, they broke my spine. They "forgot" to tell me that I have HIV and hepatitis C. Although when I arrived at the correctional colony, I underwent medical examination and was proclaimed healthy. Perfectly healthy, safe and sound, not a single fracture, not a single dislocation. <...> And there were prisoners working in the medical unit who were HIV-positive, they were hospital attendants. And they didn't use disposable syringes for injections, one syringe could be used to take [blood] from the whole colony."*

Pavel, has experience of imprisonment

Harsh detention conditions and failure to provide medical care to those who is already at risk (for example, people with cancer and endocrine diseases) also cause long-term damage to health. Some of living conditions in detention do not appear to be hard on purpose, and yet they can severely impair the wellness even of a person who may have considered himself or herself healthy.

*"Many detainees develop this disease not after the colony but exactly after a stay in a remand prison. This is called a "prison disease". Your eyesight is impaired by this light and the fact that you can't look into the distance, you can't look beyond the walls except through the bars. Your vision is degrading. When people come to the doctors after being released, and the ophthalmologist begins the screening, very often a doctor asks the*

*patient whether this patient had ever been in prison. "Yes, I had." "Oh, then it is clear, you have a prison eye disease.""*

Veniamin, has experience of imprisonment

In some cases, a confrontation with the police turns out to be fatal, and the person's life ends – like the life of Anna's son, a regional athlete and an extremely healthy person, who died after receiving 49 blows from Rosgvardiya officers.

Another consequence of a clash with the state violence – its' impact upon mental health. It is worth mentioning, that not many our interviewees spoke about this directly but an independent psychological diagnosis is beyond the scope of our research goals and expertise. Therefore this category of consequences can be less visible in our study, however criminal defense lawyers or the relatives notice the change in the mental health of the detainees.

*"She was diagnosed with suicidal tendencies, a state of severe depression. And because they discovered that, we turned to a psychotherapist. She is now with me, undergoing a medication treatment."*

Kristina, mother of a detainee

Some lawyers and specialists working with families of survivors of state violence note that the mental health consequences for close relatives – especially for mothers – may be no less or even more prominent than for those who were directly involved in the situation.

*"I recall now a story of a mother of one of detainees, a very complicated case. Initially she said, "No, I don't need anything at all, the most important thing for me is his well-being..." We go to the kitchen to prepare a salad together. And at some point this woman looks out of the window (the apartment is on the 8th floor) and says, "You know, I sometimes think, he's the only one who keeps me from stepping out of the window. Allah Almighty, why do you do this to us? Why do we have to go through all this?"*

Yana, psychologist



### Economic Status Contamination

As we previously mentioned, investigation and legal defence in court requires a lot of financial resources. Applicants need money to pay for forensic examinations, for medical care and lawyers (as state human rights defence and medical services are far from being always co-operative or do not appear to be of satisfactory quality), for travel expenses and experts.

It should also be taken into account, that a person who has been tortured can lose an ability to work for a long-term period – due to the health condition, or state protection requirements, or the necessity to hide from chasers and move to another region, or just because court proceedings are time consuming. As a result, some of the victims have to sell all of their property and literally become homeless.

There are new expenses for an individual in detention: even authorised and approved ways to improve the living standards are costly ("*food in the shop<sup>55</sup> is complete sh\*t and it is three times more expensive than on the outside*"). "Smuggling" – like buying and delivering mobile phones to the prison – means that a person has to spend money on the item itself and pay a fee for bringing it in. In addition, it is highly likely that the "banned" item will be taken away during the next cell check.

Apart from the fact that lack of money obviously leads to comfort deterioration, decrease of food quality and status among other prisoners, there are other indirect consequences. In particular, an individual, who depends financially from the outside help, loses the skills of managing the money wisely and does not consider himself or herself economically self-sufficient. All that can influence his or her life upon the release. From the financial point of view, not only a detainee incurs the losses but his family as well.

*"An average salary in prison – please note, an average wage, – is around 3,500 roubles. Sometimes, 700 roubles. They help inmates so that they can pay for themselves in a shop at least. So that an inmate is not a burden to the relatives any more. You see, I have reached an agreement with the administration of one of the colonies to organise a café for short-term visits, as soon as I have an opportunity. In that very room. I will find some financial resources to renovate and modify the room to set up a small café for people to sit closer to each other in a normal environment. For a prisoner, who has earned money there, to come to a café and to treat the loved ones, the family with some tea and biscuits."*

Daria, human rights defender

A bureaucratic routine is another mechanism which contributes to consequences of torture "contaminating" a normal socioeconomical activity of a person. We have already discussed bureaucracy as an area of "agency shifting" between people who have been tortured and the law enforcement officers and we concluded that this method of fighting back is very time consuming for both victims or their relatives. In particular, relatives of prisoners and detainees, have to stay in a line to meet a chief officer of a remand prison who is available for the meetings only 1 hour per week, travel from town to town, make phone calls to courts, to prosecutors, to law enforcement officers, to defenders, to spend countless hours writing bureaucratic papers. Many people do not have time to work.

*"Let's say, to write an application on six pages – it takes time to find relevant case-law and to compile documentation. I work from 9 p.m. till morning. Therefore, it requires a lot of time."*

Kristina, mother of a detainee

State violence can also provoke problems in economic relations that would not have occurred if the person had not been 'stigmatised'.

*"We had been renting an apartment for about 11 years, but after I had submitted an application to the Committee Against Torture, all of a sudden, we were requested to move out in one day. After that some strange tax audits started at work. Some bullsh\*t in general. As though some dissatisfied customers submitted complaints. To cut a long story short, some rubbish."*

Anna, mother of the deceased at the hands of law enforcement officers

In addition, changes occur indirectly, through the everyday life of people who have faced the state violence. Types of everyday routine changes are connected with new vulnerabilities, listed above (decreasing of living standards, loss of property, job, family status, also limits forced by

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<sup>55</sup> We are talking about a grocery store, which is located on the territory of the correctional facility and is the only one available to prisoners. The price list and the products available can be found in the online version: <https://magazin-ik.ru>.



the state of health). In this new reality there is no place for old socioeconomic relationships but the efficiency of their replacements are doubtful.

## Social Structures Contamination

Many people, who have appeared on the radar of the law enforcement system even once, can never "clean up" from that experience. On the one hand, this is caused by the stigma of the total institution: personal changes, new habits and values. On the other hand, former prisoners run the risk of getting into the penitentiary again, as they acquire a new vulnerability. This is a story of Gennady, one of the torture victims.

*"After catching you, they will keep searching for something to charge you with. Until they get you sentenced. <...> It was only one violation, you are even back at home already, retired for good... Once there was an incident: a pump was stolen in a village. I have never been to that house, never in my life, but they came to me first. "You have been seen there, therefore you have taken it." I said, "Like hell I wanted it." "No, it was you." In the long run, they gave me some time to find the pump and return it. I was like, "Have you gone mad completely?" I went to the Prosecutor's Office and filed a complaint, "They gave me some time to find that pump but I had never seen that pump, never in my life." That was the first time, I complained about them. They were angry with me after that."*

Gennady, has experience of detention

Gennady found himself in a typical situation: he had been convicted and law enforcement officers started to consider him a person who could be suspected of any subsequent crime. Moreover, Gennady developed a reputation of a "complainer" and a "trouble-maker" because he applied to human rights defenders and covered widely in the media the act of torture when the electric current had been applied to his groin. Eventually, two police officers, involved in the act of torture, were convicted and sent to a correctional facility. All that caused a splash of professional solidarity in the police station and a powerful negative backlash against Gennady from other officers of that police station.

State violence impacts not only the victim, but also the social structures of which he or she is a part of. The total institution excludes an individual from other social structures and economical relationships and totally consumes him or her. Thus, a long-term detention can destroy the existing communities: families, professional and neighbourhood communities as it removes participants from their lives and stigmatises them.

*"While I have been serving my sentence in a correctional colony, for a whole year my relatives did not know where I was serving my sentence. Literally. My mother sent me a package to a colony. The package returned with a note that I was not in that correctional facility, although I had been in that colony for a year already. How this should be called? I have not yet received any reply. I have been waiting for a reply for 7 years."*

Pavel, has experience of imprisonment

It is interesting how torture experience has a similar effect, even if it is not associated with prolonged imprisonment and isolation. Deprivation of contact with loved ones, as we mentioned earlier, is also used as a torture tool and, of course, serves to destroy family ties. But violence can also ruin family ties and be a destructive force, if any person cannot remain involved in the events.

*"The judge understands that the cops have broken my arm and that the cops are giving fake testimony. He says to me, "Listen, you have a witness – your wife, you have called her. Let her file an application. Why has the investigator not interrogated her yet? The investigator is obliged to question her, there is even a paper there. There is a witness, the most important one, and she has not yet questioned her. She wrote that paper – the weather conditions were bad and therefore, she couldn't get to the place. That's all. Here's all her reasoning. Ask your wife to file an application and to describe how it all happened."*

*If she confirms it, then I'll let you go." I call my wife from the prison. Do you know what she tells me? "Deal with your problems on your own." That's it. She turned off the phone and blocked my mobile number. I was shocked! <...> Now I am sure that she was under pressure. She blocked me everywhere. When we were living [together] – everything was just great! And it ended up like this... I called a friend of hers, she was like, "Artur, don't worry, everything will be fine. I'll call her. I am 100% sure – everything will be fine, she will describe everything as it has happened, and you will be at home." I have been waiting for a long time... In the long run, I served the whole sentence. Yikes!"*

Artur, has experience of imprisonment

Sometimes relatives of victims of torture also suffer from state violence, especially if they are too much interested in the course of investigation. In addition to all other types of state violence's impacts on the relatives and loved ones of the torture victims, it should be noted that there is an increased risk for an individual to get involved in a fabricated case or receive threats. For instance, Anna, who had appealed to the prosecutor's office and the Investigative Committee, received warnings that compromising material, related to the fact that she allegedly made public some secret information from the investigation, was being collected.

The kids of those who have survived torture or imprisonment constitute a specific category of individuals whose destiny changes significantly because of state violence. It affects everyone, if a family member has been tortured. Socioeconomic losses are inevitable. It should also be stressed out that minors definitely take on a particular emotional blow. First of all, we refer to the cases when the children, especially in the early age, witness what has happened to their loved ones.

*"There was a boy of seven years old. A policeman dragged him by the neck from the second floor down the staircase and in hit his grandmother against the wall in his presence. They wanted to scare his mom. The boy came to us and, though there were no injuries, he spoke quietly, he was whispering. He was examined at the hospital. This thing is called psychogenic mutism – when a person is so much frightened that is unable to speak."*

Yana, psychologist

Very often, if a pregnant woman is imprisoned, she, after giving birth, is separated from an infant. A baby is sent to a nursery in the place where a mom is serving the sentence.

*"According to law, women and children are to be separated when the latter reach the age of three. If a child is under the age of three, this child should remain with his or her mother. The main issue is that children get separated from their mothers nevertheless. A child stays in a special nursery at the colony, and a mother may [visit her child] for a few hours a day, if there are no medical restrictions and no violations by her. There is an opening for manipulations. Cohabitation is being introduced, but now it's only about 5-10%. It is possible upon a request from a mother. There are certain conditions: her behaviour must be good, she must be a good mother, etc."*

Miron, human rights defender

## Occupations Contamination

Victims of torture and their relatives are not the only ones who feel the close attention of state authorities. Human rights defenders have also received threats and have been persecuted.

*"My first lawyer was a good lawyer and a gifted teacher. He was stopped by traffic law enforcement officers at the entrance of the city, and the cops said, "Turn around and drive away. Otherwise, we will find drugs in your car, and you will be arrested and will end up in jail together with your client." What did he do? He drove away – he turned me down."*

Platon, has experience of detention



The consequences of torture spread depending on the degree of remoteness from its core. Everyone, related to people who got into the law enforcement system, especially those who have suffered from violence, become more sensitive. The probability of unfair persecution and chances of suffering from state violence increase – that was covered in detail in the first chapter. As a result, we can view a spiral leading to greater inequality and vulnerability with every new interaction with the system.

### **The mechanism of influence on self-perception and perception by others**

Another identified mechanism of state violence's influence on society is related to the ability of a situation of violence and torture to change a person's perception of oneself, of one's own capabilities, moral settings, and boundaries of normality. As a result, the image of a person is contaminated both at the level of self-perception and at the reputation level.

Depending on the distance to the violence core, the intensity of contamination varies. However, the general pattern of the state violence's impact on self-perception can be presented as follows: when a person is under pressure, he or she faces a forced choice – to give up his or her self-perception and reputation, or to strengthen one's own perception of oneself at the cost of a more painful confrontation with the system. In the chapter devoted to the agency, we discussed what things can potentially influence that choice. In this chapter we will consider how this mechanism operates for those who are involved in the act of state violence and what are the consequences.

#### Victim and loved ones: broken life and humility

No doubt, the victim and his or her relatives experience the most intense pressure aimed at changing their perception of themselves. Threats, demands to "do what is told", to abandon one's own ideas about what is right or wrong (to make self-incriminating statements, to withdraw the application, to stop complaining) – they have been hearing all these calls for a long time. And a person is confronted with a moral choice: to act as one believes is right, or to surrender. The routine of these practices can take away a person's control in a particular situation, but also change how an individual will act in the future.

*"They say that they bring us up, reform us. In fact, they do not help people to change for the better. On the contrary, they make them even worse. I will give a very simple example: a piece of bread, that is called "ration", 200 grams per person. You come to a dining room, and the ration is not 200 grams (it's my own experience). For example, it's 50 or 100 grams. You start asking them why. According to law, I am entitled to a piece of bread. And here we go. [They put you] in a solitary confinement cell, and you immediately become a habitual offender. You ask for what you are entitled to, you're just asking, and you are the wrong one. It all may seem trifling but that's where it all starts. Everywhere is like that. To sum it up, you will get a horrible picture, for sure. I haven't been aware of that before. I haven't thought it is like that. And if you win [some legal dispute], then there will definitely [be] either death or [Roskonnadzor]."*

Artur, has experience of imprisonment

Many interviewees, who have gone through torture themselves or with their loved ones, describe the result of pressure as an internal breakdown, indifference to one's own fate, loss of hope. Sometimes these changes seem fatal, extending beyond the confinement (*"It is all over – my soul is aching. Even if I'm outside, it's all the same..."*). In the following example, it is very characteristic that a speaker uses pejorative words when describing himself or inmates. The image of yourself as a person endowed with rights has to be changed to an image of a tenacious insect.

*"Nobody believes. In my 2.5 years of imprisonment I have never met a person, a convict, who believed that it is possible to find the truth among these structures, that it is possible to seek and find justice. You are getting used to living in a ruck. God forbid, you stick out!"*

*There was an old criminal in the remand prison, in transit. He always said, "When you get into a colony, the main thing is not to stand out. Serve your sentence like insects under floor.""*

Veniamin, has experience of imprisonment

Close ones also see the consequences of internal disruption.

*"He is always at home, he doesn't go anywhere. He used to be a boy, but now he's not. He trusts nobody."*

Maria, mother of a detainee

People have to give up their original points of view.

*"At a police station – this is very hard. In a special detention center, at least, you are provided with books, a phone once a day, something else. At the police station there is nothing. And you have absolutely no idea how to keep yourself busy. You start thinking it over, contemplate, and it makes everything even worse... You feel lost, worthless, weak, because you realise that you can't do anything. You're trapped under pressure."*

Ruslana, has experience of detention

*"Since my release in 2015, I have never used violence against a representative of the authorities at a rally. I've learned the lesson: even if I believe violence is justified, I'm not ready to deal with that. It's a swamp, and you do not want to get into it, because it is hard and complicated, time and efforts consuming, and in the end you risk just drowning there. Why would you do that, if you can avoid it all? I noticed this state developing in me. I hardly can be a typical example, but in my particular case I can say that the prison worked. It is not a very pleasant conclusion for me, but, probably, I can make it now."*

Yuri, has experience of imprisonment

In some cases, even after a person's death, his or her body is under control of the law enforcement system, and access of relatives to the body is restricted.

*"Then (another member of the PMC, not me) went to look at the body, because, of course, a medical report should not have corresponded to the injuries on the body. There was some kind of a medical report stating that he had died from some natural causes. But of course, the body was not presented to any members of the PMC or to the relatives. He was buried in a closed coffin."*

Vasilisa, a former member of the PMC

A person that refuses to submit may face increased violence against himself or herself, which can imply unpleasant consequences for one's health, longer prison terms or deterioration of living conditions.

*"They just broke a spoon I was eating with, and I wasn't allowed to get a new one. The keeper's orders: whoever gives me a spoon will go to the punishment cell. "If you want to eat, eat with your hands." I was supposed to eat porridge with my hands. Like an animal. I beg your pardon, I'm not an animal and I never will be. I would better die."*

Pavel, has experience of imprisonment

In some cases, others begin to look differently at those who have decided to go till the end: communication with them is dangerous (*"clouds are gathering over her"*).

