

NAVAL POSTGRADUATE SCHOOL Monterey, California



THESIS

**RUSSIAN INTELLIGENCE AND SECURITY SERVICES:
AN INDICATOR OF DEMOCRATIC REFORM**

by

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June 1999

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**RUSSIAN INTELLIGENCE AND SECURITY SERVICES:
AN INDICATOR OF DEMOCRATIC REFORM**

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Submitted in partial fulfillment of the
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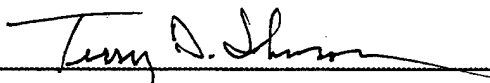
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ABSTRACT

Russia is nominally a democracy, but less than ten years ago it was a communist state. This thesis gauges the level of Russian democratic reform by analyzing the nature of its intelligence and security services. The autonomous and penetrative nature of the KGB clearly reflected the totalitarian nature of the Soviet Union. Now that Russia is a democracy, it follows that the current intelligence and security forces should be much less powerful than the KGB had been.

Currently, the crises of regional militant nationalism, corruption, organized crime, and economic turmoil have allowed the services to retain a higher level of power than one would expect in a democratic state. Executive, legislative, and judicial oversight is dubious. Current laws allow the services to conduct penetrative investigations and surveillance. These same crises have created the conditions for a demoralized and underpaid security intelligence apparatus that is susceptible to corruption and freelancing.

The conclusion of this thesis is that Russia's intelligence and security services are indeed less powerful than in the Soviet era, but they still are not appropriate for a liberal, democratic state. Russia still has not made the full transition to democracy.

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EXECUTIVE SUMMARY

In 1991, the Soviet Union dissolved and the Communist Party's monopoly of power was destroyed. Russia is now nominally a democracy, but it is still clearly in transition from its communist, totalitarian past. The autonomous and penetrative nature of the KGB clearly reflected the totalitarian nature of the Soviet Union. Now that Russia is a democracy, it should follow that the current intelligence and security forces should be much less powerful than the KGB had been.

The purpose of this thesis is to evaluate the current nature of the Russian state, namely, its level of democratization, by analyzing the nature of its intelligence and security services. In his book, *Policing Politics: Security Intelligence in the Liberal Democratic State*, Peter Gill devises a theory for characterizing intelligence and security services, and the states that they serve.

Gill describes the intelligence and security services of totalitarian states as primarily concerned with domestic threats. They possess exceptional power, such as the right to arrest, detain, and conduct pervasive surveillance. They are also very powerful in terms of the level of influence they possess inside the government. There is little or no oversight by other state entities. They exist to preserve the state, but are unaccountable to the people.

The intelligence and security services of democratic states, in contrast, are mostly concerned with external threats. Their scope of power is limited. They often do not have the power to arrest, detain, or conduct surveillance upon their own citizens. Oversight and regulation is often extensive, and the services must answer to a body of elected officials. There is not much doubt that the KGB fit the description of a totalitarian intelligence and security service, but it is unclear whether the current Russian intelligence and security services can be described as those of a democratic state.

Against this theoretical background, this thesis examines the power of the Soviet and Russian security and intelligence services in terms of penetration and autonomy. From this examination a conclusion can be made as to the amount of power possessed by

the services. The services can then be correlated with the type of state they most likely represent.

From the analysis, it is clear that the KGB of the 1980s had been both highly penetrative and highly autonomous. It wielded vast amounts of power within both the state and the society. Hence, according to Gill's theory, it follows that that the Soviet Union was a totalitarian state at the time.

Now that Russia is a democracy, it follows that the current intelligence and security forces should be much less powerful than the KGB had been. There is much debate over the true level of power the security services wield in Russia today, but based on the overall view from the analysis, I can confidently say that they are less powerful now than in the Soviet era. The current services are neither as penetrative nor as autonomous as the KGB had been. However, they do still possess more power than the security apparatus of a typical democratic state.

Immediately after the failed coup of 1991, there was a genuine effort to reform the security services, but this effort has subsided. Currently, the crises of regional militant nationalism, corruption, organized crime, and economic turmoil have allowed the services to keep a higher level of power than one would expect in a democratic state. Executive, legislative, and judicial oversight is dubious. Current laws allow the services to conduct penetrative investigations and surveillance. These same crises have created the conditions for a demoralized and underpaid security intelligence apparatus that is susceptible to corruption and freelancing. The realities of the post-Soviet era have enabled many intelligence and security officers to migrate into other branches of government, business, the media, and organized crime. The level of coordination between active and former intelligence and security officers is unknown, but it is reasonable to assume that there is some interaction among former colleagues.

The conclusion of this thesis is that Russia's intelligence and security services are indeed less powerful than in the Soviet era, but they still are not at a level appropriate to a liberal democratic state. Russia still has not made the full transition to democracy.

I. INTRODUCTION

A. BACKGROUND

In 1991 the Soviet Union dissolved and the Communist Party's monopoly of power was destroyed. Russia is now nominally a democracy, but it is still clearly in transition from its communist, totalitarian past.

B. RELEVANCE

Russia is still the only country in the world that can credibly threaten the United States with destruction. A stable and democratic Russia is clearly in the vital interests of the United States. In 1997, Deputy Secretary of State Strobe Talbott stated the following in a speech:

[The United States'] goal, like that of many Russians, is to see Russia become a normal, modern state—democratic in its governance, abiding by its own constitution and by its own laws, market oriented and prosperous in its economic development, at peace with itself and with the rest of the world. That, in a nutshell, is what we mean—and more to the point, what many Russians mean—by the word reform.¹

This sentiment was reinforced in the National Security Strategy of 1998, which states that “[t]he United States has vital security interests in the evolution of Russia...into [a] democratic market [economy], peacefully and prosperously integrated into the world community.”²

¹ Strobe Talbott, “The End of the Beginning: The Emergence of a New Russia,” 19 September 1999, [Online] Available: <http://www.state.gov/www/regions/nis/970919talbott.html>.

² The President of the United States, *A National Security Strategy for a New Century*, October 1998, [Online] Available: <http://www.whitehouse.gov/WH/EOP/NSC/html/documents/nssr.pdf>, 39.

C. PURPOSE

The purpose of this thesis is to evaluate the current nature of the Russian state, namely, its level of democratization, by analyzing the nature of its intelligence and security services.

D. METHODOLOGY

In his book, *Policing Politics: Security Intelligence in the Liberal Democratic State*, Peter Gill devises a method for characterizing intelligence and security services and the states that they serve.

Gill describes the intelligence and security services of totalitarian states as primarily concerned with domestic threats. They possess exceptional power, such as the right to arrest, detain, and conduct pervasive surveillance. They are also very powerful in terms of the level of influence they possess inside the government. There is little or no oversight by other state entities. They exist to preserve the state, but are unaccountable to the people.

The intelligence and security services of democratic states, in contrast, are mostly concerned with external threats. Their scope of power is limited. They often do not have the power to arrest, detain, or conduct surveillance upon their own citizens. Oversight and regulation are often extensive, and the services must answer to a body of elected officials. There is not much doubt that the KGB fit the description of a totalitarian intelligence and security service, but it is unclear whether the current Russian intelligence and security services can be described as those of a democratic state.

Against this theoretical background, I will examine the power of the Soviet and Russian intelligence and security services in terms of penetration and autonomy. From this examination a conclusion can be made as to the amount of power possessed by the services. The services can then be correlated with the type of state they most likely represent. As Russia evolves, this method of analyzing its security and intelligence services can be used to track its progression toward a more democratic state.

E. OUTLINE

Chapter II describes Gill's theory of security intelligence. His argument revolves around the concepts of information, power, and law. Using the qualities of penetration and autonomy, Gill develops a model for classifying the services. This classification can then be related to the type of state it would most likely serve.

Chapter III examines the KGB. I first present a brief history of the Soviet security intelligence and then analyze the KGB of the mid-1980s using Gill's theory.

Chapter IV examines the current intelligence and security services in Russia. I first describe the evolution of the services after the failed coup of August 1991 to the present. I then analyze the current services, mainly the Federal Security Service (FSB).

Chapter V is my conclusion.

II. GILL'S THEORY

A. THE STATE AND SECURITY INTELLIGENCE: CONCEPTS AND MODELS

In his book, *Policing Politics: Security Intelligence and the Liberal Democratic State*, Peter Gill explores the nature of the relationship among security intelligence, the state, and society. He creates a model for the modern state and its security intelligence services and forms a typology by which it is possible to classify and compare the services. He then explains the control mechanisms that society and the state can leverage against the services, and how the services try to minimize outside control and scrutiny.

1. Information, Power, Law

The interrelated concepts of information, power, and law are central to the study of the state and security intelligence. While these concepts will be discussed separately below, they are thoroughly intertwined.

The purpose of security intelligence services is to control information. More specifically, security intelligence services gather, analyze, disseminate, and protect information in order to protect the state, thus allowing the state to exercise power.³ Controlling information is the services' *raison d'être*. As Gill explains, there are four key processes in information control:

- Espionage: The process of obtaining information from people who do not want you to have the information;
- Secrecy: The process of keeping other people from obtaining information you do not want them to have;

³ Peter F. Gill, *Policing Politics: Security Intelligence and the Liberal Democratic State* (London: Frank Cass, 1994), 55.

- Persuasion: The process of making sure that other people obtain and believe information you want them to have; and
- Evaluation: The process of making sure that you learn more from the information you have obtained than just what other people want you to know.⁴

However, these activities are carried out not only to support the state, but also to support themselves. The modern state and its security intelligence services wield enormous potential to use, and abuse, coercive power against its citizens. This control of information can even make the services powerful within the state. By controlling the analysis and dissemination of information the services can pursue their own aspirations.

Security intelligence services can be classified by the degree of power they possess. This classification of the services can then be used to draw some conclusions about the nature of the state. Gill groups security intelligence services into three categories:

- Bureau of Domestic Intelligence: Has limited and specific powers derived from a charter or statute. Its primary function is to gather information relating to the criminal prosecution of security offenses and it does not conduct aggressive countering operations against citizens or political groups.
- Political Police: Is distinguished from the bureau of domestic intelligence in that it enjoys greater autonomy from democratic policy making and is more insulated from legislative and judicial scrutiny. It is more responsive to the groups in power and derives its powers and responsibilities from more loosely defined delegations of executive power. It may also gather political intelligence unrelated to specific offenses and conduct aggressive countering operations against political opposition.
- Independent Security State: Is characterized by a lack of external controls. It is different from the political police because its goals will be determined by officials within the agency and may not coincide with those of the political elite. Its funding and policies remain hidden from the rest of the policy-making process, and the targets of its information-gathering and countering activities are authorized by the agency itself, not elected officials.⁵

⁴ Ibid., 51-54.

⁵ Ibid., 60-61.

Based on these definitions, the independent security state wields great power. The state and society provide no checks on its power. Not only does it collect information, it sets its own agenda and conducts countering operations.

On paper, the domestic intelligence bureau wields almost no power against the citizenry. It does not conduct countering operations and may not even have the authority to arrest, but its unobtrusive monitoring may still be a form of power. The realization by any group that it is being monitored will tend to change its behavior. The domestic intelligence bureau may deliberately or unwittingly reveal its surveillance to its targets. This surveillance then constitutes a form of power.

Between the extremes of the independent security state and the domestic intelligence bureau lies the political police. The political police wields less power and is more responsive to state control than the independent security state, but it may still conduct operations against political opposition groups and it derives its power from loosely defined decrees from the executive. It is not rooted in the rule of law like the domestic intelligence bureau.

Obviously, the law influences how security intelligence services conduct business, but written laws have less effect than one might think. Gill examines the relationship between law and policing because there has been extensive research conducted in this field. There has been relatively little research conducted in the relationship between law and security intelligence.

The principles of the relationship are essentially the same for the police and security intelligence services. Criminal law provides police agencies with a resource or foundation, which is used in the prosecution of their mandate to maintain order and control crime. The law alone does not dictate police conduct because for any given

situation there may be several “lawful” solutions.⁶ Gill describes a larger set of rules that guide police actions:

- Working rules: are internalized by police officers, which become guiding principles of how they actually do the job;
- Inhibitory rules: are not internalized but are taken into account and may discourage officers from certain actions in case they are exposed and disciplined; and
- Presentational rules: are used to give an acceptable appearance to ‘outsiders’ of the actions that police take. Most of these rules are derived from criminal law.⁷

Gill further states that if police action continually deviates from the “letter of the law,” this is not simply a form of renegade police abuse. The particular “unlawful” action has actually been institutionalized in the formal law itself through legal precedent and statutes set by the judicial community and the political elite.⁸ The law is both a resource and a check on police power, and it encompasses more than just the written law.

This double-edged nature of the law is also relevant to security intelligence, and maybe even more so. Clearly, law is an important check on the power of security intelligence. Some legal mandate is necessary to define its limits and responsibilities, but this mandate will be necessarily vaguer than that of the police. Criminal law is usually rather clear cut, but security intelligence is concerned with political crimes, such as subversion, that are not easily defined. If the mandate is ambiguous and permissive, it potentially provides a cloak of legality and legitimacy for sweeping powers that violate the rights of the citizenry; in fact, the state may write such a mandate for this very purpose.⁹

⁶Ibid., 62.

⁷Ibid.

⁸Ibid.

⁹Ibid., 64-65.

2. Modeling the State

The elements of information, power, and law, as discussed above, interact to form the model of the state. Gill identifies three types of states:

- Polyarchy: Freedom to form and join organizations, freedom of expression, right to vote, eligibility for public office, political competition for support, alternative sources of information, free and fair elections, and government policy-making institutions controlled by elected officials. National security policy-makers are forced to balance security needs with pluralistic interests and expectations. Military and police organizations must be subject to civilian control and those civilians themselves must be subject to control by the institutions of polyarchy;
- National Securitism: The acuteness and persistence of the political conflict forces the government continually to resort to its emergency powers. Here the gap between the official political discourse (polyarchy) and the actual policies of the government creates a purely formal democracy. The government's legitimacy is at stake, rights are restricted, political conflict is 'militarized' and the national security establishment receives powers usually only applicable during an exceptional state of emergency; and
- Garrison State: Militarism is institutionalized and the military and/or police monopolize all political activity. Opposition is outlawed, and ruling groups retain power by extra-legal means.¹⁰

In addition to the three categories for the state above, Gill categorizes states as either weak or strong. Weak or strong states are defined by their respective degree of socio-political cohesion:¹¹

- Weak State: Has a high level of concern with domestic security threats; has insufficient political and societal consensus to enable it to eliminate the large-scale use of force and it is characterized by one or more of the following: high levels of political violence; a conspicuous role for the political police in the everyday life of citizens; major political conflict over the nature of the organizing ideology; a lack of coherent national identity or the presence of

¹⁰Ibid., 67-68.

¹¹Ibid., 69-70. This is separate from the definition of strong and weak powers, which concerns military and economic capability.

contending national identities; lack of clear and observed hierarchy of political authority; and a high degree of state control over the media; and

- Strong State: Has a single source of authority commanding broad legitimacy, and national security is primarily about protecting the state from outside threats and interference.¹²

Gill quotes Barry Buzan's analysis of the weak state:

The weaker a state is, the more ambiguous the concept of national security becomes in relation to it. To use the term in relation to a very weak state...paves the way for the wholesale importation of national security imperatives into the domestic political arena, with all the dangers of legitimised violence that this implies. The security of governments becomes confused with the security of states, and factional interests are provided with a legitimacy which they do not merit.¹³

Conversely, in a strong state, national security is primarily concerned with preserving independence, identity, and a way of life from external threats, but it will still have to guard against the threat of internal subversion.¹⁴

3. Autonomy, Penetration, and the Gore-Tex State

Gill argues that a state consists of multiple levels.¹⁵ The state is not a unified monolith, and these levels may have differing goals and values. At the heart of this multi-level model are the concepts of autonomy and penetration.

One way to evaluate the relationship among security services, the state, and society is through the level of autonomy that the services enjoy. This autonomy can be measured by examining how much of the security intelligence services' activity "is not controlled or regulated by statute or by any formal executive or judicial policy

¹²Ibid., 70.

¹³B. Buzan, *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era*, 2d ed., (Hemel Hempstead: Harvester Wheatsheaf, 1991), 102; quoted in Peter F. Gill, *Policing Politics: Security Intelligence and the Liberal Democratic State* (London: Frank Cass, 1994), 70.

¹⁴Gill, 74.

¹⁵ Ibid., 75-76.

instrument.”¹⁶ Gill notes that security intelligence services may use their ability to control information to protect, or even increase, their level of autonomy.¹⁷

Another way of evaluating this relationship is in terms of penetration. Penetration describes the security intelligence services’ ability to “gather information and exercise power within a particular context of law and rules which facilitate the state’s efforts to maintain security and order.”¹⁸

Gill uses these concepts to create his model called the Gore-Tex state.¹⁹ This model applies equally well to all types of states. The secret state is at the center and cannot be penetrated by the outer layers of the state or society, but these barriers do not keep the secret state from penetrating outwards into the rest of the state and society. The Gore-Tex state is graphically depicted in Figure 1.

¹⁶ Ibid., 79.

¹⁷ Ibid.

¹⁸ Ibid., 80.

¹⁹ Gore-Tex is a two-layered material that is designed to keep water out (i.e., autonomy) and let sweat escape (i.e., penetration).

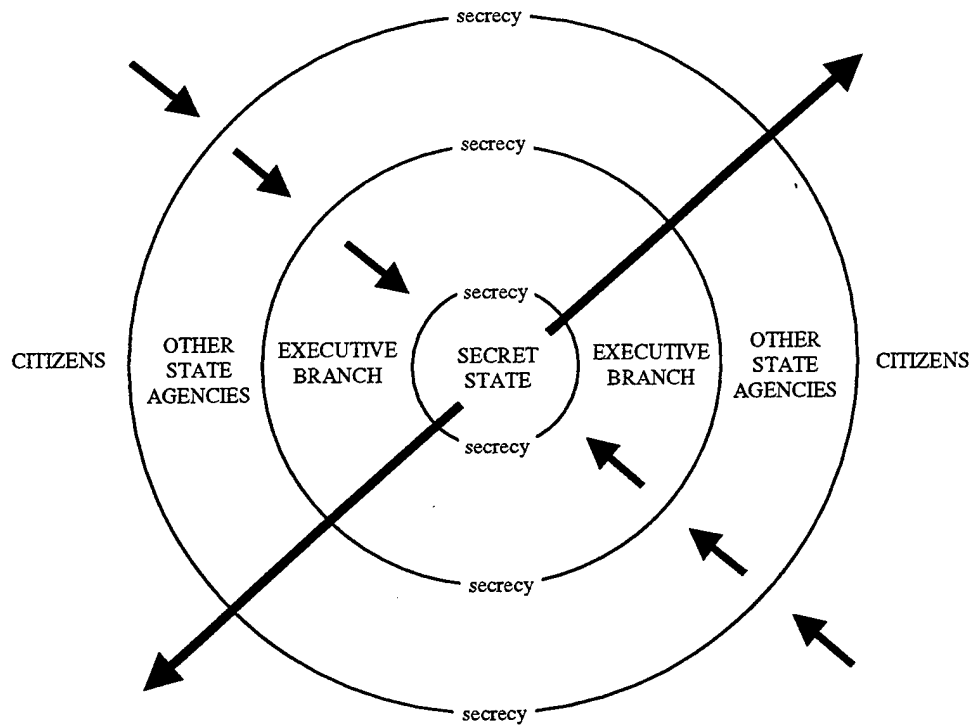


Figure 1. The Gore-Tex State²⁰

The innermost layer, the secret state, contains the security intelligence services. The next layer, the executive branch, contains both the political executive and the permanent bureaucracy. This generally consists of the office of the head of state and the various ministries or departments of the state. The next level, other state agencies, contains the legislative and judiciary branches and other bodies that operate independently of the executive branch. The outermost layer is outside the state; it is society made up of the citizens of the state.²¹ The security intelligence services strive to conduct "espionage" and maintain "secrecy." The "stronger" the Gore-Tex, the more autonomous and penetrative the security intelligence agencies.

While this model is a clever way of viewing the relationship among the security intelligence services, the state, and society, it is not appropriate for comparing states or

²⁰ Gill, 80.

²¹ Ibid.

comparing the same state at different time periods; for this, Gill develops the Typology of Security Intelligence Agencies (Fig. 2.).

He categorizes the three types of security intelligence services according to levels of autonomy and penetration. This model gives us nine possible classifications for security intelligence services. Box A holds the independent security state. It is autonomous from the rest of the state and penetrates deeply into the state and society. The Gore-Tex is “strong.” On the other end of the spectrum, in box I, is the domestic intelligence bureau. It is subject to strong control by the rest of the state and does not penetrate far into the state or society. The Gore-Tex is “weak.” In between the two extremes is the political police, in box E. The Gore-Tex is stronger than with the domestic intelligence bureau, but weaker than with the independent security state. While the probability of a service occupying box C or G seems low, it is still possible to have a service which is highly autonomous yet exercises self-restraint, or one that is tightly controlled yet highly penetrative.²²

		PENETRATION		
		HIGH	MEDIUM	LOW
AUTONOMY	HIGH	A Independent Security State	B	C
	MEDIUM	D	E Political Police	F
	LOW	G	H	I Domestic Intelligence Bureau

Figure 2. Typology of Security Intelligence Agencies²³

²² Ibid., 82.

²³ Ibid.