Person who uses violence: frustration and conformity

The obvious subject of moral choice in a situation of violence and torture is the one who is faced with the need to commit or allow this violence, especially if such an experience is new to a person.

*"I have seen how people have been beaten up severely. I was approximately three meters away. It was such an unpleasant sight for me. <...> I have just realised... I'm still emotional, still feeling uneasy. They beat him up harshly, with truncheons, in the face and hands. I can hear him screaming, shouting. There was also a girl. Apparently, she was riding a bike. They grabbed that bike together and kept lying. The cops begin to put pressure on them, "Let's go to a police van." They reply, "No." And they begin to beat them straight on their arms. I remember blows on their arms and legs. Not a pleasant feeling at all. I think you do understand me, if you have ever witnessed someone being beaten like that. <...>*

*Maybe I had [a desire to do something about the situation]. But I knew that journalists were present. I would have framed myself up in that case. I would probably have been very emotional. I wouldn't have approached them quietly and calmly, "Come on, guys, that's enough." There were probably three or four men, well, definitely more than one. I believe, such turn could have resulted in some dramatic consequences for me."*

Tikhon, former law enforcement officer

Law enforcement officers, with whom we spoke, told us that many people join the police with a romantic perception of the profession: protecting the weak, fighting crime (it is indicative that nicknames and avatars of police forum users often contain references to famous characters related to police and protection of public order – Stirlitz, Zheglov and Sharapov, etc.). After being involved in acts of torture, it can be difficult to return to the idea of oneself as someone who protects. One has to perceive himself or herself as someone who beats – even for the sake of "good".

There is a reply by a user on the police forum, who allegedly had a long record of service, to a question of a young colleague, which can illustrate these changes (presented below in an abridged form).

*"I don't even know what to say. You are too impressive and indecisive, romantic and talkative for police service. Your obsessive desire to serve in the "K" unit can play a cruel joke on you. This dream should be nursed quietly and implemented in such a way that you are not suspected of inadequacy.*

*When I was young, I was a very romantic person myself. My thoughts are not a criticism, but a piece of advice to an intelligent person, who must be aware of the environment he ended up in and its parameters."*

Participant of the online discussion

It turns out that it is difficult to maintain a perception of oneself as a good police officer after carrying out or allowing violence and torture. Those few who openly declare their position are either facing repressions or – what happens more often – dismissal, forced or voluntary.

Expert, working with violence: danger and burnout

Those who work with people, that have gone through state violence, are confronted with a moral choice. They are also exposed to threats – sometimes enough to have to change their moral guidelines.

*"A friend's brother found those lawyers upon a recommendation from a good friend of his. When we met with them, we explained everything. That most likely they would be put under pressure. We asked them if they were too scared to go the whole hog. They said that they were ready to go all the way through. After a month and a half, they faded away <...> with a terrible wording. They said they didn't want to have anything to do with me. It was unpleasant for them to communicate with me, and they didn't want to see me ever again in their lives."*

Anna, mother of the deceased at the hands of law enforcement officers

In addition to new vulnerabilities described previously, those who remain in the profession face professional burnout and lack of hope.

*"When you say the same thing over and over again... and they reply that white is, in fact, black, and black is white. For instance, they say that they do not have coolers at all, no electrical devices, no electric kettles. You show them photos from the crime scene, where there is a cooler in the corridor, in the office where [the victim's name] was beaten up. And they say, "This is an uncertified copy, it cannot be accepted." It is hard."*

Arina, human rights defender

Human rights defenders, as people who have seen more evidence of state violence than many others, are forced to take responsibility for the present and future of their clients. They describe such experience as extremely difficult.

*"People [with cancer diseases] did not receive a long-term treatment. There were dozens of such people. You know, it's hard, from a psychological point of view, to work with people who are dying. You see the last days of a person. There is no chance to get a release. It will take months to submit an appeal. And this person looks at you with hope and despair in the eyes."*

Miron, human rights defender

Eventually, others begin to look differently at those who managed to maintain their perception. Thus, one of the human rights defenders described the attitude towards him from fellow students who work for law enforcement agencies.

*"When it comes to foreign agents or [financial] patrons, people cannot believe that we are not following someone's instructions. They are used to see the situation like this: those guys are given a task, they perform it, and they are paid for it."*

Igor, human rights defender

Direct or indirect witness: avoidance and submission

Usually, witnesses of state violence, witnesses in the legal sense and those who learn about the situation from the news, are facing a moral choice either to interfere and try to help or to keep one's daily routine intact. In many cases, the risk of being persecuted is real.

*"In the majority of cases [the witnesses, if available] agree [to give a statement], but after that the problems emerge. The police put them under pressure. If this is a very important witness, an eye-witness even, they try to come to an agreement with this witness or make threats."*

Igor, human rights defender

People, who had to refuse providing the statements in such a situation, afterwards, very often find it difficult to consider themselves as honest persons. However, if they decide to go till the end, they may end up in the same group as specialists, with all relevant consequences.

Interestingly, even awareness regarding acts of torture puts a stranger in a witness position who should make a moral choice whether to invest one's own resources into a case or not. Based on the data of the focus-group discussions, it is evident that people are uncomfortable with that choice. Many people, who learn about torture, are forced to come to conclusions that do not correspond to their previous ideas and concepts about themselves and about normality. In the example below, Stepan, a participant of a focus-group discussion, listened to the recording from the "Brateevo" police station and shared his emotions and conclusions.

*"This is unpleasant to listen to, I should say. <...>  
First and foremost, I am not familiar with that lady and I do not know what she has done, but **she keeps a stiff upper lip**. It is evident that she has some inner strength <...> but police officers – it is clear that it was not their first time doing such things. **And that's the***

**most frightening thing. Let's imagine, that I went to a rally and I was arrested. I stand for my rights. If I would have said the same... I don't know what I would do. I would have been really shocked with that kind of attitude, honestly. They say that Putin gave the order. I believe, there is some kind of internal decree, issued not by Putin, but by the superiors, which encourages all that. Exactly after arresting people at rallies and taking them to the police station. To frighten them. I'm trying to find at least some logical explanation, at least something to justify this, why they have the right to do this. Probably, something like that. But still, under no circumstances, this shouldn't be done. **We need to fight that.**"**

Stepan, participant of a focus-group discussion

However, towards the end of the conversation, Stepan no longer identifies himself as a person who fights against injustice, but as a reasonable individual who defends his everyday life.

*"In general, I do not want to get into it, and there is no time, is there even any sense in following all that? Now I come to the conclusion that **it is necessary not to follow all those political stories and rallies.** You have to improve the environment where you and your family live, bring up children, love your parents and lead an **isolated life. Nothing can be fundamentally changed.**"*

Stepan, participant of a focus-group discussion

## Conclusion

Having encountered state violence, a person is left contaminated: with less socioeconomic capital, worsened physical and mental health and new negative social statuses. Very often people experience several cycles of encountering the system. Every cycle increases the probability of the next one.

Even if one happily escaped the confrontation with the system, his or her life is still impacted by the experience, and the consequences are highly noticeable in all areas of life. In the long term perspective, the loss of agency can become chronic: from the inability to regain control over one's body and everyday life to ultimate indifference to one's own fate.

Moreover, the state violence contamination is spread not only upon those who was directly subjected to it. Like an infectious disease, it spreads further, creating new vulnerabilities and exacerbating existing ones. People who are somehow involved in cases of violence – from beloved ones to lawyers and torture researchers – are affected by similar mechanisms as the victim: they lose resources, acquire stigma and, as a result, also suffer.

We have shown that violence and torture serve to subjugate and suppress: one needs just to be aware of torture to strive to avoid it. Dealing with acts qualified as torture or ill-treatment leads not to a desire to respect the law, but to a perception of oneself as a powerless and helpless individual. For those who succeeded to preserve a their own perception, the consequences of dealing with torture might be more destructive in other areas of life. With every new story of state violence, practices and perception methods, generated by torture, enter our everyday life as a new standard reality.

## Permitted – Prohibited: How people talk about it

In the previous chapter, we discussed how people become accustomed to state violence, as torture contaminates their everyday life, self-perception and morale. In this chapter, we will look into various ways of speaking about state violence and how they influence the process. First of all, we would like to analyse the views on violence.

We used a "Permitted – Prohibited" scale to rank the violence discussions, where one side of the scale refers to justifying and even approving, and the other – to censoring and emphasising its overall unacceptability. Many options lie between these two polar positions: a person can find acceptable the use of violence only towards certain groups of detainees, or only for self-defense, etc.

On the one hand, speech, the way an individual talks about something, exposes his or her daily routine and surrounding circumstances. In other words, we can assume that the more frequent are the encounters with violence in every day life, the higher is tolerance towards violence in general due to people "getting used" to it. Such people are more likely to justify the use of violence or, at least, to search for ways to justify it. According to this logic, individuals who rarely encounter violence are supposed to demonstrate more sensitivity and be of the strong belief that violence is unacceptable.

On the other hand, discussing such topic can be considered a special practice, which not only exposes the everyday life of the speaker, but also shows his or her thoughts about oneself and the surrounding reality. A person creates unique sets of arguments based on these thoughts and applies them to various life situations, including situations of violence, in the form of his or her own judgments concerning justice. This implies not only that people are sensible to violence to a certain degree, but also that they have a special strategy for selecting arguments while forming judgments about violence. Thus, the strategies and logic of argumentation often reveal the non-obvious reasons why the respondent considers a particular situation to be acceptable or unacceptable.

As we have already discussed, when a person faces state violence, one of the most important ways to preserve agency is believing that the ill-treatment was unfair, illegal and wrong. In this regard, the question of defining what is torture is of particular importance. In this section, we will try to explore the range of opinions concerning the use of violence. In addition, we will analyse the role of speech in the process of transforming state violence into a routine. Is state violence perceived as something ordinary, inevitable and beyond one's control? If so, what logic of argumentation is behind this position?

The Story of Platon (excerpt)

***'You call it torture, what had happened to you. I completely agree with you. But why do you think this was torture?'***

*'They know perfectly well what they need to do... They tie people... I had a crush syndrome – my kidneys failed because the blood flow didn't reach my limbs. While I was lying down, my ribs were pressing on my lungs. I was in so much pain. They knew what to do, how to make a person give up. Now tell me, was it not torture? Beating a tied man.'*

***'You probably told all this to your friends and acquaintances. How did they react? How did your family react? What did they say?'***

*'The family knows perfectly well that it wasn't me. But my friends were like, "How so? Why you? If it wasn't you, why did they take you? Why not me, for example?" Yeah, even that kind of questions.'*

**'So, it's not like everyone understands?'**

*'No, it's not like that. Of course, I'm not explaining the whole thing to everyone. Why do they even need to know? That's why... If they want to know, they will find a way to learn about it. If they don't, I see no reason to explain things to them.'*

**'How, in your opinion, should law enforcement officers treat detainees and prisoners? Maybe you have an example of a good treatment? Maybe, not from your own experience, but from someone else's?'**

*'We don't have laws against police officers. We only have Article 286<sup>56</sup> — abuse of power. But what is this law? If it were like in other countries, like in Japan, for example... Our policemen just don't value their profession. They don't give a damn, they're practically untouchable. Either the case against them will be terminated, or they will just receive some suspended sentence. My case is not the only one. Cops like that are everywhere. They are above the law.'*

**'Who is to blame for this lawlessness, what do you think?'**

*'And who do you think is to blame for this? The state, I suppose. They have debates on the matter in the State Duma, but nothing really changes.'*

**'Why?'**

*'I don't know. You probably should ask them.'*

**'I can explain why I asked. Your profile picture on *Telegram* states "Strength is in Truth". I can assume that you probably support a strong state, but at the same time you have some questions...'**

*'I do. We need laws. If you slap a policeman, you can end up with a life sentence. But the police is allowed everything. It's not right. They have special powers, weapons, special equipment — they have everything. So they must receive a severer punishment for their violations. If they give you 20 years for hitting a policeman, then a policeman should be given 40 years, I think. If only it were the law, everything would be fine. They would have kept themselves within their authority.'*

**'The police treats detainees now better or worse than before, what do you think?'**

*'Maybe, now it's better, but the facts are still there... This is lawlessness happening.'*

**'What do you think people need to know about the law enforcement system?'**

*'They need to know, that the law enforcement is here to protect us and our rights. They protect people. They need to remember what they're supposed to protect. They took the oath of office after all. This is what I want. But we need laws for this, damn it.'*

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<sup>56</sup> At the time of the conversation with Platon, cases of police violence fell to be examined under Article 286 of the Russian Criminal Code ("abuse of authority"). The article had no particular mentions of torture. In the summer of 2022, a new law was adopted introducing the concept of torture in the Criminal Code and expanding Articles 286 and 302 ("coercion to testify"). At the time of publication of the present text, there was no case-law under new regulations.

## Famous cases of violence

Many of our respondents recalled some well-known cases concerning ill-treatment by law enforcement officers without any prompting. The views on the matter divided: there were both attempts to justify and to condemn the use of violence. The first recalled case concerned sexual violence – mop torture. This topic arose spontaneously in nine conversations without any additional prompting from the interviewer. The contexts in which this case was brought up are different. One of the victims spoke about mops as the most extreme violence he has ever seen (*"I was lucky we didn't have this"*). A human rights defender made the same remark (*"that was torture, of course, but at least it wasn't the mop"*). A former police officer shared his thoughts about using the mop only against some particular categories of inmates. He also encouraged released prisoners not to return to the correctional facilities.

*"The mop therapy. <...> This is a very popular idea on the forums. <...> A week and a half ago, two pedophiles raped and killed a five-year-old girl. In my opinion, they deserved it. <...> I am sure that 99%... Well, okay, not 99%, we have a lot of convicts in the country, but 70% of our citizens will support me. Only those guys and their kind: pedophiles, drug sellers, murderers, serial killers. Why not? Why should they live and enjoy their lives? Prison is their home."*

Viktor, former law enforcement officer

It is possible that many of our respondents had heard about the mop torture on the news, but found it difficult to speak about out loud. In the example below, the interviewer asked several times which of the news details exactly shocked the respondent.

*"You know, these are absolutely unacceptable things. Absolutely. What I've heard — it's not merely barbaric, it's just something antihuman. As far as I know, these people were punished. Not only removed from duty. Some of them were convicted by the court. Such violence, shoving mops in the anus... What I heard... There were even some videos, if I'm not mistaken... Those things are beyond my understanding."*

Mikhail, priest in a remand prison

Several respondents remembered the cases of Margarita Yudina<sup>57</sup> and Ivan Golunov<sup>58</sup>. They chose those events to illustrate both the necessity and unacceptability of violence. For example, below are the thoughts of former Ministry of Internal Affairs officers on the police actions at the protests in St. Petersburg.

*"I understand. If they had **thrown snowballs at the man who had hit the woman in the stomach**, it would have been a fair reaction from people who had witnessed all this."*

Elina, former law enforcement officer, criminal psychologist

*"That famous case... What was her name, the one who was kicked by the police? [Margarita Yudina] <...> I believe that the **police officer's actions were legal and justified. He did everything right.** He was escorting a detainee, he tried to avoid her. I watched the video carefully several times. They shifted from her trajectory by a meter or so. That is, they were trying to avoid her. I don't know what was in his head at that*

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<sup>57</sup> Margarita Yudina participated in street protests. She was kicked in the stomach by a Rosgvardiya officer. She did not look like she imposed danger to the law enforcement forces. The incident was recorded on video. After this incident Yudina was hospitalized. The case was widely publicized in the media and launched a public discussion about the unacceptability of police violence. To date, there had been no criminal proceedings against the Rosgvardiya officer.

<sup>58</sup> Ivan Golunov is a Russian investigative journalist. He came to public attention in June 2019 when he was arrested and charged with a drug-related crime. Later it was discovered that the drugs were planted by police officers. After widespread public outcry Golunov was released and cleared of all charges. Criminal proceedings were initiated against the officers involved in the planting and the arrest.



*moment. If she had hung on his hands, it would have been a little more difficult for him. He had put an end to everything with a single blow. He had told her to leave, and she didn't. That's it. He dealt with her and went on. He did everything right. By the way, he had hit her in the thigh, not in the stomach. And she spent only one day in the hospital. But they made a mountain out of a molehill. Good thing that the guy didn't even get fired. <...> I think it wasn't fair that he had to apologize. I believe that **that old fart should have been punished**. There is an article in the Code of Administrative Offences, I don't remember the number, chapter 20. She offered resistance to his lawful actions."*

Matvey, former law enforcement officer

The case of Ivan Golunov is illustrative for everyone — law enforcement officers, victims, and experts. The case was mentioned as an example of unprofessional work of law enforcement officers.

*"The case of Ivan Golunov. The investigator was just doing formal paperwork. The task of the investigator was a simple documentation of what the cops had done for fun. But he did see everything, didn't he?"*

Fyodor, human rights defender

Now lawyers use the case of Golunov as a reference case in their professional work.

*"There was a case of Ivan Golunov. That situation happened a little earlier than mine. In the end, it turned out very convenient for me. In that case, they did a DNA testing of the drug package. The testing proved that there were no traces of Ivan's DNA on the package, he didn't touch it. In my case, we did the same thing."*

Yefim, has experience of detention

*"There was a lot of fakes concerning the things that one can't redo, alter, replace, or plant... They won only because of this, I think. Well, this, and also the super-professional defence by Sergei Badamshin and his team, of course. If his initial defence team had stayed... They were so compliant. When I read the first reports, the protocol of familiarisation with the decision to appoint an examination, for example... The defence lawyer wrote "No objections". I don't remember who was on his initial defence team. After that, the good defence team joined and made it all public. And then the system went broken."*

Fyodor, human rights defender

Thus, there is a common information space which contains stories about law enforcement officers using force. Such space can provide a productive basis for public discussion, as it allows to observe different points of view on the situation.

### **Attitude to the use of force and violence**

We extracted thoughts on various situations of violence from our respondents' interviews, media and social networks, and divided them into four groups: denial, condemnation, understanding (without excusing), and excusing. According to our hypothesis, the attitude towards the same cases involving the use of force can vary.

#### **Denial**

One of the reactions to the topic of violence in the discussion is denying the very fact of violence and the credibility of its description. Respondents oftentimes tried to find a rational explanation for their skepticism. For example, someone may think that ordering the colony officers to torture an inmate puts the facility superiors at risk, thus, a rational person will not do such things.

*"I don't believe that the prison warden could have ordered this <...> I never came across such things for all my 20 years of service both in the army and in prison... First of all, the prison warden always bears a heavy responsibility... God forbid, the prisoner would be*

*killed. He risked his career. It couldn't have happened <...> No, it's not real. This could not be."*

Elena, retired Federal Penitentiary Service officer, former officer of the Ministry of Internal Affairs

If people are not used to thinking about torture, cannot imagine its motives and space, and are unable to guess what objects are used for torture, then the violence can be perceived as something alien, as a phenomenon from another world. Sometimes our respondents couldn't analyse the cases, according to them "such things are unimaginable".

*"The truncheon blow, it's strange. Two men couldn't manhandle one woman? It's just strange."*

Elina, former law enforcement officer, criminal psychologist

In some cases, the reasons behind the disbelief are scepticism and conspiracist ideation. Some of our respondents refused to discuss situations of violence, because "there is no point in discussing fakes".

*"It's all staged. What should I agree with? It's a performance, a movie. All of this was planned in advance. All possible scenarios were written out, what exactly they should and how."*

Marina, participant of the focus group discussion

Another manifestation of denial is law enforcement officers using everyday language instead of legal language when they talk about violence. In other words, they avoid giving detailed statements and providing detailed evidence as much as possible. Public statements about the impossibility to prove the use of violence ("it's hard to say", "we need to look into it more") are often based not only on the complete absence of evidence, but also on the official police explanations that lack necessary details. Such explanations and the lack of material evidence significantly complicate the work of human rights defenders.

*"It is very frequent that we can't get the police officers' detailed version of the events and conduct a forensic medical examination. Usually, they don't share details about the use of physical force."*

Naum, lawyer

Some of our respondents shared an opinion that the denial blocks the discussion of the problem. According to Igor, by excluding torture from the current agenda, Russia deprives itself of the chance to process the experience of violence and torture and to dispose of them.

*"The **State** shows us that the problem of torture is not on the agenda. In general, it basically **denies this problem** as such. **The authorities do not need a Russia without torture**. They do not need a Russia with a low crime rate, a safe Russia – they don't need all this. The authorities like everything as it is now."*

Igor, human rights defender, has work experience in the prosecutor's office

## Condemnation and refusing to understand

Statements condemning violence are often accompanied by expressions of regret towards the victims and are characterised by manifestations of anger and expressive speech, namely exclamation sentences (*"Beating people in detention is illegal! They come, they rob you and beat you, and then they throw you in some cellar. And all that is somehow legal!"*), rhetorical questions (*"Jeez! What are they doing?"*), and emotional words (*"terrible", "nightmare", "horror", "Middle Ages"*).

In their condemnations, the speakers most often resorted to harsh judgments regarding not only the situations themselves, but also the personalities of the perpetrators: *"scumbags", "pigs", "barbarians", "monsters", "freaks", "fascists", "defective"*. The use of such expressions can be

interpreted as a way to *dehumanise* opponents through speech, in other words, to reduce them from people to objects less conscious and unequal to the speaker. People are not able to understand "*monsters*" and their violent actions. We've frequently heard words like "*I just don't understand [why they use violence/torture]*".

Harsh dehumanising<sup>59</sup> condemnation is a double-edged sword. On the one hand, respondents demonstrate their sympathy for the victims and the strongest denunciation of violence, which constitutes a humanitarian approach. On the other hand, the refusal to understand the other side puts a barrier between the aggressors and "normal people" and eliminates the possibility of dialogue and correction.

### Condemnation and understanding, rational explanation

One of the possible attitudes to violence that is worth mentioning is a so-called understanding and/or justifying condemnation. Within the framework of this attitude, a person does not justify a particular situation of violence, but offers a rationalised explanation of the events which he or she finds convincing. Having an explanation allows one to reconcile with the reality and provides an opportunity to discuss it.

*"They [the police officers who were thrown snowballs at] are just victims of circumstance. One threw a snowball at them, and the herd instinct kicked in. There's nothing to do. They [the police officers] were all wearing helmets. The damage was minimal. Stuff happens, so to say. There's nothing to do. Wrong place, wrong time, so to speak. <...> Violence begets violence, that's what I believe. So it was, so it is and it will always be so. Violence is always here. Like it was a hundred, two hundred, three hundred years ago. It won't go anywhere. There will always be violence. No society will ever get rid of violence."*

Tikhon, former law enforcement officer

When torture is "described" by means of one's "own" language (for example, everyday language, language of psychology or sociology, etc.), violence becomes thinkable. During the discussion of a brutal case in the focus groups, the participants drew an analogy between the hierarchies in the correctional facility and in the office.

*"Let's imagine this situation in the everyday life context. We are not in the correctional facility. In one way or another, these situations happen everywhere. Let's de-escalate the case. Let's imagine just a boss, an official and some of his subordinates. It will be the same here. This pattern varies case-by-case, but it's still present. There it is what it is, because the ways there are different. The offices have its own form."*

Adelina, participant of the focus group discussion

This type of judgments (together with the next type, justification) will be the main focus of consideration in this chapter. Such statements contain arguments of the respondents, for both condemning and justifying violence.

### Justification

By justification of violence, we refer to the opinions about the benefits of violence in certain circumstances. For example, those expressing the idea that violence is acceptable if used to dangerous people in dangerous situations, when such measures seem adequate to the circumstances. Some of our respondents mentioned that violence is acceptable when used against a spy during military operations.

*"Violence is an extreme measure. One should never use it to force another person to do something. We're not in the middle of a **war** right now. It's not some spy that he **had caught and now is torturing**. Most likely, there was a personal reason behind the*

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<sup>59</sup> N. Haslam, 'Dehumanization: An Integrative Review', (2006) *Personality and Social Psychology Review* (10) 3, pp. 252–264. [https://doi.org/10.1207/s15327957pspr1003\\_4](https://doi.org/10.1207/s15327957pspr1003_4)

*violence. He wanted a promotion or tried to **gain favor with the superiors**, etc. Or it was about the clearance rate, I don't know."*

Konstantin, participant of the focus group discussion

The "justification of violence" category is represented mainly by statements about violence being a necessary evil. Violent actions up to murder can be considered as acceptable, if those actions are aimed at combating the organised crime.

*"In the 1990s and the 2000s, it went way beyond mere beatings. People literally got killed, **because there was no other way. The organised crime was in full bloom.**"*

Stanislav, lawyer, former law enforcement officer

One of our respondents shared a story how he used force to make a detainee stop being loud and disruptive. In the following conversation he expressed his regret about not refraining from violence.

*"In all my years working, I allowed myself to kick a suspect just once. Like a real kick. I'll explain why. <...> I did it to calm him down, so he would stop yelling. He indeed calmed down. <...> He got it real quick, calmed down and shut his mouth."*

Stanislav, lawyer, former law enforcement officer

Statements justifying violence were outnumbered both among all the statements from the interviews and focus group discussions, and among the comments on the forums. This rate can be explained by the low tolerance to violence among our respondents, their unwillingness to accept and justify it. However, this may also be due to the condemnation of violence being a more socially acceptable behaviour. A "justifying" speaker risks receiving disapproval from the other participants of the discussion. As a result, people rarely call a torture a situation which they are not ready to condemn. They replace this term with milder expressions (for instance, "abuse of power", "lawless actions").

The range of opinions on the acceptability and unacceptability of violence is wide. Apart from theoretical aspects, the task of analysing those opinions requires studying the practical side of the matter, which will allow to prepare a platform for dialogue. Exploring definitions of violence will allow us to better understand the digressions from the regular course of the events and their reasons. In the next section, we discuss the results of this analysis.

### **Notions of torture: lack of consensus**

If we ask different people, where is the line between "mere violence" and torture, we will always receive different answers. One of such answers is the result of international expert work. For instance, our experts referred to a definition provided in the UN Convention against torture, according to which *the term "torture" means any act by which **severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.***<sup>60</sup>

However, most of our respondents, including those who experienced torture, have their own thoughts on the matter. Even human rights defenders, who use the internationally recognised definition in their professional work, oftentimes do not consider it exhaustive. In particular, when lacking resources (time, personnel, funding), human rights defenders have to prioritise their

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<sup>60</sup> UN General Assembly, Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 December 1984, United Nations, Treaty Series, vol. 1465, p. 85.

work on cases. Very frequently, the proceeded cases are those that have been chosen by a particular specialist according to his or her own internal definition of torture.

Our data allows us to conclude that people qualify a situation as torture when there are several important characteristics and necessary, but not always sufficient, conditions. Some of the examples of such characteristics and conditions are presented below. These examples do not represent the entire range of public perceptions of torture. Analysing the whole amount of characteristics and conditions requires a systematic approach. We offer our own vision of such approach in the section "Logics of Argumentation".

Every person mentions different characteristics that he or she finds important. Some people pay attention to the purpose of the perpetrator, for example, obtaining statements. If there is no rational purpose, then, in the respondent's opinion, the situation should be called, for instance, a violent incident, cruelty, beating and bullying, but not a torture case.

*"I think, it was something **on the cusp between violence and torture. I don't feel like the situation reached the level of torture yet. They weren't questioning her or beating statements out of her ... Well, maybe in some moments they did, but it wasn't real torture. Something between violence and torture.***

*Maybe [it doesn't feel like torture] because they didn't ask her the same question. **You know, like in the movies, when police asks a guy a question, but he doesn't answer. They beat him, but he still doesn't answer. So they beat him again. Here it wasn't like that. It was like — you don't answer the question, and you get hit. Like there's nothing special about it. And they didn't insist on her answering that question, they just moved on.***

Irina, participant of the focus group discussion

Another characteristic, that distinguishes torture from other types of violence in the eyes of some respondents, is the use of special technologies, tools and algorithms. This definition also focuses on the purpose of torture and its special role in the perpetrator's routine.

*"What normal person would think of using electricity in such a way? It's not that easy to use. This means that they already have some special devices made for such use. **Devices to torture people. It's terrible.**"*

Oksana, participant of the focus group discussion

*"Ivan said that they poured boiling water on his head. Some got water from the cooler, some from the kettle. In Ivan's cases, it was boiling water from the cooler. Apparently, they realised that water from the kettle leaves traces. After that they decided to pour water from the cooler."*

Arina, human rights defender

A fundamentally different approach to define torture considers the effect of the treatment on those subjected to it. In this case, any impact that results in a significant emotional effect can be called torture. For example, some of our respondents considered a situation when protesters were throwing snowballs at police officers humiliating for "*those who have feelings*". Supporters of the aforementioned approach believed that for law enforcement such a situation "*was torturing as well*".

Another view on the definition of torture shares the concept of the emotional effect on the victim with the previous one. However, this approach identifies torture as an event that stands out from everyday life and familiar living scenarios, "*not something that happens to one's every other day*." Torture is unpredictable and cannot be a habitual thing: "*No, it's not torture, it's beating. This should not be considered torture at all. Such things happen all the time.*" The emotional effect is caused by the material world and its objects (hooding with bags, beating with plastic bottles, transporting inside the car's boot, etc.). This approach also takes into account torture methods that exploit taboo topics and privacy, first of all, those violating sexual integrity. This

can be the reason why the mop torture was recalled so often during the interviews and conversations.

One of other aspects of defining torture is related to time. Some people find it difficult to call an ill-treatment case a torture, if the violence wasn't long enough. At the same time, for someone the permanent suffering of the victim is already a sign of a routine, which should not be considered as torture. Nevertheless, there is a popular opinion that the definition of torture must be broadened to include the conditions of detention, transportation and conveying, as these situations are not familiar for an average individual and are difficult to get accustomed to.

*"[The definitions] of the term "torture" are very diverse. I was in a situation once... I had a sore shoulder, but for a month I wasn't receiving any medical care. At some point I just said, "To hell with you all, I'm not gonna leave my bed, I'm not going to any of your inspections, don't touch me." Only then they started doing at least something. But I spent a whole month in pain, it was cruel. It was torture for sure."*

Aliya, activist, has experience of imprisonment

It was not an easy task for respondents to select an adequate counter-measure for torture with a similar impact. Some are ready to fight torture with their lives. In opinion of a clergyman, the practicing perpetrators can be "banned from the Eucharist". At the same time, according to experts, there should be a detailed discussion of the torture issue and of the people's views on the matter, if one pursues shifting and broadening them.

*"There are obvious cases when a person is subjected to electric shocks. That's clearly a torture case. But let's talk about people being unable to use the toilet. Me, for example, I consider it torture as well. I always try to look at the situation with a more open mind. When we talked as members of the PMC with the detention facility officers, we tried to expand the views on what is torture."*

Olga, former member of the PMC

How to talk about a taboo topic, something that others prefer not to discuss? How can we hold a conversation about torture given potential lack of experience and the fact that torture is difficult to describe (equally — for victims, witnesses and perpetrators)? We suggest addressing people's ideas about justice, about what is possible and what is due. We analyse and compare these ideas in the next section.

### **Logics of argumentation**

Finding the line between acceptable and unacceptable, permitted and prohibited, torture and "not torture" is not possible within some "common scale". For instance, the judgments "torture is bad because it hurts" and "torture is good because it helps the investigation" rely on different logics of argumentation. The clash of different positions causes a dispute, for example, about whether a particular law enforcement officer should be held responsible for his actions, or whether a certain detainee deserves help after his or her confrontation with the system.

The point of interest for us is the way the disputes and the overall public discussion about the use of violence and torture develop. French sociologists Luc Boltanski and Laurent Thévenot introduced an approach to analyse disputes and justification patterns, the main concept of which is that people appeal to different worlds when providing arguments for their point of view. The world is the system that an individual uses to justify his or her position in a given situation. We assume that people act in accordance with their own ideas of justice, and that during a dispute they can change either their own views or the views of their opponents, thus inventing new solutions. We also assume that it is possible to resolve disagreements and conflicts between different positions in public involving supporters of different worlds. We are interested in discovering a form for a holistic public discussion about state violence and torture in Russia. In

this chapter we will use the method of L. Boltanski and L. Thévenot<sup>61</sup> and demonstrate several worlds of justifications concerning acceptability and unacceptability of state violence.

### **Justification by L. Boltanski and L. Thévenot**

In their works, L. Boltanski and L. Thévenot defined several justification worlds characteristic of French society: the Inspired World, the Domestic World, the World of Fame, the Civic World, the Market World, and the Industrial World. Later extensions of the original framework have identified the Green World as an additional "common world". Each world has its own mode of evaluation (for example, for the World of Fame it is renown, for the Market World it is material welfare, etc.) and its own approaches to how resources should be distributed among different classes of individuals (for example, according to the World of Fame, the more talented person must be more famous).

L. Boltanski and L. Thévenot argued that justification is always based on the logic of argumentation derived from these worlds. They believed that, in some cases, it is not even necessary to know anything about the subject of the dispute in order to distinguish them. Below are the extracts from their work "On Justification: Economies of Worth".

*"Two equally committed persons may confront one another with the following contradictory arguments: "This must be right because I am convinced of it" and "It seems to me that this is not proper"." <...>*

*The convictions of each party are unshakable because each of the two utterances can find support for its proof in a different world. The first is based on the world of inspiration, in which conviction arises from the inner soul, while the second is grounded in the domestic world in which personal judgment takes a second place to good manners."*

The language and the instruments used for argumentation vary for every dispute and depend on the positions of its participants.

*"Something that belongs to and exists in one common world may be unknown in a different world. The world of inspiration, for example, is inhabited by demons and monsters, while the domestic world includes household pets, which go unrecognised in the civic world along with children and old people, and so on."*

When the arguments of the parties originate from the same world, the disputants have the opportunity to eventually agree with each other. If the worlds are different, then one can either refuse to reach the common ground, or find a common principle uniting two different logics of argumentation.