B. DEFINING THE SECURITY INTELLIGENCE MANDATE

The most basic mandate for security intelligence is to protect national security. This is obviously too vague to be of practical use and, if actually promulgated, would potentially give the security intelligence services the powers of an independent security state. In order to draft a clear mandate for the roles, responsibilities, organization, and even existence of the security intelligence services, it is crucial to examine the threats to national security that the state perceives. The services must be designed to fit the threat. If this is not considered, the services may well “design” the threat to meet their organization.

Before Gill describes national security or the security intelligence mandate, he finds it necessary to explain the basic notion of security. He quotes Taipa-Valdes' definition of security:

In a general sense, 'security' is an individual or collective feeling of being free from external dangers or threats, whether physical, psychological or psycho-sociological, which would jeopardise the achievement and preservation of some objectives considered essential, such as life, freedom, self-identity and well being. This notion of security implies freedom from uncertainty. Such a state of affairs has an ideal existence only.²⁴

No individual is capable of providing total personal security and, therefore must depend on some collective form of security. The state is responsible for providing this security, but if the state were powerful enough to protect its citizenry from every threat to their security, the state itself would become the overarching security threat.²⁵

²⁴ J. A. Taipa-Valdes, “A Typology of National Security Policies,” *Yale Journal of Public World Order*, 9(10) (1982): 11; quoted in Gill, *Policing Politics*, 92.

²⁵ Gill, 92-93.

There is little consensus on an exact definition of national security. Most define it in terms of threat. Gill offers five types of main threats:

- Military: The central, traditional concern to national security that can cause serious harm to all components of the state;
- Political: More likely to emanate from within the state and most likely to be directed at the organizing ideology and institutions of the state;
- Societal: Difficult to disentangle from the political. May be along class lines or ethnic differences;
- Economic: The most difficult to deal with in terms of national security due to the nature of an interdependent market economy. Genuine economic threats to national security may involve: the supply of strategic minerals and oil; concerns over the power of the state within the international political system; and economic threats directly related to internal stability; and
- Ecological: Threats due to human action, such as pollution across frontiers.²⁶

More specifically, domestic threats are ones that jeopardize internal order, domestic peace, and governmental effectiveness. These threats are concentrated more in the political, societal, economic, and ecological categories and less in the military category. In reality, however, it is not so easy to categorize threats as “foreign” or “domestic” due to interdependence and foreign influence.²⁷

In judging whether specific threats may have national security implications, Gill suggests that the intensity of the threat is the key factor. He lists five indices of intensity:

- specificity of threat;
- nearness in space and time;
- probability;

²⁶ Ibid., 96.

²⁷ Ibid. Gill notes that the effort must be made to determine the origin of the threat. Otherwise, security intelligence services may arbitrarily conduct surveillance on political groups under the pretext that the groups are under foreign influence.

- weight of its consequences; and
- whether or not perceptions are amplified by previous experience²⁸

Many undemocratic actions have been undertaken in the name of national security. Clear criteria are needed both for determining how information is to be gathered against any potential threat and for determining the degree of threat to national security.²⁹ A clear mandate would spell out these criteria and delineate the powers that the security services would have in combating these threats to national security. A vague mandate, or lack of any mandate, could lead to abuses by the security intelligence services in the name of national security.

While a restrictive legal mandate alone is not sufficient to control the activities of the security intelligence services, it is necessary. Such a mandate would provide a basis for the assessment of the effectiveness of the services, the development of self-restraint within the services, and a foundation on which the oversight process could be built.

C. PENETRATION

All security intelligence services penetrate into society to one degree or another, except possibly the mildest versions of the bureau of intelligence model. To evaluate this level of penetration, Gill studies how surveillance relates to action.³⁰ We must remember that there are other, more subtle, ways of wielding power besides active countering operations; as discussed earlier, surveillance alone can be an exhibition of power. Due to

²⁸ Ibid., 97.

²⁹ Ibid.

³⁰ Ibid., 136.

this huge power potential, it is very important to define specifically what the services can *and cannot* do. Gill lists five principles for the limitations on information gathering:

- There should be no violations in the criminal law; if the use of certain unlawful techniques is deemed necessary for national security reasons, then the law should be changed to accommodate the techniques;
- the investigative means to be employed should be proportionate to the threat and the probability of its occurrence;
- the need to use various information-gathering techniques, even if lawful, must be balanced against the possible damage they cause to civil liberties;
- the more intrusive the technique, the higher the authority that should be required to approve its use; in some cases authorization would come from the service; in others, it should come from outside, specifically the judiciary; and
- except in emergencies, less intrusive techniques should be employed before more intrusive techniques.³¹

Gill's main concern is how security intelligence services in the bureau of domestic intelligence category wield power and perform countering operations even when they are prohibited from doing so. Services that fall into the political police and independent security state categories would not only conduct information gathering, they would also conduct active countering operations. This activity is obviously highly penetrative. While Gill does not cover this activity, services that are permitted to actively counter domestic groups should still be under specific rules of conduct.

D. ORGANIZATION AND CONTROL

Previous sections dealt with the responsibilities of security intelligence and what such services do. This section will deal with how they are structured and controlled. The primary question in terms of structure is whether domestic security intelligence should be

³¹ Ibid., 151.

the responsibility of a domestic law enforcement agency, a foreign intelligence agency, or a unique, separate agency.

There are two primary arguments for splitting domestic and foreign intelligence into separate services. The first argument concerns the differing legal contexts of foreign and domestic operations. Foreign intelligence collection often involves breaking the law in foreign countries. Upholding domestic law, as we have seen, should be one of the paramount concerns of domestic security intelligence. A single agency may fail to see this distinction.

The second argument is that abuses of power would be more likely if one agency were responsible for providing both foreign and domestic intelligence.³² This one service would have a monopoly on information control.

One good argument for the combination of both foreign and domestic services is that the differences between foreign and domestic threats are not clear-cut.³³ In cases of foreign influence of a domestic group, who would handle surveillance? There is also the question of who handles the surveillance of a target when it crosses borders.

Figure 3. shows Gill's graphical illustration of the blending of foreign and domestic threats and the state's proper response. The left side of the figure pertains to purely foreign threats (note the vague examples of threat). The right side of the figure pertains to domestic law enforcement. In the middle is the domain of security intelligence. The examples of offenses are somewhat vague, and the source of the threat may be influenced from abroad. This "no man's land" in the middle of the figure does not fit neatly into the roles and responsibilities of either foreign intelligence or domestic law enforcement.

Line 5 depicts the responsibilities of British security and crime intelligence services. Note the overlap between the four agencies. While domestic security

³² Ibid., 207.

³³ Ibid.

intelligence may be the responsibility of one service, other services' responsibilities overlap into its domain and vice-versa.

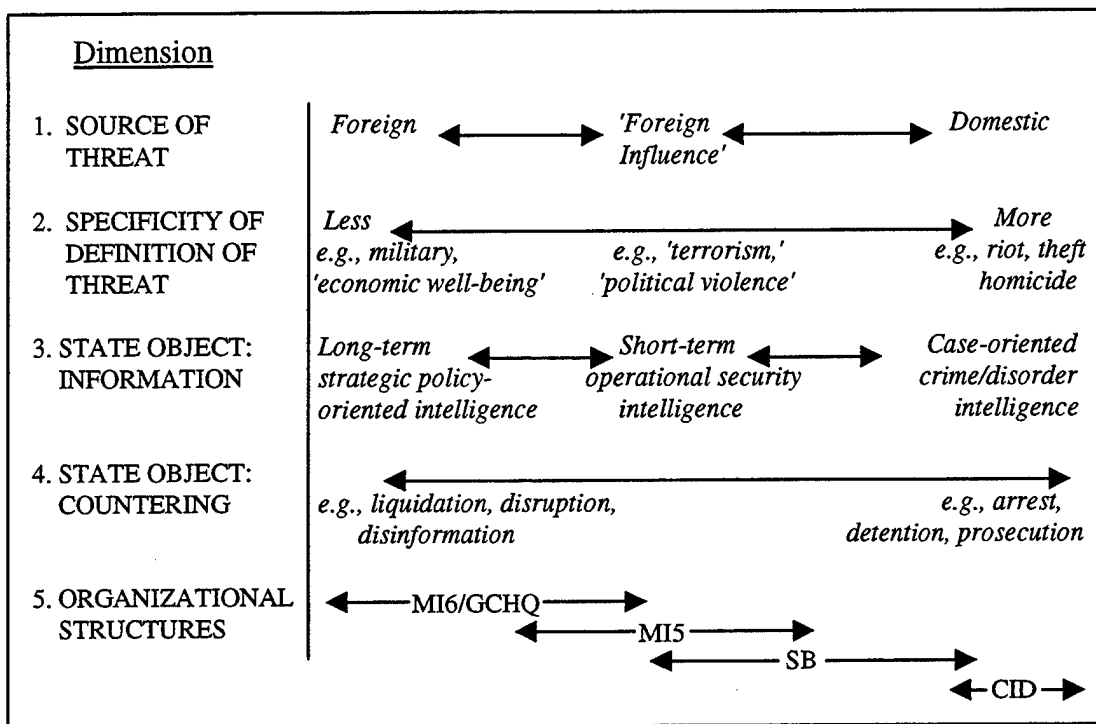


Figure 3. Dimensions of Security and Crime Intelligence³⁴

1. A Separate Security Intelligence Agency?

Gill argues that the goals of domestic law enforcement and security intelligence are different. On the lowest level, the goal of the police is to obtain convictions and the goal of security intelligence is to gather information and produce intelligence. On a broader level, the police are concerned with order-maintenance, and have a direct link to the citizenry. They are responsible “to protect and to serve.” Security intelligence does not share this direct linkage with the citizenry. As can be seen in Figure 1, security intelligence is several layers removed from the citizenry. Security intelligence gathers information and produces intelligence for use by the state.

³⁴ Ibid., 208.

There are several arguments in favor of a separate security intelligence service. First, it is argued that a separate service could recruit a wider variety of more highly educated officers and have more participatory management. Second, the service could be under greater government direction and control than might be considered improper for a police force. Third, there is the belief that a combined security intelligence and police service has a greater potential for repression and penetration.³⁵

There are arguments against a separate agency. The main argument is that a separate service would have a vested interest in maintaining its existence and would continue to discover new threats to replace old ones. Another argument is that other services and police organizations would not trust the intelligence produced by the separate service and would form their own security intelligence cells. The relationship between the separate service and these other intelligence cells could then degenerate into counterproductive "turf wars."³⁶

While there seem to be drawbacks to a separate security intelligence service, Gill prefers this situation to one that combines security intelligence with either foreign intelligence or a police organization. If domestic security intelligence is combined with another agency, the preferred agency is a police agency.