*"In the absence of other persons, the obligation to establish common associations does not arise, and we shall show that when others are present, one of the ways to avoid making comparisons in order to shift one's focus back to the circumstances (an operation we shall call relativizing) consists precisely in setting aside the presence of the others (as human beings) or, if that cannot be done, in ignoring it. However, if persons are not to remain confined within relativization, they must have a means of reaching agreement about their associations."*

*Despite disagreement about associations, people may be able to come to terms, that is, to reach an understanding – a momentary, local understanding – in such a way that the disagreement is smoothed over even though it is not resolved by reference to a common*

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<sup>61</sup> L. Boltanski and L. Thévenot, 'On Justification, Economies of Worth', in N. E. Kaposov, ed., New Literary Observer, Moscow, 2013, 576 p. <https://djuv.online/file/yZge4KqBhWthl>.

association. A settlement of this type may be describe as not being completely defensible in "logical" terms.

*If the parties to a dispute cannot come to terms, the associations cannot remain at the discretion of the persons involved. Tensions rise, and so does the level at which agreement is sought and in view of which disagreements are formulated. It is no longer a question of choosing between the colors brown and green, for instance, or of settling on greenish brown. What the protagonists are demanding is a meeting of the minds on the classification in terms of which the colors in question are only particular classes. To provide a basis for association, the parties involved thus need to have access to a principle that determines relations of equivalence. This process of shifting to a higher level of generality, which in classificatory orderings takes the form of referring to more abstract categories, could be pursued indefinitely in the quest for an ever higher principle of agreement. However, instead of proceeding through an interminable regression of this sort, disputes most often end in convergence on a higher common principle, or in the confrontation of several such principles. Very quickly, in fact, a question of the following sort tends to be raised: "On what basis are we choosing the color?"*

It is important to note that using a certain logic of argumentation does not mean that it will remain the same in different circumstances.

*"This approach thus led us to distance ourselves from some of sociology's most common presuppositions. These are especially evident, first of all, in the way sociology treats beliefs, values, or representations <...> The persons whom we follow in their tests are obliged by the situation in which they are involved to shift from one mode of adjustment to another, from one measure of worth to another."*

Inspired by the works of L. Boltanski and L. Thévenot, we have designed our own worlds of statements concerning the torture issue: most of them are the aforementioned worlds adapted for our research, and the world of mental health is our own creation.

When justifying acceptability or unacceptability of violence and torture, people resort to many logics of argumentation. Arguments of the same logic can be used both to explain why violence was used and to justify why it is unacceptable. It transpired that former prisoners, law enforcement officers, and representatives of other social groups (some of which supposedly have nothing in common), use the same justification models when discussing violence.

Below is a detailed description of how the arguments work within each of our six worlds. The purpose of this section is to demonstrate that **there are no specific and permanent definitions of what is acceptable and what is unacceptable, even for the same individual.** To understand what are the boundaries and where they lie, we need to explore the arguments about justice and injustice that exist in the society of today. The co-existence of these arguments in public discussion forms ideas about the permissibility of violence and torture.



## The World of Industry: the "Conveyor Belt" of law enforcement officers

Judging by the statements about the so-called quota system,<sup>62</sup> we conclude that law enforcement officers need to meet the specified quantitative standards for arrests, "cleared" cases, etc. Below is a story by a law enforcement officer, that sheds some light on how the "quota-oriented" approach works in practice.

*"The boss called me today and said, "Why the clearance rate scores are so low?" <...> I carried out several search operations, put out APBs, gave my men some tasks. No success. What can I do? You know, what his answer was? "You have a whole cell of tramps. Go and talk to them, bribe them, beat them, do whatever you want. You need four cases under Article 158 cleared."*

Pyotr, has experience of imprisonment, retells the words of a friend who recently retired from the police

Respondents used the quota system argument to explain such system problems as poor working conditions of the officers, the impossibility for the society to influence the law enforcement system and the obstacles to prosecuting officers that abused their authority.

*"The prosecutor's office and the investigators demonstrate quite a tolerance towards torture by the police, because both the prosecutor's office's and the Investigative Committee's scores depend on how effectively the CID solves the crimes. If you put CID officers in jail, who will work on the scores then? Both the Investigative Committee and the prosecutor's office, as the body responsible for the crime rate, depend on those scores."*

Vadim, lawyer

It is difficult to find a person who has not heard anything about the quota system. Some people see "filling the quota" as the main motivation of every single law enforcement officer.

*"So, it seems, their role is to carry out orders of their superiors. And their superiors do the same thing. Like some kind of a structure, where everyone stick together, cover each other and do whatever they want."*

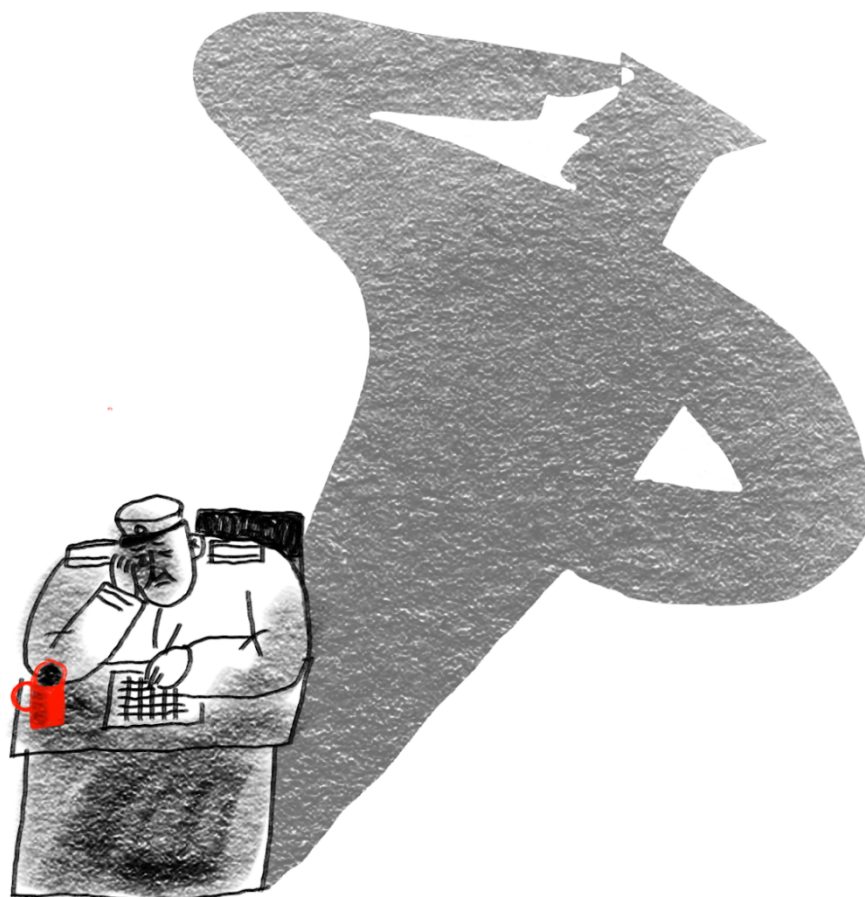
Leonid, participant of the focus group discussion

*"They've got a lot of paperwork. Their salaries are low. I sincerely doubt that they have any motivation to help people. I doubt that I will receive any help if I go to the police after some incident."*

Veronika, participant of the focus group discussion

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<sup>62</sup> See, for example, works of reserachers of the Institute for the Rule of Law. <https://enforce.spb.ru/component/tags/tag/43>; V. Volkov, A. Dzmitryieva, K. Titaev, E. Khodzhaeva, I. Chatsverykova and M. Shklyaruk, 'An Analysis of the Work of Law Enforcement Agencies and the Perspectives of Creation of Municipal Police in Russia', St. Petersburg: Institute for the Rule of Law, 2015, p. 70. <https://komitetgi.ru/upload/iblock/03d/03dd9705155711effb531ccd57742a1d.pdf>; "'Police Ombudsman" launched a flash mob against the quota system in the Ministry of Internal Affairs of the Novosibirsk'. Source: <https://precedent.tv/article/22134>.



It is not surprising that many respondents, in their attempts to restore the logic behind the use of force, resorted to arguments about poor working conditions and the need to comply with regulations and orders from the superiors.

*"I believe, it's their only way to get the statements. They need these statements to file their papers to make pretense of work, so that they can receive a bonus later. If they had followed the law, they could have had problems later. Imagine, that they had filled out their reports, but then their suspects retracted the statements... No data, no results, and very angry superiors. This is their way of obtaining information and submitting necessary reports to their management."*

Polina, participant of the focus group discussion

Those who had suffered from state violence themselves or had witnessed such violence frequently offer a similar explanation.

*"No hope remained. My cellmates in the remand prison also said, "We pray that you will be released and acquitted. But there is very little hope." They told me that, most likely, I will end up in prison. Because it's in their [law enforcement officers'] interests. If you get*

*released now, they will be demoted or even fired. Everyone: the operationals, the investigators, the prosecutor. Everyone. So... I served a year and a half for nothing? But it's what they're after now, to throw me behind bars again. Make me the guilty one."*

Daniil, has experience of imprisonment

*"Any prison warden is vulnerable, because the prison warden is responsible for everything that happens inside the facility. Perhaps, sometimes a dead prisoner is less of a problem than a troublesome prisoner."*

Aliya, activist, has experience of imprisonment

How does the logic of "the quota world" works from the point of view of our respondents? In this world, any officer is a cog in the large machine of the law enforcement system. The main purpose of this machine is not to fight crime, but to support and justify its own existence, to obtain funding from the government and to retain a large number of the officers.

The existence of such a system depends on the authorities, not "ordinary individuals". Thus, people name political elites as those responsible for operating the machine.

*"I think that law enforcement works not for people, ordinary Russian citizens, but for officials. We are something that just walks around them. Sometimes, demonstrating aggressiveness."*

Philipp, participant of the focus group discussion

*"I have a feeling, that the state pays them money for torturing people. Yes, that's my opinion, that the President of the Russian Federation pays them money for torturing, killing and raping people. In our colony, they were literally raping inmates. That's what they get paid for. When they retire, they also receive benefits for that."*

Pavel, has experience of imprisonment

*"Well, what opinion one can have about all this? This is the system for you. In fact, the interests of the police are not in the first place. A fish rots from the head down. We live in a police state, a totalitarian state. That's why the police officers get "hurt" when paper cups are thrown at them. That's why the judges get "hurt" when they see eight stars on a poster."*

Kamil, former prosecutor

Strict discipline ensures clear and unquestioning implementation of orders of the superiors. The discipline is what brings together all the cogs of the conveyor, from the smallest and most insignificant ones to the largest. The main ways of communication between different parts and actors of this world are reporting, complying with standards, working on clearance rates. According to the logic of the "world", these communication ways dominate life of law enforcement officers to the point of acquiring a special, almost religious, meaning without any relations to lives of other people.

*"The orders of the authorities stand above [the oath of office and] the Hippocratic oath, even above the Bible. If necessary, they will breach any of the Ten Commandments on order."*

Philipp, participant of the focus group discussion

If we assume that generals, the Prosecutor General, political powers are at the top of this industrial hierarchy, then, at the lowest tier, below ordinary officers and guards, are the "offenders", the "complainants" and all the general public that in some way contacts with law enforcement officers. For the "people of the system" it does not matter whether the accused received the status of the offender in a fair and lawful manner — the very fact of "getting on the conveyor belt" is a sufficient reason to start working on this person.

*"It's like a conveyor in a factory... the youngsters come, all bright-eyed and bushy-tailed, and all this enthusiasm dies, when they start realising how it all works. It's really*

*exhausting. In addition, such jobs involve a strong déformation professionnelle. [Even the manner of their speech undergoes transformations], it's not "the applicant" for them, it's "the complainant"... They start losing faith in people. Probably like the sellers in the round-the-clock kiosk."*

Kamil, former prosecutor

"Offenders" are an essential part of the law enforcement machine. Detainees have their own role in the law enforcement system. They must obey the rules established by law enforcement officers ("sign the papers already, so everyone can go home", "take back your application, and everything will be fine"). According to the logic of the "world", because of the routine use of force and manipulation, the cogs-actors can lose their sensitivity and eventually stop considering those methods as unacceptable. For example, they can start fabricating cases by planting drugs.

*"Perhaps, they don't see the situation as a very big deal... Like, it's just an administrative offense, the man is not in prison... But to them this case may bring some benefits or prevent their salaries from being cut..."*

Alyona, participant of the focus group discussion

The aforementioned statement is also true for cases concerning physical violence, when law enforcement officers demonstrate that their actions are just a part of their job and expect understanding from their victims.

*"I got my medical documents and left the building. Then I saw a police car passing by. He [a district police officer, who was applying electric shocks for several hours] was inside. The car stopped in front of me. I said, "Hello." He said, "Hi there. Where are you going?" "Just got out of the hospital," I said. "Why?" "Recording the beatings." He said then, "Are you going to lodge a complaint?"*

*He insisted that I get inside the car. Then he asked, "So where are you going?" I was like, "What do you mean, where am I going? I'm going home." He said, "The prosecutor's office then." "Why should I go to the prosecutor's office?" He was like, "So they can put you in jail." "And why?" "Well, because you're complaining."*

*I said, "I'm not going anywhere with you. I'm going home." In the end, he drove me to my uncle's house. I stayed there.*

*When we were leaving the district, he asked me, "You smoke?" I said, "No." He said, "Right." Then he went to the store and bought me two curd cheese bars. He said, "That's for you."*

*He bought them as an apology, I suppose. "Here you are, I've got you snacks. So everything is okey dokey now."*

Gennady, has experience of detention

Nevertheless, given all the condemnation and contempt that some of our respondents demonstrated towards the law enforcement "conveyor belt", it is important to note that this logic of argumentation leaves room for sympathy for particular law enforcement officers. The responsibility for their actions shifts from them to the entire law enforcement system.

*"They told the truth. But what was that truth? They didn't blame themselves, and they didn't blame me. I talked to them. I said, "Guys, **the system is already puts you under pressure**, and you're still nobody within it. You're like ordinary citizens. Do you really think you need all this?" Many of them had been thinking my words over. Except one."*

Pyotr, has experience of imprisonment

*"They all treated me well. Always. I have no complaints neither about the Federal Penitentiary Service, nor about the Ministry of Internal Affairs, in terms of convenience,*

*etc. Only about those inconveniences that the **system itself has created**. They have a certain set of FOUO instructions [for official use only]. They cannot break them or stretch them. That's why I always distinguished between instructions and people. There's no reason to quarrel with the remand prison staff. It's not like they have a better life."*

Aliya, activist, has experience of imprisonment

Sometimes the respondents express sympathy towards the poor working conditions of law enforcement officers. Sometimes the respondents condemn them and do not consider the officers as intellectual people. Nevertheless, they emphasise the external reasons for the bitterness and loss of critical thinking among the officers.

*"They were told that those people were terrorists. They're like **bionic robots**. **They were told**, "These people are terrorists." Okay, then, they're terrorists. And if they're terrorists, then we're allowed to do with them what we believe is necessary. Critical thinking? Why though?"*

Veronika, participant of the focus group discussion

*"You've heard it yourself. Apparently, it was an order from the superiors. When they're given orders, they know that somebody will cover for them, so they're not afraid of anything and do whatever mess they're ordered to do. That's it. Total impunity. **They're a part of the system, and nobody will go against the system**. They say, you can't fight the system. This is exactly the case."*

Marina, participant of the focus group discussion

To sum up, the logic of argumentation of the "world of industry", or the "conveyor belt" of law enforcement officers, appeals to the system in which law enforcement officers work. This system forces the officers to arrest people and to beat the necessary statements out of them in order to comply with required standards within a specified period of time. According to respondents that support the logic of the world in question, the system is the source of violence and dehumanisation of both police officers and their victims.

## The World of Mental Health

"Psychological literacy", special features of individual "psychological development", the ability to withstand a stressful situation, communication skills, emotional and social intelligence, etc. are among the most popular arguments in disputes concerning the origins of violence and the ways to survive it. According to this logic, every mentally healthy person has full control over everything that happens to him or her. Therefore, such things are always the result of one's choices. In this context, the world of mental health is the opposite to the world of the law enforcement industry, that links undesirable manifestations of human personality and the external quota system.

We consider as psychological arguments the desire to "preserve oneself" and the desire to devote attention to oneself instead of state violence.

*"We need to improve our surroundings, everything we can. And stop following the negative news. You'd better attend to your self-development instead of wasting energy on something unnecessary. That's how I would sum it all up."*

*'Can't agree more. They say, to change the world, you have to change yourself first. Therefore, it's better to stay away from all that.'"*

Ruslan and Marina, participants of the focus group discussion

In the world of mental health, the role model is a self-reliant individual with a strong personality who is seeking self-improvement. In this regard, individual growth and mental health are considered a priority. Any deviations from the norms and any unhealthy manifestations should be corrected. Undesirable and disapproved behavior is explained by poor mental health and abnormalities.

Within the system of arguments in question, the wrong position is that of a person who loses self-control, in other words, a person in a state of mental confusion.