2. The Ministerial Role

Security intelligence services must be kept under "firm, continuous, and responsible oversight and direction."³⁷ Oversight will be discussed in depth in the next section. Direction refers to the level of political and ministerial direction by the executive and other branches of government. Both too little and too much direction have dangerous potential. A complete lack of direction or control leaves the service to determine its own

³⁵ Ibid., 213.

³⁶ Ibid., 214.

³⁷ Ibid., 217.

priorities and level of penetration. Total ministerial control can turn the service into a partisan tool used to protect a party or regime.³⁸

3. Organizational Resources and Recruitment

Due to reasons of “national security,” intelligence services resist publishing detailed budgets or manpower statistics. This makes it very difficult to determine if the budget and structure of these services are apportioned correctly to meet the threat. Due to bureaucratic inertia, the services may be organized and funded to combat a threat that no longer exists. There may also be a conscious effort on the part of the services to maintain old threats in order to preserve budget share.

The question of recruitment practices is very important. If the services hire through an “old boy” network or on a cronyism basis, the services’ culture and practices will be greatly affected. Naturally, a recruiting process designed on the basis of merit that pulls from every stratum of society and every geographical area is best. This blind meritocracy should also be applied to assignments and promotions. Examining the recruiting practices of a service would give valuable insights into the nature of the service and would be one factor in determining what category the service should be placed in.

E. PRINCIPLES AND INSTITUTIONS OF OVERSIGHT

As discussed earlier, one of the reasons for the security intelligence mandate is to create a foundation for effective oversight. Gill quotes Richard Norton-Taylor’s explanation of the necessity of oversight:

...[E]xperience has shown that without a robust system of independent oversight, the system is wide open to abuse. Security services are unable to resist the temptation to indulge in activities that have no place in a democracy.³⁹

³⁸ Ibid.

³⁹ Richard Norton-Taylor, *In Defence of the Realm?* (London: Civil Liberties Trust, 1990), 129; quoted in Gill, *Policing Politics*, 249.

Oversight must be genuine. It must not be a symbolic gesture designed to reassure the legislature and the public. Symbolic oversight is more dangerous than no oversight at all because it creates the illusion of propriety. This illusion provides another layer of Gore-Tex around the security intelligence services. The services may encourage some limited, and mostly symbolic, form of oversight to stave off genuine reforms.⁴⁰ For oversight to be effective, it must have “adequate resources, including full access to information, and the political will to use them.”⁴¹ Gill proposes five principles as hypotheses in the further examination of oversight:

- Both managerial control and external oversight are required at each level. These levels are: the service itself, the executive branch, outside the executive branch, and the citizenry;
- The same positions should not be responsible for both control and oversight;
- Those positions responsible for control of security intelligence services should draw up standards and guidelines which will be public in so far as is compatible with fundamental security needs, and which will increase in specificity the nearer the level of control is to the agency itself;
- Each control position will be accountable or responsible to that at the next level away from the service; and
- The primary role of each oversight institution should be to report to the control institution at the same level. Each oversight institution should also report its findings to the oversight institution at the next higher level.⁴²

Gill graphically represents this model in Figure 4. This model is basically a controlled and measured way of weakening the strength of the Gore-Tex surrounding the secret state.

⁴⁰ Gill, 249.

⁴¹ Ibid., 250.

⁴² Ibid., 250-51.

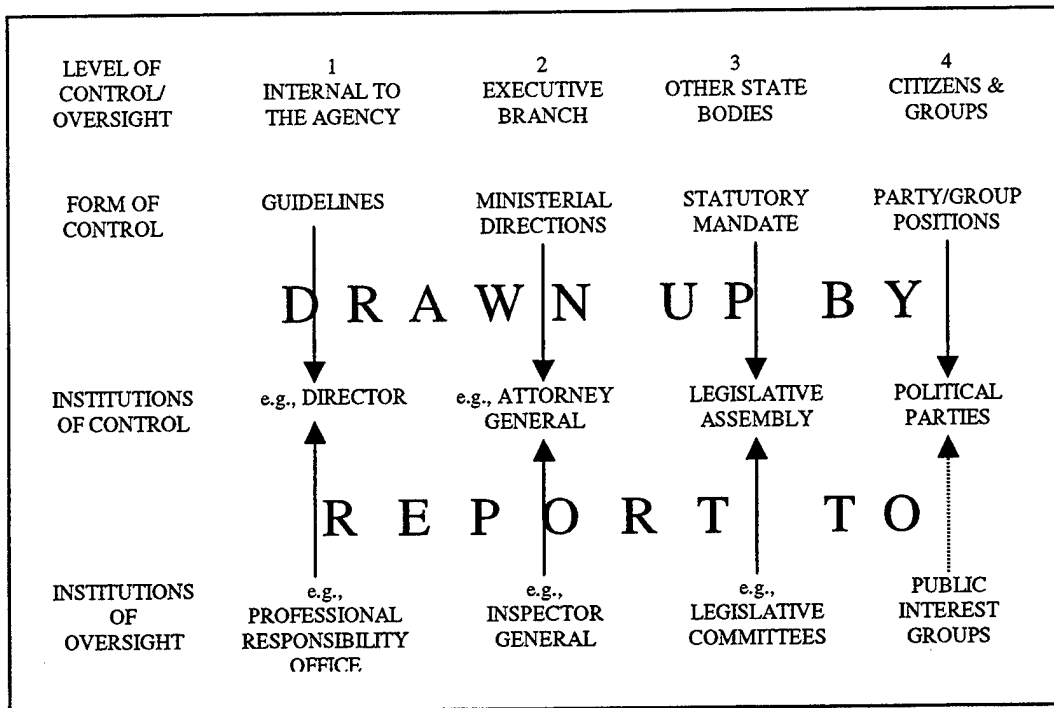


Figure 4. Model of Control and Oversight of Security Intelligence Agencies⁴³

Gill emphasizes the importance of oversight at all four levels. He also acknowledges that oversight institutions will not have the time or manpower to access all the information and files of the security intelligence services, but they must have the potential to do so.⁴⁴ Note that the citizenry also has the powers and responsibility of direction and oversight, though not directly.

F. CONCLUSION

Dr. Peter Gill's book provides a sound, logical foundation for the analysis of the Soviet and Russian security intelligence services. His models provide for an accurate comparison between the two sets of services (or, as some would say, the same services in two different timeframes). Even though he concentrates on security intelligence in democracies, his models are still relevant in the case of the Soviet Union. Since Russia is

⁴³ Ibid., 251.

⁴⁴ Ibid., 252.

nominally a democracy, his models supply an adequate framework for my research, which is judging the level of Russia's democracy (or polyarchy) by analyzing the nature of its security intelligence services.

In the following two chapters, I will use Gill's theory to determine the levels of penetration and autonomy of the Soviet and Russian services respectively. I will characterize the services using Gill's typology (Fig. 2.). From the characterization of the services, I will then correlate the respective services with the type of state they represent.

III. THE KGB

In this chapter, I will describe the KGB as it was in the mid-1980s at the dawn of Perestroika. I will then analyze this description against Gill's typology of security intelligence.

John J. Dziak coined the term "counterintelligence state" to describe the apparatus that ruled the Soviet Union during most of this century. Dziak describes a "counterintelligence" state as follows:

The fixation with enemies and threats to the security of the state involves a heavy internal commitment of state resources and the creation of a state security service that penetrates and permeates all societal institutions, including the military, but not necessarily including the claimant to monopoly power, usually a self-proclaimed "revolutionary" party; the two together constitute a permanent counterintelligence enterprise to which all other major political, social, and economic questions are subordinated. Indeed, the commonweal is not the principal objective of such an amalgam of ensconced power and the security screen; self-perpetuation is.⁴⁵

Dziak's counterintelligence state fits Gill's definition of the independent security state at the service level, and the definition of the weak, garrison state at the state level. Before I describe the KGB of the 1980s, it is necessary to discuss the creation and evolution of Soviet security intelligence.

A. HISTORY

The All-Russian Extraordinary Commission for Combating Counter-revolution and Sabotage (VChK), known simply as Cheka, was created on December 20, 1917, six weeks after the Bolshevik-led coup. The proposal for the Cheka's creation was actually

⁴⁵ John J. Dziak, "Reflections on the Counterintelligence State," in *In the Name of Intelligence: Essays in Honor of Walter Pforzheimer*, ed. Hayden B. Peeke and Samuel Halpern (Washington, DC: NIBC Press, 1994), 265.

no more than Felix Dzerzhinskiy's explanation to the Council of People's Commissars of his plan to suppress an imminent general strike by state employees.⁴⁶

As recorded in the minutes of this historic meeting, Dzerzhinskiy outlined the functions of his new organization:

Tasks: suppress and liquidate all counterrevolution and sabotage throughout Russia; hand over for trial by revolutionary tribunal all saboteurs and counterrevolutionaries, and develop means to combat them; and conduct only preliminary investigation, needed to suppress such acts.

Organization to comprise an information department; an organizational department to organize the struggle with counterrevolution throughout Russia; and a fighting department to conduct operational action.

Attention to be primarily focused on the press, sabotage, Kadets (members of the Constitutional Democratic Party), Right SRs, saboteurs, and strikers.

Actions to be taken: confiscation; eviction from residence; deprivation of ration cards; publication of lists of enemies of the people etc.⁴⁷

From this proposal, the most powerful and pervasive secret police organization the world has ever seen was created. At first, the Cheka did not have the power to pass sentence or perform executions. For the first ten days of its existence, the Cheka did not even have the power to arrest.⁴⁸ To find an explanation for the subsequent rapid expansion of the power of the Cheka, one must look at the origins and ideology of the Bolsheviks as well as the atmosphere in Russia at the time.

Dziak describes the Bolshevik Party as a conspiracy that came to power. After gaining power, it remained a conspiracy with the help of its secret police, the Cheka.⁴⁹

⁴⁶John J. Dziak, *Chekisty: A History of the KGB* (Lexington, MA: Lexington Books, 1988), 22. The Council of People's Commissars' resolution was not even made public until 1922.

⁴⁷Ibid., 22-3.

⁴⁸Jeffrey Richelson, *Sword and Shield: The Soviet Intelligence and Security Apparatus* (Cambridge, MA: Ballinger Publishing Co., 1986), 5.

⁴⁹Dziak, *Chekisty*, xvi.

The roots of conspiracy in the Bolshevik Party can be traced back to its formative years before the Revolution.

In those days the Bolsheviks faced off against the Tsarist security service, the Okhrana. The Okhrana repeatedly penetrated the Bolshevik Party. The Okhrana's agents were placed in the highest positions in the Party. There is even some evidence that Stalin was an Okhrana agent.⁵⁰ Dzerzhinskiy was incarcerated in various prisons and labor camps for fourteen of the twenty years between 1897 and 1917. After two of his escapes, he was apprehended with the help of Okhrana informers.⁵¹ These penetrations, as well as later confrontations with the Mensheviks, Socialist Revolutionaries, and factional infighting within the Bolshevik Party, created an atmosphere of conspiracy and mistrust.