*"I asked him, "Why do people become so angry – the officers, the administration? Why beating? Why raping?" And he was like, "The same feeling, when you start a riot. We feel bold." That's what he said. "One begins, another follows, then a third, a fourth, and then the whole shift ends up beating some guy." The system makes them so **crazy**, that they start shoving bottles into the anus. But when they come to their senses, they are ready to just hang themselves."*

Pyotr, has experience of imprisonment

Such an individual is at the lowest level within the logic of the world of mental health. This individual deviated from the image of a calm, firm and independent person. A law enforcement officer *"felt bold"* and *"became a wolf who had tasted blood"*. People throwing snowballs at law enforcement officers *"succumbed to an instinct."*

*"When there's a crowd, we observe certain uncontrollable mental phenomena. Inside the crowd, an individual gets turned on easier, so to speak. There's a concept of a herd instinct."*

Elina, former law enforcement officer, criminal psychologist

The girl who had demonstrated her fear at the police station is considered a "frivolous person" who abandoned her goals out of fright.

*"She tells how she was caught. The girl is about 20 or 21 years old, and she's like, "They waved a package from Pyaterochka in front of me and said that they would put it on my head. I was so scared, so I gave them my iPhone and told them the password." It's so childish. **You won't ever scare a serious person with a package or a bottle.** Do you understand? If somebody is trying to scare a serious person with violence, this person understands that the opponent has nothing on him or her. Steamrolling some chicken is easier. You know, a couple of fist swings, some slaps, some **hitting and yelling**, and this guy **will get scared and tell everything**. In this case, they just **pulled a mental trick with the girl, waved some packages in front of her and said they would put them on her head.** That was it. A person of principle who stands firmly on his or her position, both political and personal, would just say, "Bring it on. Let's see what happens after.""*

Matvey, former law enforcement officer

During the interviews, there were also suggestions that people who choose the law enforcement system for their professional career have a "defective" or a "traumatized" psyche.

*"Maybe people choose this work because of some psychological traumas. Perhaps, something happened in their childhood, and the traumas haven't healed yet. That's what I think."*

Evgeny, has experience of detention

*"Only inferior individuals and maniacs who are offended by life itself, who were beaten in the childhood, come to work in the Federal Penitentiary Service. They come to settle scores, to take revenge on people. It's mostly this kind of people. Mostly sadists, perverts, and sick ones."*

Veniamin, has experience of imprisonment

The respondents oftentimes used the psychological system of argumentation when referring to a neighbour-like model of relationship with the law enforcement and the Federal Penitentiary Service officers. According to this logic, the ideal law enforcement officer should have the character of a good neighbour or a parent and is supposed to be level-headed, *not inclined "to explode", "to quibble", and "to give in to boldness"*. Informants emphasised the importance of an officer's self-restraint during a conflict. An officer needs to be calm, and fair, and must not spoil the atmosphere of the common life.

Many people note a correlation between good relations and the small size of the facility: such conditions are considered more favorable for a healthy psychological climate. Those who have encountered the system explain its unpleasant nature by the large size of the facility and the large staff, like the apartment residents who dream about small living communities where all neighbours know each other.

Some of our respondents believed that the health of law enforcement officers would benefit from including psychological education into their routine. For example, one of our respondents explained a major conflict that ended with the use of brute force by the lack of psychological prevention measures in the correctional facility.

*"I started talking personally with the prison warden, greeting him every morning <...> So, we were talking, and he said to me, "Do you know how difficult it was for me to make this decision about using the OMON forces? I tried to talk to them [the inmates] many times. How many different things I offered them, but they didn't find any of them suitable. They didn't need anything anymore, they were all just buzzing together." I told him, "I agree with you, it's your fault. You don't have a good psychologist here." You won't believe it, but after that conversation a psychologist was hired, the best I've ever met. I still keep in touch with him."*

Pyotr, has experience of imprisonment

Following the logic of the world of mental health, prisoners are also advised to focus on psychological adaptation.

*"A person can be scared by any place. **When a child goes to a Young Pioneer camp for the first time, this child is scared by an unfamiliar atmosphere. Sometimes during the first week children ask to go home.** <...> It's the same thing in the colony. After hearing the sentence, the person gets frightened by it, because he or she enters terra incognita. This person doesn't know yet how to behave, especially, if it's the first time in the colony. It will last until this person adapts to the new environment. Thank God, we have a church in prison. People come here and cry, when they feel particularly down. "I know it's my own fault, but this knowledge doesn't make it any easier." I always say to everyone, "Have a little patience, you are not used to the state you're in now. But if you somehow show your worth, you will get accepted in the community." Let's say I ended up in prison. What do I know about the prison? The inmates may offend and mock me. So, when I go there, I'm naturally afraid of everything. However, for example, they have a **psychologist who asks me what was my occupation before, what I like to do. In other words, they are looking for ways to change your focus, to distract you.**"*

Luka, priest

Psychological stability and related advice and explanations are the basic element of justifying what is the norm and what is not the norm. Victims, law enforcement officers, experts, and "ordinary people" appealed to it. However, surprisingly, this justification does not help to solve the violence issue. On the contrary, this strong and widespread justification contributes to the preservation of violent practices and the inability to counteract them. When the arguments refer to psychological instability, immaturity or illness, the justification appears to shift to the fields of emotions, health, personal growth, and the option of "ending unpleasant relationships". However, law enforcement officers, detainees and prisoners are deprived of certain freedoms, thus, their ways of self-help and self-improvement cannot be the same as those that are practiced outside the detention facilities.

Fundamental reorganisation of the relations between law enforcement officers and detainees (rather than quick-fixing mitigation of conflicts) requires more than mere "psychological" *soft skills*. As Fyodor, our respondent and a human rights defender, notes, long-term systematic work is essential for significant changes.

"[Let's say there are] 2,500 people around you. 500 of them will be chosen to **keep an eye on the rest**. <...> What should be done to ensure that these 500 wouldn't be beating the other 2000? Undergoing some special training? What kind of training, what lessons will help a person who doesn't have a basic intelligence, who doesn't know about basic humanitarian concepts? **This person is not aware of basic human values**. You know, like self-defense training for women. You take a week, okay, two, or a whole month of these courses, and then you think you can take a stand against some rapist. This training is utter nonsense, like all these courses for the Federal Penitentiary Service officers. **You need a basic training in order for such courses to actually work**. If a woman wants to fight back against a rapist completely on her own, she needs three to five years of basic martial arts training, for example, wrestling. Only then she should go and learn from the masters."

Fyodor, human rights defender

Arguments from the world of mental health are primarily an attempt to describe reality on the assumption that the social world consists of mentally healthy and unhealthy people. Such descriptions are borrowed from either textbooks on psychopathology, or (which is more common) from personal development courses and social media of the well-known psychologists.

Another feature of this argumentation is a focus on the ability to control oneself. This kind of self-control is frequently explained with the help language clichés derived from the popular psychology, such as "awareness", "self-care", "draw personal boundaries", "resource", "aggression".

Within this system of argumentation violence is considered a problem of psychological health and weakness of individuals (both perpetrators and victims). We can conclude that this logic of argumentation belittles the significance of large structural problems, reduces the matter to mental and behavioural issues of particular people and does not offer any structural solutions and modifications.

### The World of Legalism

In the world of legalism, the idea of justice derives from obeying the law. According to one of our respondents, if a conflict has not escalated yet, one should always justify his or her position with references to the law.

*"If you have some difficulties in your life, first, you need to face them with dignity and a cool head instead of very emotional reactions. You need to find courage and strength to survive the moment and minimise the harmful consequences. Avoid escalating the conflict. Don't provoke and don't annoy your opponents. It's easier to discuss the situation and try to resolve the issue through legal instruments, **when things, at least partially, normalise**."*

Seraphim, former criminal investigation officer, has experience of imprisonment

While the actual scope of jurisprudence includes various aspects of law (lawmaking, legal history, law enforcement, etc.), the world of legalism as a system of argumentation "takes" the law "for granted". Here is a fragment of a focus group discussion in which participants appeal to legalism.

*"Are you talking about authorised or unauthorised rallies now?"*

*'There are no unauthorised rallies.'*

*'Yes, there are.'*



*'The Constitution stipulates that we have freedom of assembly. That means, that we have a right to gather wherever we want and how we want. The cases of violence that we have... regulations prohibiting unauthorised rallies.'*

*'No. Read the law. The rallies should be authorised. It is so in Moscow, at least.'*

<...>

*'What Svyatoslav is saying is that the law is supposed to be obeyed. If we don't like the law, we need to find a solution to change it, but until then we still have to comply with it. Correct?'*

*'Correct.'*

Svyatoslav and Irina, participants of the focus group discussion

In this sense, resorting to legalistic argumentation can be an indicator of a detachment from the issue under discussion, an attempt to find a clear and non-negotiable answer. People with legal knowledge speak about violence and torture through the prism of law: *"a group violation with a conspiracy on the orders of a police officer", "a serious violation", "a violation of the Criminal Code and the Code of Criminal Procedure"*.

Avoiding the questions of the acceptability and the justification of violence through legalistic argumentation does not always mean that a person is unwilling to touch this topic. In some cases, respondents tried to explain that such things as pain, trials, and death, which are important for the whole society, should be discussed not one-on-one, but together.

*"[If one is wrong, how exactly should this person be punished?] We have laws. How am I supposed to tell what their punishment should be? Who am I to tell such things?"*

Luka, priest

*"We can't make such decisions. Only the court can do that. A proper court."*

Anastasia, participant of the focus group discussion

Specialists, who use the law and regulations in the course of their work, however, stand out from the other respondents.

*"[We can call the actions of law enforcement officers torture], if they are mentioned in the Convention."*

Miron, human rights defender

At the same time, in reality, the logic behind their decision-making may derive from another system of argumentation, for example, ethical.

*"The PMC members don't get paid for their work. They are volunteers. Thus, the PMC members have no obligations. If we didn't want to, we wouldn't draw up any reports. This is not our duty. The duties of a PMC member are minimal. In my opinion, each PMC member determines his or her own goals. The law on public monitoring and the law on the basics of public monitoring provide a fairly wide range of possible legitimate goals."*

Vasilisa, former member of the PMC

People who are not legal professionals use legalistic approach for ethical arguments as well.

*"We are ordinary citizens and we do not have the right to violence unless our lives are threatened. Our hands are tied, because it's the law. If we do not follow it, then who will?"*

Konstantin, participant of the focus group discussion

We can conclude from such examples, that both experts and ordinary people condemn violence and expect the law to work because it is a common tool available to all citizens.

We consider this mechanism in the speech of victims of violence and torture especially important. Legalistic formulations and terms help them to avoid shame and vulnerability that come with sharing their experiences. On their own or with the help of human rights defenders, they learn to think about unacceptable things as something illegal. This way of thinking helps them to regain strength and control over the situation.

*"If we take the law into account... You probably know it yourself, it's not right to arrest and detain a person on the premises of a unit that guards the mineral deposit field. In a state of law such things don't happen. It's something unreal, impossible, but in our state it is possible."*

Karim, brother of a person who went missing after the arrest

*"It's just... When you tell them that you have rights, and they have obligations, you should get this straight. It is I who has the rights, and you have obligations. I arrive at the correctional facility, the staff should provide me with the conditions to serve my sentence. If I violate the conditions of my sentence, then you will ask me why I did it. Then it will be considered a violation."*

Pavel, has experience of imprisonment

Legalistic vocabulary allows to draw a line between what is permitted and what is prohibited, to describe what happened in a court hearing or in document, and provides victims of torture with a language to talk about torture.

*"At my first hearing concerning the preventive measure, I told the judge that I wasn't guilty, that I was beaten and tortured. My whole legs were in bruises. My chest was covered with bruises. I had a burn on the back of my head and on my cheek."*

Daniil, has experience of imprisonment

However, the world of legalism does not necessarily imply sympathy for those who have broken the law. In these cases, violence can be justified or explained.

*"If the crowd goes wild, I would call for reinforcements with water cannons and wash everyone away. The actions of the crowd against police officers were unlawful, thus, the police had the right to respond."*

Andrei, participant of the focus group discussion

Legalism helps to criticise certain aspects of the reality of the law enforcement system, compare them with the requirements of the law and identify them as illegal.

*"Police vans. Why do they transport detainees in police vans? This is considered natural, for some reason. But I don't think it's right. In a remand prison, before the conviction, people are innocent. Then why do they transport innocent people in such vehicles?"*

Aliya, activist, has experience of imprisonment

*"The most simple things. During the arrest operation, the car stops, everyone is pulled out at once and thrown onto the floor with their faces down. This is reality. There is no getting away from it. They won't say, "Could you, please, give me your hand, madam, I'm a police officer, my name is X, I'd like to search your pockets." Who would say that? Nobody."*

Kristina, mother of a detainee

The criticisms from the world of legalism indicate clear ways to solve problems.

*"I can ask the prison warden, "Why you don't have a special menu for people with severe chronic diseases?" Does the law prescribe such things? Yes, it does."*

Seraphim, former criminal investigation officer, has experience of imprisonment

The arguments from the world of legalism are used equally by victims, law enforcement officers, experts and people who have not experienced violence from the law enforcement. A world

where the law indeed functions is considered understandable and desirable. From the point of view of the world of legalism, everything appears to be simple: there are permitted and prohibited forms of interaction between law enforcement officers and detainees. The use of prohibited forms implies responsibility. In addition, references to the law often bear witness to one's hope to receive a decision from a higher authority, which is considered different from the social world where one faced injustice and, thus, reliable.

Nevertheless, comparing the legalistic system of argumentation with the reality elicits certain problems, for example, a problem of multiple interpretations of the same legal norm, a problem of possible disagreement with the existing laws, a problem of lack of transparency within the judicial system, and a perennial problem of people finding ways to get around the law.

### The World of Professionalism of Law Enforcement Officers

Both officers and other informants frequently explain violence by the *"lack of professionalism"* within the law enforcement. Human rights defenders repeatedly complained that law enforcement officers are not always qualified to work with people.

*"In fact, the officers do not know them as well, they believe that those guys are dangerous. The officers of this regiment... Even among policemen, this work is considered the worst in the world. In general, people who work there are poorly educated, uncultured, they had moved to Moscow in search of a better job and higher salaries. They live in barracks... Well, they are just some kind of mindless physical force."*

Vladimir, human rights defender

These arguments, however, do not elaborate what professional skills should prohibit violence. Apparently, they focus on the general culture of communications. The views of law enforcement officers themselves on the profession oftentimes do not coincide. They describe their professional credo in different ways. In the example below, Elina shares her opinion on the main tasks of a law enforcement officer. According to her, those are maintaining public order and taking care of the welfare of ordinary citizens.

*"People should feel safe and remain calm. They should be able enjoy their holidays, right? Why scaring and and intimidating them? Let them mind their own business, and everything will be fine. <...> Well and sound people join police for some noble reasons. They want to protect others from evil, to restore public order and social justice."*

Elina, former law enforcement officer, criminal psychologist

Another view on professional calling of police officers appeals to them manifesting their warrior side rather than maintaining an image of inconspicuous security at some event.<sup>63</sup> Such officer is more likely to use violence.

*"Don't forget that a man is a warrior. If a man perceives himself as a warrior, then this side is likely to show itself in a confrontation. Still, one should avoid overstepping."*

Matvey, former law enforcement officer

Some argue that law enforcement officers shouldn't be called a professional group at all, therefore it is useless to appeal to their professionalism. Apparently, there is a common belief regarding the professionalism of the law enforcement officers being either low, or lacking altogether.

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<sup>63</sup> Variations in the mindsets of "Guardian" and "Warrior" was actively discussed in connection with the police reform in the United States. See, for example, K. McLean, S. E. Wolfe, J. Rojek, G. P. Alpert and M. R. Smith, 'Police Officers as Warriors or Guardians: Empirical Reality or Intriguing Rhetoric?', (2020) *Justice Quarterly* (37) 6, pp. 1096-1118, DOI: 10.1080/07418825.2018.1533031.

*"Basically, guys join the FSIN because they want to get something, or because somebody has offended them in the past. And now they take their revenge <...> A person should find his or her own vocation and remain professional on the way. For example, a **machinist on a factory. This guy is a machinist by a vocation. When it comes to the FSIN, nowadays people join the service under duress, or [when] there is nowhere else to go <...>** There are residential areas with correctional facilities, where the whole family may work there. Mother is an accountant, father is a guard, the guy himself is an inspector, then they take turns. The clan system. It shouldn't be like that. They are taking roots, so the mutual responsibility increases."*

Pavel, has experience of imprisonment

Law enforcement officers assess the professionalism of their colleagues by using the "defender – **criminal**" system to evaluate their skills. General public does the very same evaluation, although through a lens of the "defender – **ordinary citizen**" system. In this respect, we suggest considering the concept of defence in terms of providing highly qualified services to ordinary people.