This atmosphere continued throughout the Bolshevik coup and the "Red Terror," when Bolshevik supremacy was not yet consolidated. It persisted even when the Bolsheviks were firmly in power at the end of the Civil War. In fact, it became institutionalized and continued throughout the Soviet era. This repressive system needed enemies, real or imaginary, to justify its existence.

The communist ideology of the Bolsheviks branded entire social classes as enemies. The list of enemies naturally included the aristocracy, military officer corps, clergy, and intelligentsia. The middle class, or bourgeoisie, was also included, but amazingly the class that suffered the most was the lower class, the peasants and laborers.⁵² This was the very class that the communist ideology claimed to champion. The reality, however, was that the peasants and laborers were some of the firmest resisters of the Bolsheviks. The Bolsheviks, recognizing this resistance, branded the peasant dissenters as *kulaks*. The *kulaks* were supposedly rich peasants who opposed the ideals of

⁵⁰Ibid., 8.

⁵¹ William R. Carson and Robert T. Crowley, *The New KGB: Engine of Soviet Power* (New York: William Morrow & Co., 1985), 77-78.

⁵² Dziak, *Chekisty*, 39.

communism and were therefore enemies of the state. Dissenting laborers were treated similarly.

The Cheka was created because, in the wake of the Bolshevik coup, a centralized security organization was needed. Felix Dzerzhinskiy proposed the new and streamlined security organization and was named as its head. The Cheka's limited initial mandate was due to the fact that Lenin did not hold absolute power after the October Coup. The Bolsheviks had to share power with other revolutionary parties. Lenin, however, did ensure that the Cheka answered only to the Council of People's Commissars.⁵³ This was a party body, not a governmental one. This tradition of party, instead of governmental, control was to remain unchanged until the end of the USSR's existence.

The Cheka's power began to expand almost immediately, but resistance to the Cheka and the Bolsheviks also rose. The decree of the Council of People's Commissars of September 5, 1918 gave sweeping power to the Cheka, but this merely "legalized" the practices that the Cheka had been following since its creation in December.⁵⁴ There was no form of governmental oversight. The Cheka was an "extraordinary" organization, which meant it was not bound by law. The revolutionary tribunals were either ignored by or became adjuncts to the Cheka. The tradition of judiciary subordination to the party and security organs also continued.

The Cheka served as police, judge, jury, and executioner. The time from arrest to execution was usually twenty-four hours.⁵⁵ This was the amount of time needed to force a confession. For many offenses, the Cheka was permitted to shoot on the spot.⁵⁶ It is notable that Bolshevik ideology did not allow the Cheka to differentiate between simple crime and subversion. The simple act of stealing food was considered a crime against the state and fell under the Cheka's purview.

⁵³Ibid., 22-23.

⁵⁴Ibid., 27.

⁵⁵Ibid., 29.

⁵⁶Richelson, 5.

In June, 1918, before the start of the “Red Terror,” Felix Dzerzhinskiy gave an interview to a local Moscow newspaper:

We represent in ourselves organized terror—this must be said very clearly—such terror is now very necessary in the conditions we are now living through in a time of revolution.

Our task is the struggle with the enemies of Soviet power. We are terrorizing the enemies of Soviet power in order to strangle crimes in their germ.⁵⁷

For those who think Lenin was oblivious to all this violence, the following was his recommendation for dealing with those who opposed his agricultural requisition squads: “We can’t expect to get anywhere unless we resort to terrorism: speculators must be shot on the spot.”⁵⁸ Lenin was very aware of the Cheka’s activities. He needed the Cheka to bolster his power in light of the challenges from other revolutionary parties and from within the Bolshevik Party itself. He was also aware of the power the Cheka possessed and worked hard to keep it under his control.⁵⁹ Indeed, this perceived need to keep the security organs powerful and effective, yet loyal and subservient, has continued past the dissolution of the Soviet Union to the present day, as will be discussed in the next chapter.

In the earliest days of the Cheka, the future structure of the KGB was already evident. Although, the Cheka was essentially focused on domestic threats, it carried out several operations on foreign soil. It possessed large numbers of heavily armed border troops. The Cheka was also responsible for counterintelligence for the Red Army. These functions remained essentially unchanged for the life of the Soviet Union.

Some say that the secret police is a Russian tradition and that the Cheka was merely the natural heir to the Okhrana. While the Okhrana and Cheka operated very similarly in the narrow field of counterintelligence, the scope of the Cheka’s operations

⁵⁷Dziak, *Chekisty*, 28.

⁵⁸Ibid., 27.

⁵⁹Richelson, 7.

was much broader. By the middle of 1920, the Cheka was approximately 262,400 strong.⁶⁰ This number is independent from the Red Army, militia, or Interior Ministry troops. At its height, the Okhrana numbered 15,000.⁶¹ This comparison alone reveals the lack of similarity between the Cheka and Okhrana. Even at the height of the Okhrana's power and its repression of revolutionary forces, the Tsarist courts were truly independent and served as a check to Okhrana activities. The Cheka had no such restraint.

The Cheka continued to exist even after the Bolsheviks won the Civil War, but there was increasing pressure from within the Party to limit Cheka powers.⁶² The Cheka was still needed to put down uprisings,⁶³ but the hatred that the Cheka and the Bolsheviks engendered in the people was becoming a liability in this time of relative peace. Moreover, Russia was in shambles. The economy was ruined and famine threatened the countryside. The Bolsheviks saw economic collapse as more of a threat to their power than the Civil War had been.

In March 1921, at the Party's Tenth Congress, Lenin instituted the New Economic Policy (NEP) which allowed for some measure of economic freedom. This was done to alleviate the economic pain Russia was feeling. Lenin also allowed for a warming of relations with the West. Next Lenin officially disbanded the Cheka. On February 6, 1922, the Cheka was abolished and replaced by the State Political Directorate (GPU).

On paper, the GPU's powers were significantly weaker than those of the Cheka.⁶⁴ The GPU was subordinated to the Ministry of Internal Affairs (NKVD), which technically made the GPU a state agency. In reality, the GPU answered to the Party, and since

⁶⁰Dziak, *Chekisty*, 33.

⁶¹Ibid.

⁶²Ibid., 34.

⁶³Most notably the Kronstadt Rebellion of March 1921. This is important because it was the first time that the Cheka was used to eliminate Bolsheviks.

⁶⁴Amy W. Knight, *The KGB: Police and Politics in the Soviet Union* (Boston: Unwin Hyman, 1990), 14.

Dzerzhinskiy was the head of the NKVD, nothing really changed.⁶⁵ The restraints placed on the GPU were quickly removed.⁶⁶ The Cheka had been renamed, but not replaced. We will continually see this tendency to make cosmetic changes to the security organs to placate the Party and the people.

The creation of the GPU legitimized and legalized the political police.⁶⁷ The Cheka was thought of as a temporary organization that operated outside the law because of the extraordinary threats of the time. The GPU was to be a permanent organization that worked inside the law. Since the GPU did not lose any real power in relation to the Cheka, it was the law that changed to accommodate the GPU.⁶⁸

In July of 1923, the GPU was separated from the NKVD and was renamed the OGPU. Dzerzhinskiy became head of the OGPU and left his post at the NKVD. At this time, Stalin began to rise in prominence and power. Lenin died in 1924, and Dzerzhinskiy died in 1926. After Dzerzhinskiy's death, Stalin gained firm control of the OGPU. However, even as early as 1923, Stalin was using the OGPU to target fellow, high-ranking Bolsheviks.⁶⁹

The "Second Revolution" started in 1928 with Stalin's issuance of the first five-year plan. The plan reversed the progress made by the NEP. Collectivization was once again instituted. At this point, the OGPU was placed above the Party apparatus and answered directly to Stalin. As Dziak puts it, a "state-within-a-state was about to be realized."⁷⁰ The terror of this period is now widely known. An estimated 14.5 million

⁶⁵ Dziak, *Chekisty*, 36.

⁶⁶ Knight, *The KGB*, 14.

⁶⁷ Carson and Crowley, 125.

⁶⁸ Knight, *The KGB*, 16-17.

⁶⁹ Dziak, *Chekisty*, 37.

⁷⁰ *Ibid.*, 38.

peasants perished due to the collectivization and terror-famine between 1930 and 1933.⁷¹ The five-year plan was proclaimed a success, and the second five-year plan was announced at the Party Congress of 1934. At this congress, Stalin declared, “there is nothing more to prove and, it seems, nobody to beat,”⁷² but as Dziak explains, the “counterintelligence state” needs enemies. Shortly after the congress, Stalin started going after the Party in earnest.

In May 1934, the OGPU was once again merged with the NKVD and was renamed the GUGB. To secure his position, Stalin sought to eliminate prominent Bolsheviks. Through false accusations and “show trials,” Stalin was able to gradually eliminate any potential opposition. Since the NKVD itself was filled with old Bolsheviks, Stalin had it purged as well. New, young chekists were brought in from party groups. Stalin then turned his attention to the Red Army. As much as fifty percent of the officer corps was executed or imprisoned in 1937 and 1938.⁷³

By 1938, Lavrentiy Beria had consolidated his control of the NKVD and the subordinate GUGB. Briefly, from February to July 1941, the GUGB was separated from the NKVD and renamed the NKGB. The NKGB was led by one of Beria’s lieutenants. The NKGB was re-absorbed into the NKVD when the Germans invaded. The military was also made responsible for its own counterintelligence during this timeframe. The initially poor showing of the Red Army put an end to this, and counterintelligence reverted to the GUGB.

In April 1943, the NKGB was again separated from the NKVD. This split may have occurred to facilitate the control of the captured territory in Eastern Europe.⁷⁴ At this time, the military was once again given the responsibility for its own counterintelligence. This military counterintelligence organization was known by its

⁷¹ Ibid., 56.

⁷² Ibid., 60.

⁷³ Ibid., 70.

⁷⁴ Ibid., 106.

acronym SMERSH, which stood for “death to spies.” Most of the SMERSH officers were transfers from the NKVD. SMERSH answered to the State Committee of Defense (GKO), of which Stalin was the chairman; thus, Stalin had direct control of SMERSH without having to go through the military or NKVD.⁷⁵

World War II was one of the peak periods of the counterintelligence state during Soviet history. It is estimated that the NKVD inflated to as many as 750,000 people. This figure included Border and Internal Troops that were totally independent from the Red Army.⁷⁶ The NKVD under Beria became Stalin’s most effective and favorite institution.

The power and prestige of the NKVD and Beria reached new heights during the war. Beria became deputy chairman of the GKO, which ran the war effort, and hence all state matters. Beria was conferred the rank of marshal, and in 1946 became a full member of the Politburo. Beria’s power far eclipsed the power Dzerzhinskiy had.