*"My last experience was six months ago. I had lost my passport and submitted an application for replacement [to the police station]. There were only two men in the office, they were responsible solely for issuing passports. I may not say that they were very rude, but they treated me as if my problem was not of their concern. Like my requests should be my problem to deal with. For instance, the staff of Multifunctional Public Services Centers is always very helpful – they always thoroughly explain everything, etc. Here I had to rewrite the necessary papers several times. I was supposed to use a black gel pen only, which I had to bring with me (fortunately, I had it). I spent there about 20 minutes (or, maybe, even 40). When I left the office, I was feeling deeply dissatisfied."*

Artem, participant of a focus-group discussion

Those who positively assess the work of law enforcement officers provided a similar feedback.

*"There's nothing neither to hate, nor love them for. They just do their job, and they do it well, at least for now. They are like all other employees who provide services, like conductors in the underground, or salesmen and saleswomen, or operators in telephone companies, etc."*

Svyatoslav, participant of a focus-group discussion

Analysis of reviews regarding police stations in online maps revealed the public's attitude to the law enforcement system as to a customer-oriented state service. The format of feedback does not differ very much from commercial organisations reviews. You may find some of them below (the author's grammar is preserved).

*"In 2014 a bicycle was stolen from the apartment entrance there are cameras on the building and 2 more on the apartment entrance they are still looking for it I bought a Peugeot bike cool one disc hydro brakes aluminum they cut off the anti-theft system and threw it on the landing it remained there for only 5 days after purchase I still hope they will find it but so far only one star for accepting the application and for spending 2.5 hours in a warm office at the police station."*

*"In our courtyard drunkards are constantly up carousing till the early hours. I complained several times to the police but got only a cold-shoulder from them! The cops don't want to work at all!"*

*"Caught in the street with beer. Delivered to a police station. They filed a report, fined me 500 roubles, I spent there literally 15 minutes, not even in the cage, but on a chair near the duty officer's desk. I asked them to make a copy of the papers for the fine, they did and without any problems, and they were very polite. If only it would always be like that."*

*"Teach your officers how to communicate. They are like savages."*

We have already mentioned that the topic of low salaries in law enforcement is one of the most discussed in professional chats. In the example below, an applicant appeals to the world of professionalism when she speaks about the skills of a good state official: from a law enforcement officer she requires proper execution of his work, which includes courteous treatment. The law enforcement officer also refers to his professional area, but his arguments focus on the low salary as a factor that determines the investigator's behavior.

*"I told him, "Why do you sit here like you're in a pub? **You behave as if you are in a bar, currently having beer and talking to me.**" "Actually, I haven't summoned you. You came on your own." I said, "I don't need you to call me, I come by my own. I've been coming here over and over for 2.5 years, and I'm not even working here. I will make you work. I pay taxes." "I don't know what taxes you pay and to what state. **I get a ridiculous salary. Do you think investigators want to work for 30 thousand roubles?"** I said, "I'm not here to discuss your salary or whether your investigators want to work for 30 thousand roubles. I'm telling you what I want. I demand that you investigate the murder of my son. **I pay taxes not** for you sitting here and jerking around, and talking to me like that. Sitting in front of me like that. I hate it when you are sitting in front of me like this, rocking on your chair and calmly playing games. Such conduct is absolutely improper for an officer."*

Anna, mother of the deceased at the hands of law enforcement officers

External observers, as well as police and Federal Penitentiary Service officers, share the opinion that demonstration of professional skills is not encouraged by management. Complying with standard formal requirements appears to be more important.

*"I would work a little bit differently, in my own way. I would use a complex approach <...> Our task is to be consistent. If you are an outstanding individual, you will not be allowed to show it, because in that case you will be very different from everyone else."*

Elina, former law enforcement officer, criminal psychologist

After getting used to obey orders and not to have their own opinion, law enforcement officers, especially the low ranks that have to communicate with people, may have difficulties with handling extraordinary situations on their own, as it is required by their profession.

*"I witnessed a general, or whoever that man was, well, a police chief answering a phone call from premises where detainees were held. I heard some officer shouting over the phone, "They are knocking on the windows and shaking the bars. What should we do with them? Should we manhandle them or what?" Apparently, it was a district police officer calling. The chief said to him, "Look, just deal with it, are you a policeman or what? If they behave badly, get them all in a police van, fix the mess.""*

Vasily, has experience of detention

For law enforcement officers, the industry world, "the conveyor" with its focus on the performance scores, often is of more priority in daily routine than professionalism. Under the conditions of desperate understaffing and shortage of time, the superiors prioritise filling the quotas over considering professional solutions.

*Ordinary people see a police officer as a superman, a fearless person. A quick and independent thinker, who is able to ignore the protocols if necessary, who takes into consideration all the details, assess the real situation on the spot and acts accordingly. The officer is supposed to be a very amiable person, always ready to serve. In addition, he or she must have a clean, well-bred speech. If somebody approaches the officer with some request, the officer must help this individual with a smile and be happy about it. Of course, the "inside" point of view is completely different. An officer is expected to be ready to do anything. It is someone who has no weekends or holidays, who will come to work even in a wheelchair. An officer must execute any orders of his superiors, even the most foolish ones, without any questions. Some tough guy, an unkillable one, really. And, at the*

*same time, absolutely pliant. The one who is okay with the machine's habitual work, even if it's old and rusty."*

Elina, former law enforcement officer, criminal psychologist

Thus, in our opinion, we are not dealing with a "shortage" of valuable skills, but with a shortage of convincing systemic arguments from the world of professionalism. The area related to professional ethics appears to be deserted, if not severely underdeveloped. General public lacks the place to address their demands, which should be regarded as a problem. It is possible, that this is the reason why so many people immediately start criticising the "law enforcement conveyor" when they try to find an explanation for the actions of law enforcement officers – it replaces professional ethics.

However, there is an opinion, which implies that an officer who commits violence does so consciously, and this is a manifestation of his or her professionalism. This opinion mentions a special goal – to receive evidence or detain a potentially dangerous individual. A professional uses force only when it is necessary from *his or her* professional point of view. This logic is similar to the world of legalism, where one is to follow the law very closely.

*"This is my duty, I need to arrest him. The guy resists. I should give him a warning, after that I am allowed to use some wrestling techniques. If this is not enough, if a person proceeds to resist, if there is a risk of him escaping or causing harm, I handcuff him, etc."*

Matvey, former law enforcement officer

When respondents explain the use of force by a professional choice, they emphasise that the situation is either about an adequate reaction of a professional to the circumstances (as in the aforementioned example concerning a potentially dangerous criminal), or about a method of work (for example, pressure to make someone confess), and not about mindless violence.

Sometimes they mention some professionals who "did not stir a finger", but managed to receive statements. Basically, the respondents refer to the use of psychological violence, which is not considered a violation of human rights among law enforcement officers.

*"A normal cop is someone who can crack a guy within three minutes just by manipulating his emotions, without physical violence."*

Matvey, former law enforcement officer

Psychological abuse may be considered permissible within the "professional" system of argumentation (and physical abuse – to be an outdated method). If emotional pressure is required to "make a criminal talk", then it can be justified. It increases the efficiency of the officer and allows him or her to earn respect from the superiors and the colleagues, in other words, to obtain key values within the logic of argumentation in question.

## The Domestic World

On the famous cultural map of the world introduced by Ronald Franklin Inglehart, for many years Russia occupies the position of a country whose residents consider the security values more important than the values of self-expression. Thus, it is not a surprise, that the domestic logic of argumentation, or an appeal to force and order, turned out to be one of the most common among our data. Our interest lies with how exactly this logic is built and applied.

In a domestic world, strength (both physical and moral) is considered the main virtue and provides its owner with power and security. The domestic vertical can be as rigid as the "conveyor" one, although with an important difference: in the domestic world, the responsibility of a person with power is twofold, as it extends both up and down the power hierarchy.

If the speakers criticised state violence using the logic of the domestic world, as a rule, their arguments referred to a violation of the principle of double responsibility. The domestic world criticises those who are endowed with rights for manifesting their weakness. People who have

faced violence may also be censured for being unable to protect their rights. The arguments below are a good illustration of such situation.

*"To ask for help, especially to call the police, is unacceptable. You have to solve all your problems yourself, as best as you can. Hands, knives, guns – the means do not matter. Maybe, the cult of force has died in Moscow and in St. Petersburg for good, but in other regions it's still thriving."*

Alexey, participant of a focus-group discussion

*"May I put my two cents in about the cult of violence? I have something to say about polyclinics from my own experience. <...> I have an absolutely distinct feeling that people in polyclinics are literally obliged to yell at the patients. To be honest, I believed that my age was making the difference. After I grew older, they were afraid to yell at me. But when you are a small child... Apparently, people always yell more at a somebody who is helpless and defenseless."*

Oksana, participant of the focus group discussion

As a result, people, who use the domestic world logic, are highly likely to blame the victim for not investing enough resources into achieving the goal.

*"I think, she [a victim of police beatings] was right when she took a picture of the documents. At the same time, the way she behaved was wrong. The guy was under the influence of alcohol. There were more police officers from the very beginning. Her resistance achieved nothing but aggression. She should have tried to talk to them, at least, to understand where they would take her child, to establish contact, figure out what exactly was going on, etc. But she immediately demonstrated her aggression and in the end failed to achieve anything."*

Oksana, participant of the focus group discussion

At the same time, those who use the domestic logic talk a lot about universal security and about the responsibility of the strong to the weak: if the weak failed to become strong, they should be taken care of under condition of them giving up some of their rights. In our study, we have observed how the domestic world arguments form an image of an ideal police officer, who is brave, reliable and uncorrupted. Such police officer is expected to be protective rather than showing respect.

*"We lived with the old ideology in mind. When the state protects every citizen without any exceptions. The paternalism of the USSR was still very strong in our mindset."*

Seraphim, former criminal investigation officer, has experience of imprisonment

The "improper" use of force and power by a law enforcement officer is a special crime in the domestic world, because it undermines its basic principle – the preservation of order and security (*"I couldn't believe that they could use a taser on me, especially the police officers"*). Some respondents noted with indignation that law enforcement officers tend to protect the "strong" people instead of the "weak". If officers use torture for the sake of their salaries and pensions, the contrast between the image of a good police officer and the behavior of certain law enforcement officers does not arouse sympathy in the domestic world, in comparison to the industry world. In this case, such officers lose their honorary status in the domestic hierarchy.

*"Of course, they do have another mission, in addition to **stuffing their wallets**. They are the **guardians of this political regime**. Guards with force methods. They are regime stooges."*

Veniamin, has experience of imprisonment

According to the domestic system of argumentation, it is permissible to break the law if there is no other way to deal with the violation of public order. The world of order appears to be stronger not only than the world of the conveyor, but also than the world of legalism. Participants of one of the focus groups discussed the case when *"a drug addict settled in the house entrance"*. Two

of the participants agreed that if the police did not respond, an acceptable action would be to "punch the guy in the face." The third participant did not agree with them, although later she said that she considered throwing snowballs at the police officers at the rally acceptable ("if you don't throw a snowball at them today, they will use a rubber truncheon against you tomorrow"). Some victims also considered that only those who "deserve it" can be subjected to ill-treatment.

*"I heard about some nasty stuff, but I thought, "Those were probably maniacs and villains." I thought that normal guys who just made one wrong step would be okay."*

Artur, has experience of imprisonment

Apart from state violence, the domestic logic criticises violence related to subordination, for instance, when a daughter is punished not by her own mother, but by a law enforcement officer.

*"I can anyone's head off myself. Just don't touch my child. If I see fit, I'll discipline her myself, but I won't let anyone else do it in my stead."*

Kristina, mother of a detainee

It is worth mentioning that by public order we do not refer to some specific public order (for example, a political regime, or traditional values, or prison culture). The domestic world also lacks a particular "face" (elderly or young, male or female). When using the domestic argumentation, people claim that something is the order, although they can understand the order in different ways.

A well-known case from the Brateevo police station may serve as a good example. Alexandra Kaluzhskikh, who was charged with failing to comply with the procedure for organising a rally, was beaten up by police during her questioning. Alexandra had a voice recorder turned on in her spare phone, and this recording found its way to the mass media.



Drawing by A. Kaluzhskikh, made during the detention (Internet edition "[Holod media](#)"), and a photo taken several years earlier for the magazine "[Petrovka, 38](#)"

During the questioning, Alexandra and the police officers, despite the power asymmetry and differences in political positions and age, use the same domestic logic of argumentation. It is highly likely that the police considers participation in a rally to be an attempt on public order. But the detainee, in her turn, also appeals to the ideas of the order, according to which the strong should not beat the weak (in this particular case, a man should not hit a lady).

*"Police officer: Are you f\*\*\*king nuts? You are f\*\*\*king nuts!"*



*Detainee: A man beats me in front of you. I'm f\*\*\*king nuts?*

*Police officer: Yes. YES! You f\*\*\*ing live in this country."*

A fragment of the audio recording transcript from "Brateevo"

This example demonstrates that, unlike narrower systems of argumentation, such as the worlds of "conveyor", legalism and professionalism, argumentation from a position of force is not used to express some specific opinions but rather represents a certain value background that penetrates almost all statements.

*"I do not know how to put the phrase **"nobody gives a sh\*t"** more politely. Maybe, something like this: nobody gives it a thought. Because if **there is some kind of a well-trodden path**, then they will keep on driving this way. All those police vans come from those nightly "black ravens" (a vehicle of black color for transporting people under arrest). <...> Moskalkova says, "Police vans with air conditioners!" I have no problems with Moskalkova. **She is a high ranking officer**. I understand that **she is a person of the system**. She has no other options but to confirm that an air conditioner in a prison van is good. Why a prison van at all? In general, such thought may never occur to her. Therefore, **educational activity is very important**. I want people to be surprised when they see a handcuffed man and police vans in the streets. Like in old times, punishment with whips and being taken naked in feathers along the streets. This is the same savagery. Those handcuffs and police vans."*

Aliya, activist, has experience of imprisonment

## The World of Ethics and Spirituality

Another logic of argumentation that appeared in discussions concerning violence is the world of ethics. The ethical arguments focus on a person's spiritual side and the value of sharing the same world with others. The ethical system regards as important aspects the absence of hierarchy, symmetrical relationships, and the concept that "that person is also a human being".

*"I don't really want to do that to my loved ones. I feel sorry for them. And I don't want to act that way towards other people, they are also someone's loved ones."*

Alyona, participant of the focus group discussion

Ethical arguments appeal to the value of equal treatment for all (which is not typical, for example, for the arguments of the domestic world).

*"They are just laughing at us. They don't see us as another human beings. We're just lowlifes for them. That's what confuses me. Their behaviour is awful, honestly. The boss is spiteful and malicious. Yes, we live in poverty, we have no home, nothing. If we don't have a house, does that mean that we can be bullied?"*

Maria, mother of a detainee

"Unworthy", "unfair", "inhuman" behavior is criticised, morality becomes the main criteria.

*"There is a longing for public humiliation. This definitely does not make them neither daredevils, nor heroes. This makes them barbarians. You see, the fact is we still use barbaric education methods in our country. We still beat children in families, although it's a crime. It's the same crime as when a husband beats his wife."*

Elina, former law enforcement officer, criminal psychologist

Those who have gone through the system, note that humanity manifests in law enforcement officers most frequently in trifles: they may offer a hand to a detainee leaving a police van or bring lemonade to inmates. These are accessible manifestations of good neighborliness in a total institution. Thus, ethical justification appeals more to lower levels of interaction. Sometimes the speakers explicitly indicate that low rank law enforcement officers are more humane.

*"Low rank officers [always comply with the law]. Normal human [laws]. Everyone has a soul. When you ask an officer for something, he replies, "Okay, here you go." Just a request to fulfill. You want to drink, for example... or you need to send a letter. He will come to the mailbox and open it for you. Another one may say, "Not allowed." Why on earth is it not allowed?! I am not in the colony, I am a free person according to law. Why am I not allowed to speak? For example, I can't go to the infirmary to get pills or dishes. "Not allowed!" and that's it. If only they respected those things."*

Artur, has experience of imprisonment

An ethical approach contributes to building neighbour-like relations on the principles of peaceful coexistence. For some prisoners, an ethical attitude not only to their cellmates, but also to the guards and the administration, maximises comfort. Ethics in this case is a consciously used tool. An example below shows how Seraphim fought for his dietary nutrition in a remand prison. Instead of confronting the head of the remand prison, he demonstrates solidarity and confirms that the problem does exist. Then he offers a specific solution and appeals to the law.

*"<...> I say, "Dear warden, Ivan Ivanovich, do you really need all this?" He says, "They don't give me funds." I say, "Of course, they won't give you money. They never give money, you always have to take it. How many reports have you prepared over the past year to request allocating money to meet the requirements that the law imposes on you?""*

Seraphim, former criminal investigation officer, has experience of imprisonment

If we consider more significant events, for example, acts of violence, the victim's appeal to the humane attitude is ignored. Therefore, the ethical arguments contain expressive vocabulary and exclamation sentences. The most frequent markers of the world of ethics are such expressions as "immoral", "inhumane", "are you not humans", "you ruin my life", "what are you doing". This is a desperate call for an equally humane treatment from a law enforcement officer, an cry for help to someone who is ready to hear.

*"I believe, morals are more important. Inside, for instance, there is a choice of a human being. Okay, we have one perspective, they have another, but morals are more important! <...> That is, if you support Putin and a certain opinion, this does not give you any right to beat a person who has another point of view, even if this person is bad and does something wrong. No! It still does not give you the right to beat this person, to treat anybody with disrespect and to use violence. Be above that! This is exactly how wars and Nazism begin. If we refuse to consider others as another human beings and allow ourselves to do whatever we want with them. No! Even if we don't reckon them as human beings, even if we have different views... They are still people with their own point of view. Our opinion is different, but we should not mock or beat them just for that reason. Morals are more important, in my opinion."*

Oksana, participant of the focus group discussion

In the ethical logic of argumentation, as in the domestic one, many people describe the ideal of a law enforcement officer similar to a superman, although the ethical system shifts the focus from the officer's desire to protect to an extreme desire to ensure the well-being of people.

*"If you are a cop, you should help people, support and protect them rather than do all this. I do not know how to explain anything to those people. Okay, you are a police officer, have a family, you should be a role model to the youngsters. "Listen, kids, you've done a wrong thing." But why tormenting them? Why do they beat others – on the knees, on the ears or somewhere else. It's wrong. They beat up those guys, blew off some steam, and they are happy with that. They feel themselves like kings. Is this fine? Of course, it's not."*

Maria, mother of a detainee

Experts explain the difficulty of building "human-to-human" relationships between an ordinary individual and a law enforcement officer by the rank and the uniform. Sometimes law enforcement officers are confronted by the choice between maintaining order (the uniform side)

and helping victims of unjust ill-treatment. This decision lies in the area of morals, therefore we consider it to be an argument from the world of ethics.

*"That's the source of moral degradation. You do understand that **a person is not guilty**, but you should save face. You need to protect the **esprit de corps**. It is everywhere, unfortunately. It takes a lot of courage to say, "I have come to the conclusion that this man is innocent, he must be released and restored in his rights."*

Boris, lawyer, former officer of the Ministry of Internal Affairs

The logic of ethical argumentation implies personal responsibility of an individual as a human being for what is happening. Violence can not be explained by psychology or work system, it is always a personal choice.

*"There was a man in a correctional colony, the head of a single cell-type facility, he shared prison food with me, he knew me inside out as we'd been through a lot and we had always been on the same page. But on duty, he beat me with a baseball bat. And when the prison warden ran away, he stayed in the colony. "Pasha, please do forgive me, you should understand." I say, "How should I understand you?" "The orders of the boss." "What do his orders have to do with it? First and foremost, you are a human being. And you make your personal choice" We make our own choice how to live. <...> Nobody's forcing you. **In afterlife, you will be questioned: why did you do that? You wouldn't say that he made you do that.** You will be asked the right question: why did you do that? It means that it is you who should make a choice. And this should be the most important."*

Pavel, has experience of imprisonment

Ethical argumentation is often labeled as idealistic, not applicable in real life. However, this logic has its supporters, followers and believers (believing in an image of a cop that helps everyone is an example of this). This system of argumentation is used, thus, we can conclude that the ethical justification is in demand. Moreover, at the level of everyday practices, ethical principles contribute to reducing pressure and creating areas of local justice, good neighborliness.

Probably, the practical underuse of ethical arguments is due to the complications of production of educational materials – "manuals" that help to better understand the arguments, to adopt them (articles, seminars, media appearances, handbooks, pop-culture products, etc.). While the other worlds that we have identified had already developed a certain language and fairly stable logical constructions, the ethical world often use exclamations and rhetorical questions.

The ethical arguments, when they encounter the arguments from other worlds, are able to form promising alliances. Thus, ethical criticism is necessary for legalistic positions, so that the law reflects the social standards and ideas regarding morals. When combining arguments from the world of professionalism and ethics, professional ethics or some institutional code of ethics may appear. If we oppose arguments from the ethical world to arguments from the world of "the conveyor", we can demonstrate that a person is more important than the production process. The concept of a strong personality from the world of mental health can be mitigated. At the same time, as we have already mentioned, many ethical arguments are based on domestic values.

Respondents often use arguments from the world of ethics and spirituality to overcome the structural social restrictions they sense and to approach understanding and solidarity. From the ethics point of view, violence is absolutely unacceptable, because it is inconsistent with its fundamental values and ominous thereto.

## Conclusion

Respondent's social affiliation and the degree of tolerance towards violence inherent in a specific social group cannot solely explain the attribution a situation of violence to the scale of acceptable and unacceptable. We should understand the argumentation logic used by the respondents to identify the reasons for such attribution.

This chapter proves how fragmented the state violence discussion is. There is no universal view on torture and on justification of violence in a given situation. Instead we have identified six different argumentation logics: industrial, psychological, legalistic, professional, domestic and ethical.

The world of law enforcement industry explains violence by the "quota" system: a law enforcement officer is focused on meeting required numbers at any cost, including violence. This approach to explaining state violence with the existence of "quotas" allows us to treat violence as an ordinary phenomenon. At the same time, if the "conveyor machine" itself is not able to treat detainees, prisoners and its own staff with respect as human beings, "ordinary people" are often ready to look upon law enforcement officers as humans and express sympathy for their inhuman working conditions. Arguments from the world of industry describe (un)justice created by these outside working conditions.

There is a contrary, "internal" explanation – arguments from the world of mental health turned out to be quite popular among respondents. Mental health is understood in an individualistic way: as the strength and integrity of an individual. This world focuses on the value of mental health and the ability to choose behavioral patterns to "preserve oneself". Within this argumentation system the subjects of torture are not healthy, as they are unable to control themselves. However, this argument also works against the victims: they "were not tough enough". Within the framework of this logic, if pushed to its limits, victims of torture should be blamed for getting into such a situation, which derived from an individual will, numerous incorrect personal choices and is not dependent upon the circumstances.

The world of legalism appeals to the clarity and universal nature of law. Potential violence cases are considered in accordance with external definitions. The highest value of the world of legalism is an exhaustive definition of an event that makes it possible to qualify it as violence or torture. However, the issue of aligning the law to the internal values of a person, as well as to the principles by which the law should be adopted, are excluded from the consideration.

The argumentation logic of the professional world of law enforcement officers can partly be opposed to the logic of the "conveyor" world. According to the latter, a law enforcement officer is a cog in the system. However, the world of professionalism treats an officer as the owner of skills and expertise, as someone who potentially participates in the professional community. Supporters of the professional world often condemn physical violence, as it is perceived as a proof of low qualification and does not sell well in the law enforcement services market. Many consider the ability to use only psychological violence as professionalism. Arguments concerning a professional "guild" as the source of professional ethics are absent, as, apparently, they are less popular than statements regarding officers' working conditions and the reporting system.

Public security and public order, the values of the domestic world frequently manifest themselves in the statements. Domestic values and longing for public order penetrate deeply other logics of argumentation. On the one hand, the appeal to the domestic logic of argumentation gives strength to those who are ready to accept the critical statements of this world. On the other hand, it eliminates those who do not fit into the common order, do not want or cannot meet its requirements. This becomes evident when the victims are measured by a "domestic ruler". That is the difference between the domestic world and the the world of ethics. The domestic world, although it is deep-seated, vigor and omnipresent, does not replace the world of ethical arguments, although it can, probably, strengthen them.

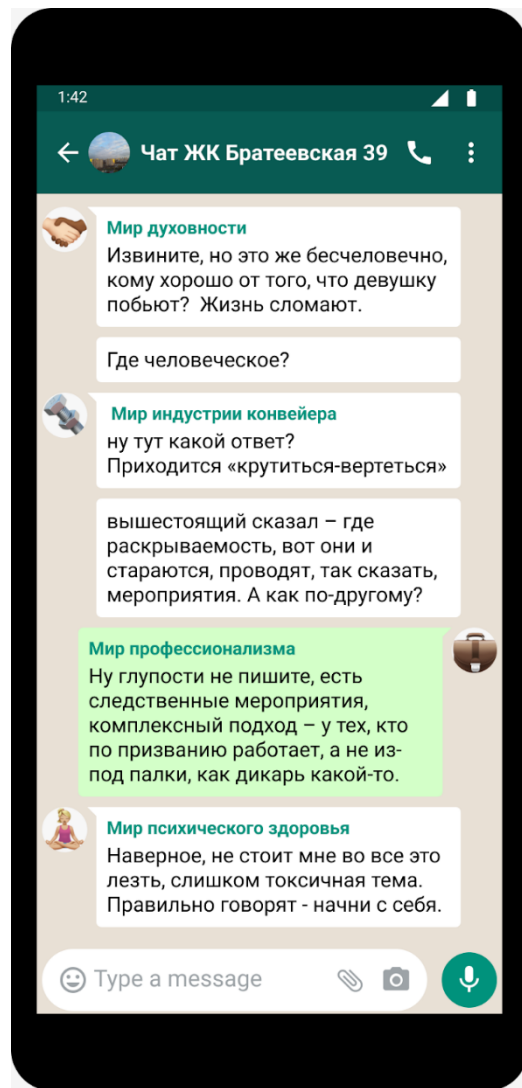
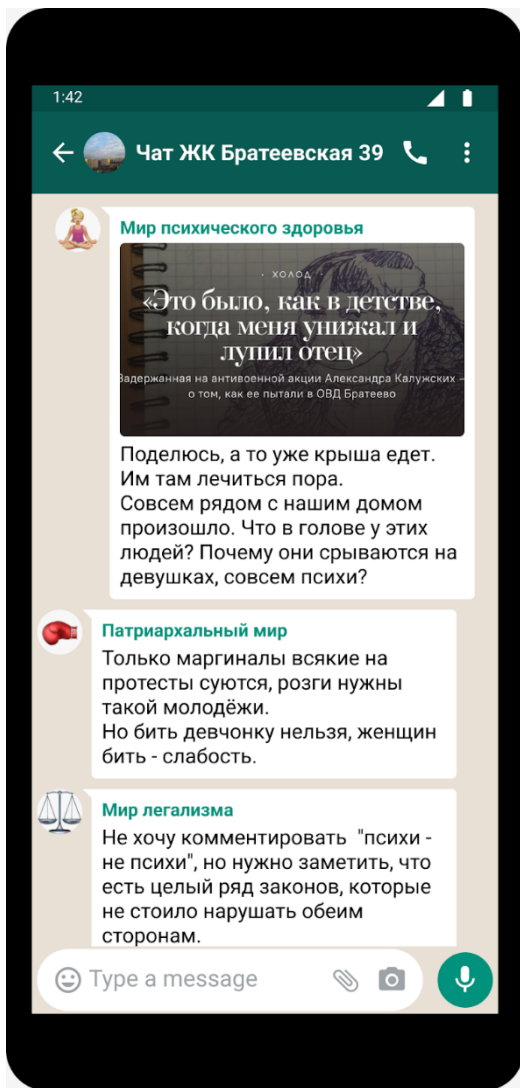
We identified the latter argumentation system as the world of ethics and spirituality. The highest values of the ethical justification are human life and dignity, regardless of the social role and status of a person. The application of the ethical arguments demonstrates the confidence in the future – notably, joint one – with an opponent. Those who apply the ethical logic of argumentation see a full-fledged personality in the opponent and appeal to it in search of

cooperation. This trait distinguishes the arguments of the ethical world from those of other worlds, which appeal primarily to a certain order.

The respondents reach the general consensus only when they speak about the impossibility of a change, about the breakdown of the entire system, whether referring to some specific institutions or social relations between various social groups, about the symbolic "contamination" of the law and the law enforcement system, etc. It seems that, partially, the feeling of being unable to change anything derives from the lack of a "social glue" both between those who adhere to different logics of argumentation, and between people in general. So, on the one hand, the domestic world of justice is able to form stable alliances with all other worlds, and on the other hand, this world frequently justifies violence against "wrong people". The legalism world, on the contrary, is universal, but often lacks empathy and solidarity. It also appears to be "contaminated" by the actions of the legislative, law enforcement and judicial systems to some extent, which makes this world rather unreliable.

From our point of view, the most promising one is the world of ethics, which implies both an educational and critical approaches to other worlds. It has a unifying function based on the assumption of a human life as the universal value and treatment of everyone with respect and dignity. Arguments from the world of ethics, however, are not popular, which can be due to its lack of utilitarianism, an aspect that is easy to criticise from the standpoints of any other worlds. In order to efficiently use ethics as a tool for building up solidarity, professional communities need to increase the representation of this argumentation logic and make it standard.

To make it easier for a reader, we presented the work of the worlds of different justifications in a "nutshell format" as a chat:



## Conclusion

Violence has taken root in law enforcement institutions. There are persistent arguments that advocate the acceptability of violence. We believe that this situation has become a problem. Violence and torture exacerbate vulnerabilities in society, deprive many people of resources and the ability to act in an independent manner, contaminate the identities of the direct protagonists of a situation and of those beyond it. Violence and torture heighten the tension between a person and the law enforcement system. Such environment destroys the chances of a productive interaction and contributes to violence becoming an even more routine practice.

There are several mechanisms of routinising violence. In particular, the very experience of violence affects a person's self-perception and builds an invisible barrier between this person and the outside world (family, colleagues, everyday life, etc.). Many people who have faced torture feel themselves broken and undergoing irreversible changes. They believe that they have lost control of their own lives. Violence and torture also affect those who did not directly participate in the situation: relatives and loved ones, those providing professional assistance to victims, law enforcement officers themselves. They all face moral contamination. Even those who only have learned about torture cases from the news can feel themselves powerless, deprived of their rights, and unable to fight the unfair system.

The vulnerability of a particular person to law enforcement officers is influenced by various factors: age, gender, appearance, nationality, sexual orientation, political position, etc. There are neither common patterns, nor any consistent system in this regard, as vulnerabilities can overlap and deliver different outcomes depending on external circumstances.

Surviving state violence with minimal loss requires one to demonstrate his or her agency, the ability to make independent decisions and actions. Demonstrating agency is a difficult task for a person confronting the system, since the system always has an advantage of force. Such confrontation may lead to losing one's own resources, for instance, the job, physical and mental health, social networks, etc. These potential outcomes make a fight against the system more complicated.

At the same time, the issue of state violence affects not only detainees and prisoners, but law enforcement officers as well. The functioning of the total institution of the law enforcement system is a common problem for all parties involved, which is most noticeable in remand prisons and correctional facilities. Both groups are forced to exist in isolation from the outside world and to experience rigid hierarchies and lack of material values. In many cases, their life chances are limited. After spending time in prison in any role, a person faces a stigma that separates him or her from "normal" people.

Returning to "normal life" after encountering state violence, and especially after being in a total institution, is a difficult task. However, even when the situation does not change significantly, and there is no apparent success (for example, in the form of further developments on the case, improvement of detention conditions, cessation of physical violence, etc.), the very feeling of having the right to success and the perception of state violence as abnormal and illegal help the individual to maintain agency. A person can perceive violence as something unacceptable even before a confrontation with the system. Sometimes, such perception emerges from conversations with human rights defenders and other prisoners, reading news or special literature, etc. The important thing is that various arguments about the state violence being unjust should be widely known. We believe that people with opinions of more "sensitive" kind, that are able to identify the line between acceptable and unacceptable and prove their point of view, should receive more public attention and support, which may turn out beneficial for the battle against the state violence and its effects.

Definitions of what should be prohibited, as well as arguments about the unfairness of violence vary considerably.

When defining torture, people pay attention to a wide range of characteristics: from the special purpose (for example, to obtain statements) to the duration of the experience.

What are the prospects for public discussion of state violence in a situation with many different definitions? At the moment, there are certain stories of violence that become widely known and create a stir in society. People recall those cases regardless of their opinion on the matter, which indicates that there is a common field for dispute and discussion.

The need to discuss the unacceptability of violence leads us to concepts of justice and their public perception. We discovered several sets of arguments on the matter of fairness of state violence. We named those sets "worlds of justification". For example, one of the most popular "worlds" was the world of mental health, where justice is associated with the ability to exercise self-control. Here crossing the boundaries is explained by the psychological weakness of either the aggressor or the victim. However, such a justification contributes to a preservation of the status quo, which implies "individual treatment", rather than systematic work on the problem of violence.

Another popular "world" is the world of legalism, where justifications derive in the form of references of the law. The legal references allow to dissect and analyse the events in question, but narrow the opportunity for discussion, as it is difficult to argue with definitions. In addition, there are arguments from the world of professionalism of law enforcement officers, where the matters of justice and injustice are made equivalent to the question of compliance with professional standards. At the same time, the understanding of standards and desirable qualities may vary. For some people, a skilled professional is an officer who completes the tasks in hand with subtlety, even if it is done with the use of violence, including the psychological violence. Others, on the contrary, consider fitting the image of an invisible guard of ordinary citizens to be an indicator of a professional law enforcement officer. In any case, the arguments from the world of the "law enforcement conveyor" about the need to work more and "fill the quota" are more common than those that appeal to professional skills of the officers. The professional ethics of law enforcement officers are addressed much less frequently than the "quota" issue. Thus, we're not inclined to consider it to be a significant problem.