In 1946, the GUGB was again removed from the NKVD and became the MGB (Ministry for State Security). SMERSH was reintegrated into the MGB. The NKVD was also made into a ministry named the MVD (Ministry of Internal Affairs).

The Party and the MGB were ill-prepared for the death of Stalin on March 5, 1953. There was no constitutional framework for the succession of leadership. Lenin’s death twenty-nine years earlier set the precedent of factional infighting. Two days after Stalin’s death, the MGB and MVD were merged under Beria. Beria moved two MVD divisions into Moscow to “maintain order.” It seemed that Beria would have the advantage in any ensuing power struggle.

Nikita Khrushchev however, had the military and much of the Party on his side as well as some highly placed MGB officials. Beria and several of his lieutenants were arrested in late June. He was charged with attempting to use the MVD to destroy the Soviet system in order to restore capitalism. The execution date of Beria and six of his

⁷⁵ Ibid., 107.

⁷⁶ Ibid., 113.

lieutenants is unknown but was probably shortly after their arrest. Purges of other Beria loyalists continued for a few more years.⁷⁷

Beria should have been able to seize power easily after Stalin's death. He made some incredibly poor decisions and was outmaneuvered by Khrushchev. For instance, he returned the two MVD divisions to their barracks before he consolidated power.⁷⁸ Beria also instituted some unusual policies in regards to East Germany. Beria forced the East German communist leadership to scale back the pace of instituting socialism, and wanted the East Germans to work towards a united and peaceful Germany. The East German government was against this liberalization and sent contradictory signals to its population in its June 10 announcements of these measures. These contradictory signals caused nationwide protests and demonstrations in East Germany. By the June 17, Soviet troops were being used to put down the uprisings.⁷⁹ Beria's "reckless" policies horrified the rest of the Party. This incident gave Khrushchev the opportunity to swing some of the Party "neutrals" over to his side. It was in the interest of the Party to side with Khrushchev to eliminate Beria and dilute the power of the security organs.⁸⁰ Thus, the combination of Party, military, and some MGB support, enabled Khrushchev to win the day.

Beria was apparently arrested at a Presidium meeting on June 26, 1953 by a handful of lightly armed Army officers. Amazingly, Beria was successfully transported out of the MVD-guarded Kremlin to Lefortovo prison.⁸¹ This impromptu and risky operation succeeded. Once in custody, the MVD did not make any move to free Beria.

Khrushchev embarked upon his plan of de-Stalinization and diminished the power of the security organs. A campaign espousing "socialist legality" was launched. True Soviet justice was to replace Stalin's corrupt cult of personality. Many political prisoners

⁷⁷ Ibid., 133-35.

⁷⁸ Ibid., 134.

⁷⁹ Amy W. Knight, *Beria: Stalin's First Lieutenant* (Princeton, NJ: Princeton University Press, 1993), 191-93.

⁸⁰ Dziak, *Chekisty*, 137.

⁸¹ Ibid., 197-99.

were released. The State Procurator was made responsible for overseeing the courts and prison system. This liberalization was not done for the sake of the people; it was done for the sake of the Party. The Party never again wanted a security organization answerable to only one man and capable of ravaging the Party itself.

Khrushchev was careful to blame only individuals and not the system itself. His desire to bring state security back under Party control led him to espouse so-called Leninist norms and create the cult of Dzerzhinskiy. The Lenin-Dzerzhinskiy team had been just as bloody as Stalin, but at least the Cheka was subordinate to the Party. This theme of "noble chekists" that were somehow corrupted by Stalin and then returned to their pure roots is still alive today.

In March 1954, the MGB was separated from the MVD and renamed the KGB (Committee for State Security). All in all, there was not much personnel turnover in the KGB after Beria was purged. While there appeared to be great liberalization in Soviet society and a major decline in power of the new KGB, this decline in power was mostly a facade.⁸² Khrushchev appreciated the need for a strong security organization. The restrictions put on the KGB were designed to subordinate it to the Party. For instance, the practice of recruiting informers from, performing surveillance on, or conducting operations against Party officers was forbidden. The State Procuracy and judges were also to be above KGB reach. The Party also had the right to expel any KGB officer from the Party, which would essentially end the officer's career. The KGB was regulated by 5,000 secret Party and KGB acts.⁸³

Khrushchev brought the KGB under the control of the Party, but this does not mean that the KGB merely became a non-partisan servant of the Party. The very creation of the KGB was a partisan move by Khrushchev to gain control within the Party. For Khrushchev, a separate KGB under his man Serov was much better than an MGB/MVD

⁸² Ibid., 140.

⁸³ Victor J. Yasmann, "The KGB and the Soviet Collapse," *American Foreign Policy Council Occasional Paper No. 1*, 1999, [Online] Available: <http://afpc.org/issues/yasmann.htm> [1999, March 31], 7.

conglomerate that under the control of his rivals. As had been happening since the days of the Cheka, the KGB continued to play a major role in the internal maneuverings of the Party elite.

It was the KGB who helped Khrushchev ward off an attempt to dislodge him from power in June 1957.⁸⁴ The "anti-party" group was unsuccessful. Khrushchev managed to solidify his position further, though his position was not nearly as powerful as Stalin's or even Lenin's.

When another challenge to Khrushchev's power came in the fall of 1964, he no longer had the KGB on his side. Khrushchev was deposed, and Brezhnev became Party secretary.⁸⁵ Once again the Party outmaneuvered the KGB; Brezhnev was able to gain power and put down the KGB's attempt to install any of its own into the position of General Secretary.

Once again the KGB was reshuffled, but no one was executed this time. No earnest attempts were made to transform the KGB into a nonpartisan entity. The ensuing changes were the result of political infighting among the Party elite. The rest of the Politburo insisted that the next director of the KGB not be one of Brezhnev's proteges. Instead, Yuri Andropov, an ally of one of Brezhnev's rivals, was appointed director. Brezhnev was able to make one of his cronies deputy director. Also, some of the "oversight" responsibilities were shifted away from the KGB to the Party. It was agreed to make Andropov a candidate member of the Politburo so that he would have access to all of the Party elite, not just Brezhnev. It was also agreed to not make Andropov a full member, so as to keep the KGB firmly under Party control.⁸⁶ This ad hoc system of checks and balances was agreed upon to keep the KGB under Party control, though was the result of partisan maneuvering, not a unified Party plan.

⁸⁴ Jeremy R. Azrael, *The KGB in Kremlin Politics* (Santa Monica, CA: Rand/UCLA Center for the Study of Soviet International Behavior, 1989), 7-8.

⁸⁵ *Ibid.*, 17-18.

⁸⁶ *Ibid.*, 20-21.

The years that followed were a time of relative political tranquility and stability for the KGB. Brezhnev eventually made Andropov a full member of the Politburo in April 1973.⁸⁷ Brezhnev knew the risks of giving Andropov more power, but had to balance this against the desire to win Andropov's loyalty. The Brezhnev-Andropov relationship remained harmonious into the late 70's when it was obvious that Brezhnev's health was failing him.

Under Andropov's leadership came a renaissance for the KGB. The scars of de-Stalinization were erased. This renaissance brought an increase in the power to the KGB and re-instituted the counterintelligence state that had been effectively weakened in the post-Stalin years. In the words of Alexander Shelepin, Andropov's precursor as head of the KGB, "[i]t was precisely with the coming of Andropov, that the KGB once again became the state within a state it had been in the pre-Khrushchev era. Andropov restored everything I had tried so hard to liquidate at the KGB."⁸⁸

Andropov continued the practice of cross-pollination between the Party and the KGB that was initiated by Khrushchev and Shelepin. Andropov himself was a transplant from the Party apparatus. This process brought the Party and KGB closer together. The Party and the KGB "began to operate almost like two divisions of the same operation."⁸⁹ Yevgenia Albats argues that while this was done to civilize and professionalize the KGB, it actually reenergized the KGB. The KGB began to crack down on dissidents with new fervor.⁹⁰

Andropov raised educational standards within the KGB and established scientific and research facilities. He saw the need for such an "intellectualization" to combat the increasingly sophisticated dissidence of the highly-educated intelligentsia. In 1967,

⁸⁷ Ibid., 24.

⁸⁸ Yevgenia Albats, *The State Within a State: The KGB and Its Hold on Russia—Past, Present, and Future*, trans. Catherine A. Fitzpatrick (New York: Farrar, Straus and Giroux, 1994), 176.

⁸⁹ Ibid.

⁹⁰ Ibid., 172.

Andropov created the Fifth Directorate within the KGB to combat the “ideological subversion” of these dissidents. This professionalization of the KGB led it to have more influence in some of the roles traditionally performed by the Party such as ideology, governance, and economics.⁹¹ Dziak describes this increase of power:

Internally, this was accomplished with the steady and unrelenting drive against political, intellectual, nationality, and religious dissidence, accompanied by the expansion of the labor camp system, internal exile, and the use of psychiatric wards. Andropov accommodated this by tightening the criminal codes. Thus it was easier for the KGB to intrude into broader reaches of Soviet society to prosecute offenders and to spread itself into areas hitherto reserved for other state agencies. Where the codes got in the way, they were ignored.⁹²

Andropov was not satisfied with merely expanding the powers of the KGB, he wanted this expansion to be officially acknowledged and codified. The KGB was established in 1956 as a state committee under the Council of Ministers. In 1978, the law was rewritten to make the KGB a “state committee of the USSR.” While this small, semantic change might not seem significant, it essentially elevated the KGB to ministry status, reinforced its relationship with the Party, and made everything in the USSR its jurisdiction.⁹³

Included in the new Soviet Constitution of 1977, was a little noticed stipulation that made state security, along with defense, a duty of all Soviet citizens. Failing to cooperate with the KGB became an offense against the Constitution, and hence, the state.⁹⁴

⁹¹ Yasmann, 8-9.

⁹² Dziak, *Chekisty*, 159.

⁹³ *Ibid.*, 159-60.

⁹⁴ Yasmann, 9.

Even with all this power, Dziak is adamant that the KGB never became elevated over the Party.⁹⁵ Yevgenia Albats believes that “[l]ike the members of a true oligarchy, the Party and the KGB had become full and equal partners, officers of ‘different divisions of the same organization.’”⁹⁶ Other experts believe, however, that the KGB actually eclipsed the power of the Party.⁹⁷ Whether the KGB was equal to or above the Party is not of primary importance to this analysis. What is important is that Andropov was successful in recreating the counterintelligence state.

By the late 1970s, Andropov began seeing himself as a serious contender to Brezhnev’s post. Andropov’s KGB began a crackdown on corruption. These investigations compromised many of Brezhnev’s associates and relatives. By 1982, Andropov’s power had risen so much that it seemed possible that Brezhnev would be ousted from his post before his impending death. It seems likely that Brezhnev and Andropov came to an agreement that preordained Andropov as the next General Secretary after Brezhnev’s death; in return, the corruption crackdown against Brezhnev’s people subsided.⁹⁸

Andropov’s smooth succession in November 1982 is seen as the event that signaled the height of the KGB’s power. Never before had a “chekist” become the General Secretary. Unlike in the past, it seemed that the head of the security organs had the backing of the Party. Moreover, Andropov’s KGB background may have been a benefit rather than a liability.⁹⁹ The Party had become enfeebled and corrupt under the seventeen years of Brezhnev rule. The KGB was viewed as an energetic, uncorrupt institution that would restore order and revive the Party.