At the same time, there appears to be a common ground with a place for the dialogue between the identified worlds. In our opinion, it is a place for the world of ethics and interpersonal communication. In the mentioned ethical arguments, the concept of justice is formed on the basis of the ability to build human-to-human relationship rather than social roles and environment (professionals, good workers, healthy personality, law, security, etc.). The arguments from the world of ethics imply that all the opponents value human life even in a situation of violence. Despite the fact that people frequently appeal to this understanding of justice, it is still difficult to call it a norm, since the ethical justification is not inclined to use utilitarian and reasonable approaches in comparison with other worlds. As a result, many people may see the arguments from this world as unnecessarily idealistic. The use of ethical arguments is similar to a cry for help or "dead-end" statements at the moment, as the justifications from other worlds are considered to be more suitable.

Arguments from different worlds are not issued in isolation from each other. Every person normally uses multiple systems of argumentation. In addition, there are wide-spread values. For example, almost any type of argument is supported by the justification from the domestic world. Such justification appeals to ensuring security and maintaining the social hierarchy. This argumentation is understandable and familiar to the society at the moment, which makes it a practical tool for building trust in the public dialogue. However, ethics is likely to become the most suitable language for discussing violence in the near future, although nowadays the ethical arguments are considered rather inapplicable to real life and nostalgic to the point that they are almost never used by human rights experts.

The implementation of ethical arguments in practice and their acceptance by the dispute opponents can benefit from the neighbourliness (in terms of location, social roles and



economics). We have demonstrated that, although the total institution of the law enforcement facilities contributes to creating an environment of separation, some forms of neighborliness and conditions for cultivating mutual understanding between law enforcement officers and detainees can still be discovered there. Low-ranking law enforcement officers and detainees can be viewed as people with opposite roles, but at the same time it is not so rare for them to share humanity and living conditions. The sprouts of solidarity on the human-to-human level should be carefully studied, supported and made more visible.

# Annex

## Research methodology

### Research tools

#### Guides

A separate interview guide was compiled for each group of respondents, which consisted of 4-5 clusters of issue-related questions. If any individual questions or a cluster of questions appeared to be irrelevant to the respondent (for example, our talk partner was not held in any temporary detention facility), then such questions were skipped. Since the research crew worked within the framework of in-depth interviews, the questions could be corrected during the conversation, the researchers could modify specific phrases, skip and clarify general questions, or ask additional ones.

The following are guides of interviews conducted with respondents who were subjected to violence by law enforcement officers (i.e. with the victims), their relatives and loved ones, as well as experts. The guides contain the specified clusters of issue-related questions within which interviews were conducted. By way of examples, specific questions are pointed to, which were raised during the conversations. The guide of interviews conducted with experts was used in both face-to-face and group interviews (focus group discussions).

*Guide of interviews conducted with the victims of violence committed by the law enforcement officers*

Biography, socialization environment.

*Examples of questions.* Please tell us about yourself. How old are you, what do you do, what city do you live in now? Tell us about your family. What is your current relationship with your parents? Do you have any brothers, sisters? Do you have kids? Where did you study or work? Have you ever dealt with law enforcement agencies before?

Circumstances of interaction with the law enforcement system, within which a situation of violence occurred.

Arrest and detention.

*Examples of questions.* Please tell us when and under what circumstances you were arrested? Where were you? What do you remember which stood out in particular from the surroundings?

Police station.

*Examples of questions.* What was going on inside the police station? How were you treated by the personnel? Do you remember what kind of emotions you experienced then? Was there something that surprised you most or seemed strange, abnormal?

Temporary detention facility.

*Examples of questions.* When you found yourself in the temporary detention facility, was there any talk with the officers of the Ministry of Internal Affairs at the beginning? How was it held? How many people were in the same cell with you? What were the conditions inside? What was the relationship between all of you? What can you tell us about the temporary detention facility officers? What did they do? How did they behave?

Remand prison.

*Examples of questions.* What do you remember which stood out in particular in the cell/cells you stayed in? Furniture items? Lighting? Smells? In your opinion, what makes it difficult to any extent for a person to stay in a remand prison? Is it possible to do anything to avoid undue hardships? What does it depend on?

Correctional facility.

*Examples of questions.* Tell us about what happened when you arrived at the colony. How were you met? What procedures did you have to pass? Did you have any talk with the colony personnel? Do the Federal Penitentiary Service officers have any methods of influencing the inmates? In what cases do they use them most often?

Circumstances of violence.

*Examples of questions.* Who committed violence? How did they justify their actions? Why do you think the officers actually commit violence? Who witnessed what was happening? How did those around you behave? Do you think that what happened to you had any impact on your cellmates' attitude towards you? And the officers' attitude towards you? Do you think what happened was a torture? Or ill-treatment? Why yes/no?

Release from the police station/temporary detention facility/remand prison/correctional facility.

*Examples of questions.* Was it difficult to return to normal life? If so, what was particularly difficult? What obstacles did you face? What helped you out? Did you tell your story to any family members, friends, acquaintances?

Seeking legal assistance or protection.

*Examples of questions.* Have you sought legal assistance? If so, at what point did you think about seeking any assistance? What urged you to seek assistance?

Wrap up questions.

*Examples of questions.* What else would help you out in the situation which happened to you? What kind of support do you think is needed for those who have experienced anything like this? In your opinion, the police treat detainees better or worse now than they did before? Why do you think so?

*Guide of interviews conducted with relatives and loved ones of the victims of violence committed by law enforcement officers*

Biography, socialization environment.

*Examples of questions.* Please tell us about yourself. Tell us a little about your relative. How is he/she related to you? Where does he/she live/lived, what family, education, job does he/she have? What is your current mutual relationship? Is it normal for you to ask each other for help?

Circumstances of interaction with the law enforcement system, within which a situation of violence occurred.

Circumstances of violence.

*Examples of questions.* Please tell us what you know about this incident: what happened then? How did you find out about what happened, who told you? Have you discussed this situation with the direct victim?

Arrest and detention.

*Examples of questions.* How was your relative arrested? How did you find out about it?

Police station.

*Examples of questions.* How did your relative describe the law enforcement officers attitude towards him/her at the place where he/she was taken to?

Temporary detention facility, remand prison, correctional facility.

*Examples of questions.* Were you and your relative ready for the preventive measure pronounced, to what extent? Did you contact anybody at the initial stage of investigation, for example, any human rights defenders? If so, on what issues? Tell us when you saw each other for the first time after the detention. Did you talk with any family members of other detainees?

Release from the police station/temporary detention facility/remand prison/correctional facility.

*Examples of questions.* Did your relationship change in any way after this incident? Why do you think it happened? How did people around you behave: relatives, acquaintances, colleagues? How difficult was it for your relative to return to normal life? What helped him/her out?

Seeking legal assistance or protection.

*Examples of questions.* Tell us what urged your close relative to seek assistance? Describe how it happened. Were you involved in it? Had you heard about any human rights organizations before this incident? Was there any trial held?

Wrap up questions.

*Examples of questions.* What else would help you out in that situation? What kind of support do you think is needed for those who have suffered any torture? How do you think law enforcement officers should ideally treat prisoners? If you had an opportunity to change anything in the system, what do you think is important to do, bear in mind?

*Guide of interviews conducted with experts*

Background, area of expertise.

*Examples of questions.* Please tell us about yourself. How old are you? What kind of education do you have? How long have you been working in this area?

Interaction with people who are in contact with law enforcement agencies (detainees, accused persons, inmates, their relatives, etc.).

General questions about work.

*Examples of questions.* What is your work now? Who are your applicants/clients? What does the result of successful work look like to you? Are you in a position to choose the cases you work with? If so, what are your priorities? Is there any case that you would never take? Why? Is there any case that you would take

even when fully loaded? Do you interact in any way with law enforcement officers?

Cases of working with detainees/prisoners who have been subjected to violence.

*Examples of questions.* Please tell us about any case of working with a detainee/prisoner from your recent practice, which addressed any issues of violence committed by law enforcement officers. What was the subject matter of an application? What was your assistance to that person? Was there anything special about the purpose of your work in that case? How was your work going? What procedures did you go through with your client? What kind of relationship did you establish with your applicant?

General questions about cases of violence.

*Examples of questions.* In your opinion, what makes it difficult to any extent for a person to stay in a remand prison? Is it possible to do anything to avoid undue hardships? What does it depend on? Can officers influence the way detainees/prisoners treat each other, their behavior? And vice versa? Can detainees/prisoners have the situation changed somehow? If so, are they trying to do it? If not, what are their reasons, in your opinion?

Discussion of media cases (see the guide for the focus group discussions).

Wrap up questions.

*Examples of questions.* How do you assess the situation with the use of force in the police/Federal Penitentiary Service today? What influences this situation? Have the reasons for complaints about the police/Federal Penitentiary Service system custody changed in recent years? Do you have an impression that the system is changing?

*How were the cases for interviews and focus groups selected and compiled?*

Focus group discussions with persons who do not have direct experience of dealing with law enforcement agencies were articulated on discussions of five media cases,<sup>64</sup> which were selected in such a way as to reflect situations of violence in different contexts (outdoors, during arrest, in a police station, remand prison, correctional facility), in different ways (psychological and physical abuse), towards people of different social classes and in various situations. Besides, one of the cases under discussion described a situation of violence committed towards the police officers. All cases, except one, are accessible in the public spotlight. One case was taken from the Crew Against Torture's operating report, which was drawn up on the basis of testimony of a victim of violence.

In order for all participants of the focus group to review the cases, they were shown a text, video or audio recording in a real-time environment, after which the researcher asked questions on each case individually. The guide for the focus group discussions, like the other guides, provided for adaptation to specific situations of interaction with the conversation participants. As in the case of individual interviews, the researcher had the right to correct, add and skip some specific questions.

## **General list of cases sorted by case types (working titles):**

1. "Snowballs thrown at law enforcement officers"
2. "Violence caused by resistance: woman with a child"

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3. "Torture in correctional facilities: strappado"
4. "Ill-treatment at the police station: Brateevo"
5. "Potential case with real legal offense: terrorism"

Cases and questions are similar for 4 categories of respondents:

1. Experts
2. "Ordinary persons"
3. Law enforcement officers
4. Victims/Relatives – as the case may be

## **Cluster of questions common for all cases**

Objective: Person's attitude to the situation, who/what is pointed out, how he interprets it, whom he associates oneself with, how he grasps arguments of both sides

1. How do you respond to it? What do you want to do about it?
2. What do you think about this extract? What is most important for you here? Why?
3. What happened there and why, in your opinion?
4. Why did ... (person/persons/prisoner/detainee – select neutral depending on context) act this way?
5. Why did the police officers/... act this way?
6. Could all participants somehow avoid this situation?
7. Do things like that happen frequently? Why?
8. How fair is what was happening to all participants? Why?
9. How would you act if you were each of the participants?
10. What consequences can such cases have for the society?

Additional questions for law enforcement officers:

11. Are the skills of an ideal police officer shown here (see records of the answers in cluster "Working with detainees/prisoners")?
12. Does the law enforcement officer take advice here ... (see advice to novices)?
13. If throughout the conversation the interviewer wrote down some principles, rules, values, etc., then:  
You said that... Is this applicable in this situation?

Discussion points after presentation of all cases:

14. Is it fair to say that what happened was an act of violence? Or ill-treatment? Torture?
15. What exactly of all which happened is that?
16. Why do you think so?

*Guide to focus group discussions with people who have no experience of interaction with law enforcement agencies*

Biography of participants.

*Examples of questions.* What are your profession and education? Where do you live, how old are you?

Experience of interaction with and attitude to the law enforcement agencies in general.

*Examples of questions.* Have you ever dealt with the police? When and under what circumstances did it happen? What do you think are the roles of the police and law enforcement officers today? How well do they cope with their roles? Have you always thought so, or was your attitude towards the police different before? If so, what changed it?

Experience of violence situations and attitude to violence.

*Examples of questions.* Describe your attitude to violence in general. In your opinion, what is people's attitude to violence in today's Russia, if taken on the average? Have you ever directly witnessed any inappropriate kinds of treatment on the part of the police? What happened and how? Who was the victim of violence? Why do you think they did it? What were you doing in that situation? Do you think they did what was right in that situation?

Discussion of media cases.

*Examples of questions.* What do you think is going on? What do you think of it? In your opinion, how adequately/correctly did all the participants behave? Do you think anyone complained about what happened? What advice could you give to a person who does not want to be beaten up during arrest/at the police station/in the correctional facility? Are there any ways to avoid it?

Attitude to people who have experience of imprisonment.

*Examples of questions.* Do you think it is necessary to help people when they are in custody? If so, why? If not, why?

Wrap up questions.

*Examples of questions.* How do you think law enforcement officers should ideally treat detainees? Do you think there is a need to change anything in the law enforcement system operation? What exactly and why?

### **Data collection pattern (recruiting) and gaining field access**

Respondents with the incarceration experience and their close relatives were selected in several iterations and through different recruitment channels. At the first stage, respondents were recruited with the assistance of a non-profit organisation against torture. People who applied to governmental authorities and non-profit organisations with no outside help, referring to any ill-treatment of themselves by law enforcement agencies as violence/torture/inappropriate (unauthorized, unacceptable, illegal) attitude, were invited to participate in the research. The main task of the first stage was not limiting the selection of respondents by any predetermined characteristics and assumptions about them, but building on the field study in such a way as to include the fullest range of cases of frequent occurrence in the research (for reliable description of events).

Then the informants were recruited by the "snowball" method, i.e. using the researchers' social relations and through posting invitations to participate in the study on social networks. This method helped involve respondents with the experience of dealing with the law enforcement system (police stations, remand prisons, correctional facilities), regardless of whether they reported any torture or ill-treatment of them. Thus, it was supposed to reduce the degree of bias in sampling towards those detainees who cooperate with the human rights organisations, and thereby expand the survey sample. However, only a small number of informants were recruited this way, so the survey sample is significantly biased towards those victims and their relatives who have reported the fact of torture and unauthorised treatment by the law enforcement officers, and are seeking recognition of this fact in court.

Informants with the law enforcement system employment record were also recruited using the researchers' personal social relations, by the "snowball" method and through posting invitations to participate in the study on social networks, in special interest communities, and discussion groups of the Federal Penitentiary Service and police officers. It is important to note that, when recruiting this group of informants, we faced the largest number of refusals to participate in the study, suggesting that this professional community is utterly closed to any outsiders.

At the initial stage of experts recruiting, we compiled a list of areas in which other professionals, working with people who have experienced any violence committed thereto by the police officers and/or the correctional system, could be employed. Then the experts were recruited directly, with the assistance of human rights organisations, social relations of the research team members, and social networks.

The regions represented by the surveyed respondents are listed below.

Victims of violence (who have applied to human rights defenders), people having experience of detention, imprisonment, and their close relatives	Officers of the Ministry of Internal Affairs, Federal Penitentiary Service	Ordinary persons	Experts
Moscow and the Moscow region	Moscow and the Moscow region	Moscow and the Moscow region	Moscow and the Moscow region
Saint Petersburg and the Leningrad Region	Saint Petersburg and the Leningrad Region	Saint Petersburg and the Leningrad Region	Saint Petersburg and the Leningrad Region
Kabardino-Balkarian Republic	The Volgograd Region	The Vladimir Region	The Vladimir Region
The Krasnodar Region	The Vologda Region	The Volgograd Region	The Krasnodar Region
The Nizhny Novgorod Region	The Ivanovo Region	The Krasnoyarsk Region	The Nizhny Novgorod Region
The Orenburg Region	The Krasnodar Region	The Orenburg Region	The Novosibirsk Region
The Republic of Bashkortostan	The Murmansk Region	The Republic of Tatarstan	The Orenburg Region
The Republic of Dagestan	The Republic of Adygeya	The Saratov Region	The Perm Region
The Republic of Tatarstan	The Tambov Region	The Sverdlovsk Region	The Rostov Region
The Chelyabinsk Region	Khanty-Mansi Autonomous Okrug–Yugra	The Chelyabinsk Region	
The Chechen Republic	The Chelyabinsk Region		
	The Yamalo-Nenets Autonomous Okrug		

### Data analysis pattern

Speaking about the relationship between theory and empiric material, we employed an abductive approach towards data collection and analysis, according to which we developed new concepts and ideas, ways of explanation, based on the field work findings, not limited by the existing knowledge. When working with theory, on the one hand, we determined how the collected data supported the theories already in place, and on the other hand, we examined what these theories are limited in, and how they could be developed in order to expand knowledge about the phenomenon being studied. So, the final conclusions and interpretations



were obtained as a result of multiple iterations between the existing theories and the collected data in order to find the most adequate explanation of reality.

The interview and focus group data (transcripts) was encoded by several members of the research team. An abductive approach was used in the process of developing the codes: first, the general structure of the codes was developed, then coding took place, after that the codes were corrected, etc. In total, three iterations of "codes – data" were made, and sessions were held to coordinate the interpretations of encoders.

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