⁹⁵ Dziak, *Chekisty*, 159.

⁹⁶ Albats, 187.

⁹⁷ See Carson and Crowley, 387, and Peter Deriabin and T.H. Bagley, *The KGB: Masters of the Soviet Union* (New York: Hippocrene Books, 1990), 85.

⁹⁸ *Ibid.*, 28.

⁹⁹ *Ibid.*

After Andropov's death in 1984, the Brezhnev clone, Chernenko, became General Secretary. Once again the KGB was instrumental in the succession. The highly placed Brezhnev appointees in the KGB backed Chernenko. A year later, Chernenko died and Gorbachev succeeded him with the backing of the KGB. The KGB's power had not diminished since the Andropov succession of 1982.

In this section, I explained the history of the Soviet security organs from Cheka to KGB. In the next section, I will do an in-depth analysis of the KGB in the terms of Gill's theory and typology.

B. ANALYSIS OF THE KGB IN THE 1980s

Victor Yasmann cites the KGB's extreme closeness with the Party as a source of the KGB's power but also lists several other sources of power:

- functional access to every aspect of life in Soviet society;
- super-closed conspiratorial status;
- institutional autonomy;
- enormous human and financial resources; and
- lack of practical accountability to anyone outside the closely-drawn circle of Politburo members, the General Secretary of the CPSU, or, later, the USSR President.¹⁰⁰

This description clearly places the KGB into the independent security state block of Gill's typology. Yasmann's description entails both penetration and autonomy, which are the measurements that Gill uses to gauge power. I will use these concepts of penetration and autonomy to frame my assessment of the power of the KGB.

¹⁰⁰ Yasmann, 6.

1. Penetration

Gill defines penetration as the ability of any security intelligence service to “gather information and exercise power within a particular context of law and rules which facilitate the state’s efforts to maintain security and order.”¹⁰¹ To assess the level of penetration the KGB had into the Soviet state and society, I will examine the KGB’s organization and resources, and how surveillance related to action.

Because the KGB was a Party entity, its internal structure mirrored that of the Party. Like the Party, the KGB was a highly centralized organization. Like the Party, the KGB was represented in all 167 of the Soviet Union’s republics and administrative territories. Wherever the Party was overt, the KGB was covert. The KGB had officers placed in every civil, military, state, and public body. Proof of the existence of this arrangement came after the fact in the 1991 Law on the State Security Organs in the USSR. Article 11:

In order to solve the questions of insuring state security in Ministries, State Committees, departments, state enterprises, institutions, organizations, and also other foundations and bodies of public associations, servicemen of the state security organs may be posted in them with their agreement by a procedure determined by the USSR Cabinet Ministers, while the servicemen remain on active military service in order to fill posts on the staff of the bodies and organizations indicated.¹⁰²

The KGB duplicated the activities of the departments of the Central Committee of the Communist Party (CC CPSU). For example, the following areas were under both departments of the CC CPSU and the listed directorates of the KGB:

- Foreign policy was the field of KGB foreign intelligence, the First Chief Directorate;
- The military-industrial complex was the responsibility of the KGB’s Second Chief Directorate (internal security and counter-intelligence) and Third Directorate (military counter-intelligence);

¹⁰¹ Gill, 80.

¹⁰² Yasmann, 5.

- The armed forces and Ministry of Internal Affairs (MVD) were monitored by the Third Directorate;
- Civil aviation railroads, road, sea, and river transport, and urban subways were the responsibility of the Fourth Directorate (transportation); and
- Ideology, religion, culture, media, education, sciences, medicine, and sports were the responsibility of the Fifth Directorate (ideological counter-intelligence and dissidents).
- Industry, economics, oil, fuel, and nuclear power were the purview of the Sixth Directorate (economic counter-intelligence and industrial security).¹⁰³

Along with the above functions, the KGB had directorates that had no Party equivalent:

- Eighth Chief Directorate (communications and cryptography)
- Sixteenth Directorate (communications interception and signals intelligence)
- Seventh Directorate (surveillance)
- Ninth Directorate (government guards)
- Fifteenth Directorate (security of government installations)
- Sixth Department (interception and inspection of correspondence)
- Twelfth Department (eavesdropping)
- Border Guards (the equivalent of a chief directorate)¹⁰⁴

From this impressive list alone, one can infer that the KGB at least had the potential to be a highly pervasive and penetrative organization. As is clear from the list, the KGB had a directorate that surveilled each and every aspect of Soviet society.

The KGB was the only security intelligence service of the Soviet Union. It was responsible for both foreign intelligence and domestic security intelligence. As Gill warns, this combination is more likely to oppress the citizenry than separate agencies.

¹⁰³ Ibid., 5, and Albats, 27.

¹⁰⁴ Albats, 27.

The KGB recruited its employees from party organizations. Some of its officers were the children of prominent Party officials. There is no doubt that the KGB was a communist organization. Its recruitment policy ensured this.

The size of the KGB is a matter of debate. Official statements cannot be taken as truthful and the estimations of experts are inexact. In 1991, official reports put the strength of the KGB at 490,000.¹⁰⁵ Albats estimates that the true size of the KGB was closer to 720,000.¹⁰⁶ Since this thesis concerns domestic security intelligence, subtracting the 12,000 of the First Chief Directorate¹⁰⁷ (foreign intelligence) and the 220,000 border guards¹⁰⁸ the total strength of Soviet domestic security intelligence was probably somewhere between 258,000 and 488,000 personnel. Given a population of approximately 300 million, there was one chekist for every 615 to 1163 citizens. These numbers also illustrate the drastic size difference between foreign intelligence (12,000) and domestic security intelligence (258,000 to 488,000). As Gill observes, this preoccupation with domestic threats is characteristic of a "weak" state.

Further, these huge numbers only apply to official KGB employees. They do not cover agents and informers. Once again, estimates of the number of these indirect employees vary widely. Yasmann cites reports that the number approached 20 million, while he estimates the number was at least 4.5 million.¹⁰⁹ The latter number equates to three to four percent of the Soviet adult population. However, the concentration of informers was undoubtedly higher in certain organizations. For instance, Albats documents a claim by a Russian Orthodox priest that "[o]ne out of every two clergymen

¹⁰⁵ Yasmann, 6. Cites a TV interview of Vladimir Kryuchkov, the last pre-coup Soviet KGB director. Albats, 23. Cites an interview with Vadim Bakatin, the post-coup director of the KGB, who gave a number of 488,000.

¹⁰⁶ Albats, 23.

¹⁰⁷ *Ibid.*, 29.

¹⁰⁸ *Ibid.*, 23.

¹⁰⁹ Yasmann, 6. The 20 million number comes from a television interview of KGB Lieutenant Colonel Valentin Korolev on July 30, 1991.

[was] an overt or covert agent of the Committee for State Security [KGB].”¹¹⁰ Gill states that surveillance in itself can constitute a form of power. It is hard to imagine how a system of up to 488,000 employees and 20 million informers could not have a penetrative effect on the Soviet people.

The KGB had the size, structure and resources to be a highly penetrative organization. Gill discusses how information collection relates to action. The KGB had the legal power to arrest and detain. It is also evident that the KGB had many extra-legal powers that were not codified into law, but were practiced just the same by the huge organization that was the KGB. The KGB had both the means and the intent to penetrate deeply into society

2. Autonomy

One must keep in mind that autonomy is measured by examining how much of the activity of the security intelligence services “is not controlled or regulated by statute or by any formal executive or judicial policy instrument.”¹¹¹ As explained in Chapter II, analyzing the “secret state’s” freedom from executive, legislative, judicial, and public oversight provides a more accurate indication of autonomy.

The KGB answered only to the Party. When viewed through the lens of a Western, liberal democracy, it may seem logical to classify the Communist Party’s senior leadership as part of the executive branch. If this were the case, it would seem that the executive had firm control over security intelligence. I would argue that the Party was not equivalent to the executive. Indeed, the Party was not a governmental institution, it was supra-governmental. Therefore, I place the Party in the inner circle of Gill’s Gore-Tex model along with the KGB. It was the Party and the KGB that made up the secret state. The executive and other governmental layers were powerless to penetrate into the secret state. Society also had no hope of penetrating this “Gore-Tex.”

¹¹⁰ Albats, 47.

¹¹¹ Gill, 79.

The KGB's protocols were secret. Its budget was secret. Its manning was secret. There was no form of oversight outside the secret state layer. Control rested with the top echelon of the Party, the Politburo. As throughout the history of the Soviet Union, the head of the secret organs was also a highly placed member in the Party. Most KGB directors had been made at least candidate members of the Politburo. Andropov even became the Party's General Secretary. It is safe to say that the secret state determined its own priorities, free of any outside control or influence.

To analyze how the KGB operated, a review of the laws governing the KGB is necessary. The Russian Republic's Code of Criminal Procedure came into force in 1960. One must keep in mind that this was the time of Khrushchev's de-Stalinization and socialist legality. The KGB was regulated by this code, as well similar codes of the other republics. The KGB was given the authority, along with the Procuracy, to investigate political crimes. These crimes included treason, espionage, terrorism, sabotage, anti-Soviet agitation and propaganda, divulgence of state secrets, smuggling, illegal exit abroad, and illegal entry into the Soviet Union. The KGB was also given the authority, along with the Procuracy and MVD, to investigate the following economic crimes: stealing of state property by appropriation or embezzlement or by abuse of official position; and stealing of state property or socialist property on an especially large scale. The Procuracy was entrusted with ensuring that the KGB abided by the code.¹¹² On the surface therefore, the KGB appears to have been a reasonable organization with limits on its powers. In reality, the Procuracy held no power over the KGB, and the KGB conducted operations far outside what the code appeared to allow.

The main reason for this gap between the letter of the law and reality was the fact that the KGB was a Party entity. The Procuracy was a governmental entity. The Party was far above the government in terms of power. Daily operations were regulated by

¹¹² Library of Congress, Federal Research Division, *Soviet Union - A Country Study*. [Online] Available: <http://www.locweb2.loc.gov/frd/cs/sutoc.html>, select "Chapter 19, Domestic Security and the Committee for State Security, Legal Prerogatives" [1999, April. 4].

some 5,000 top-secret Party and KGB acts.¹¹³ In fact, a year before the Code of Criminal Procedure was published, Khrushchev signed a top secret statute on the KGB in which he declared the KGB to be an “armed detachment of the Communist Party.”¹¹⁴

Gill goes to great lengths to explain that merely writing laws does not mean that they will be followed. As discussed in Chapter II, rules can be broken down into working, inhibitory, and presentational rules. Working rules regulate the day-to-day running of an organization, whereas laws are found in the presentational rules category. Gill also explains that if the letter of the law is systematically being broken, it is not necessarily the function of a renegade organization. The “lawlessness” is actually institutionalized by precedent and statutes set by the political elite. In this case, the Party was the “political elite” and the 5000 top-secret acts were the statutes that the KGB incorporated into its working rules. Even if the Procuracy had not been co-opted by the Party and KGB, it had no mechanism of enforcing the criminal code on the KGB. Only the Party was capable of controlling the KGB. In essence, the criminal code was merely “window dressing” that had no real bearing on the conduct and nature of the KGB. The KGB was autonomous from the judiciary.

3. Conclusion

From my analysis, I conclude that the KGB of the 1980s was both highly penetrative and highly autonomous. It wielded vast amounts of power within both the state and society. It fits the description of Gill’s independent security state. It belongs in block A of Gill’s Typology of Security Intelligence Agencies (Fig. 2.). Hence, according to Gill’s theory, I must also conclude that the Soviet Union was a garrison state in the 1980s.

¹¹³ Yasmann, 7.

¹¹⁴ *Ibid.*, 6.

IV. RUSSIA'S SECURITY AND INTELLIGENCE SERVICES

A. HISTORY OF RUSSIA'S SERVICES

In this chapter, I will discuss the events that transformed the KGB into Russia's current intelligence and security services. While the KGB was broken up into several independent services, I will focus most of my discussion on the domestic security intelligence service, which gained most of the KGB's infrastructure. I will then analyze the present state of the services with respect to Gill's model for security intelligence to determine its level of autonomy and penetration.

1. Fall of the KGB

In its failure, the August 1991 coup attempt accelerated the dissolution of the Soviet Union. Vladimir Kryuchkov, the chairman of the KGB, was one of the main coup organizers. Kryuchkov was naturally fired and jailed, but amazingly Gorbachev appointed KGB deputy director, Leonid Sherbashin, to become acting director. It is hard to believe that the deputy director of the KGB had nothing to do with the attempted coup. Realizing that this choice was unacceptable, Gorbachev promptly withdrew the appointment.

Gorbachev next appointed Vadim Bakatin to be the director of the KGB.¹¹⁵ Bakatin was known as a reformer. He had served as chief of the Ministry of Internal Affairs (MVD) from October 1988 to December 1990. Gorbachev had fired Bakatin from his post as head of the MVD under pressure from hard-liners.

Bakatin insisted that the only way he would take the job was if he was given the mandate to dismantle the KGB. In the months that followed his appointment to the KGB, Bakatin instituted the following changes:

- The KGB's First Chief Directorate became its own entity, the Central Intelligence Service;

¹¹⁵ Amy Knight, *Spies Without Cloaks* (Princeton, NJ: Princeton University Press, 1996), 29.

- The Second Chief Directorate (counterintelligence), Third Chief Directorate (military counterintelligence), Fourth Directorate (transportation), Directorate for Protecting the Constitution (anti-terrorism, ethnic problems), Sixth Directorate (economic crime and corruption), and Seventh Directorate (surveillance) became the Inter-Republic Security Service;
- Three army divisions, which were transferred to the KGB in March 1991, and the special forces Alfa Group were transferred to the Ministry of Defense;
- The KGB Border Guards Directorate became the independent Committee for the Protection of the State Border;
- Some of the counterintelligence functions of the Third Chief Directorate were transferred to the Ministry of Defense;
- The Ninth Directorate became an independent bodyguard service for the protection of government officials and facilities;
- The Eighth Directorate became the Agency for Governmental Communications and Information (FAPSI);
- Administration “Z” of the Directorate of Protecting the Constitution (formerly the Fifth Directorate for combating dissent) was abolished;
- The entire KGB Collegium and 34 other senior officers were dismissed; and
- Local KGB administrations were transferred to the jurisdiction of the Republics.¹¹⁶

These were dark times for the KGB and its officers. On the night of August 21, a crowd gathered outside KGB headquarters and toppled the statue of Felix Dzerzhinskiy, the founder of the Cheka. The crowd threatened to storm the building, but was ultimately satisfied with removing the statue. The headline of *Rossiyskaya Gazeta* on August 27 read, “The KGB Must Be Liquidated.” Albats reported that KGB officers were so demoralized that they were openly drinking vodka in their offices.¹¹⁷ During the period

¹¹⁶ Knight, *Spies Without Cloaks*, 35, and Jeremy R. Azrael and Alexander G. Rahr, *The Formation and Development of the Russian KGB, 1991-1994* (Santa Monica, CA: RAND, 1993), 3-4.

¹¹⁷ Albats, 293-95.

immediately following the coup, the public genuinely believed that the KGB would be destroyed and the Chekist tradition eradicated.

While Bakatin's reorganization appeared impressive and no doubt brought significant changes, it was more superficial than many realized at the time. Bakatin did not make any changes to the middle and lower levels of the organization. These levels worked for the new organizations, but their day-to-day duties and responsibilities did not change. The deputies that he initially appointed were career KGB officers. In a later interview Bakatin stated the following:

One of my main mistakes, was that I arrived at the KGB without my own crew, without a large group of like-minded men dedicated to the cause. I overestimated my own strength. Without my own men, it was almost impossible to shake up this bulky and cumbersome thing called the KGB.¹¹⁸

Knight theorizes that although Bakatin was billed as a reformer, previously untainted by the KGB, he was still a career Communist *apparatchik* and shared a common education and indoctrination with the chekists.¹¹⁹ He did not really have the inclination to make revolutionary changes to the KGB.

In October, Bakatin proudly announced that his organization had shrunk from 490,000 to 40,000. This shrinkage was simply due to the partitioning of the KGB as described above. There was no drastic reduction in manpower. The 40,000 number referred only to the Inter-Republic Security Service.¹²⁰ Notably, 18,000 people had been transferred to the Russian Republic's own KGB.

2. The Russian KGB

In the Soviet Union, all the republics had had their own KGBs. These republic KGBs had been under the strict control of the USSR KGB. Russia, however, did not

¹¹⁸ Knight, *Spies Without Cloaks*, 30.

¹¹⁹ Ibid.

¹²⁰ Ibid., 31.

have its own republic KGB. KGB activities in Russia were run directly out of KGB headquarters. Yeltsin, after he was elected to the Russian parliament in 1990, began petitioning for the creation of a Russian republic KGB. The Russian KGB was created on May 5, 1991.¹²¹ This creation was mostly symbolic; by August only 23 people worked at the Russian KGB headquarters.¹²² This all changed after the attempted coup.

In October, Yeltsin decreed that the legal successor of the KGB on Russian soil would be the Russian KGB. In November, Yeltsin renamed the Russian KGB, the Federal Security Agency (FSA).¹²³

3. Independence of the Russian Services

While the Soviet security services were gasping their last breath, the FSA was inheriting the vast KGB infrastructure. By the time of the demise of the Soviet security services' in December, the FSA had acquired control over eighty percent of the former KGB's command, control, and communications infrastructure, and was exercising control over all of the former KGB employees on Russian soil.¹²⁴ The official disbandment of the Soviet KGB on December 3, and subsequent dissolution of the USSR, merely formalized the supremacy of the FSA. All of the Soviet services, with the exception of the other republic's KGBs, became Russia's services. The transition was rather seamless.

On December 19, Yeltsin decreed that the FSA and the MVD would be merged into the Ministry of Security and Internal Affairs.¹²⁵ Viktor Barannikov, head of the MVD and a close ally of Yeltsin, probably proposed this action.¹²⁶ The decree stirred up a flurry of protests. Most of the opposition compared this new organization to Beria's

¹²¹ Azrael and Rahr, 2.

¹²² Ibid., 4.

¹²³ Knight, *Spies Without Cloaks*, 33.

¹²⁴ Azrael and Rahr, 4.

¹²⁵ Martin Ebon, *KGB: Death and Rebirth* (Westport, CT: Praeger, 1994), 97.

¹²⁶ Ibid., 99.

NKVD, which was a combination of police and security intelligence. Within the FSA, this move was perceived as subordination to the much larger and inferior MVD. It apparently caused a number of resignations and threats of resignation.¹²⁷ The Constitutional Court ruled the merger unconstitutional, and Yeltsin withdrew his decree. The FSA was renamed the Ministry of Security (MB), and the MVD remained separate. Barannikov was named as head of the new MB.

The mere fact that Yeltsin even promulgated this decree must have shocked most reformers. Yeltsin himself was considered a reformer. During the Soviet era he had been the subject of KGB surveillance and harassment. Despite this, it seems that Yeltsin saw the utility and difficulty of maintaining powerful yet loyal security intelligence services. He faced the same dilemma that every Soviet leader since Lenin had faced.

Many were also surprised that Yeltsin named Barannikov to lead the MB. Barannikov was not known as a reformer like Bakatin was. In his book, *The Struggle for Russia*, Yeltsin implies that it was his idea to make Bakatin the head of the KGB.¹²⁸ If this was true, then why did not Yeltsin appoint him, or at least another reformer, to head the MB? It seems that Yeltsin favored personal loyalty over reform-mindedness.

Knight postulates that Yeltsin had four goals for the KGB successor organizations:

- To obtain the support of the services in his political battles;
- To broaden the services' role in fighting domestic threats such as ethnic separatism, terrorism, labor unrest, drug trafficking, and organized crime;

¹²⁷ Ibid.

¹²⁸ Boris Yeltsin, *The Struggle for Russia*, trans. Catherine A. Fitzpatrick (New York: Random House, 1994), 107.

- To enhance the power and influence of the Russian Federation over the former republics, then known as the Commonwealth of Independent States; and
- To continue the traditional roles of counterintelligence and intelligence gathering.¹²⁹

Of these four goals, the first one seemed to have taken priority.

In the new democracy of Russia, the parliament also wanted to influence how the services would be managed. The parliament, known as the Supreme Soviet, had been created during the Soviet era and consisted of electees from that era. The range of political views in the parliament was quite wide, but most agreed that the services should be under parliamentary control. Some members were genuine reformers and sought true democratic oversight. Others sought to control the services for their own political aims, or at least sought to deny Yeltsin control.

In February 1992, the parliament passed a resolution stating its right to oversee domestic security and foreign operations as well as control over budgetary and personnel matters. Yeltsin countered by decreeing that he had the right to exercise presidential control of the services and appoint senior leadership.¹³⁰ This battle of presidential versus parliamentary control was to continue until October 1993.

The Supreme Soviet Committee on Human Rights drafted a law, "On Control by the Russian Federation Supreme Soviet over the Activities of the Special Services." This proposed law sought to place Western-style oversight on the services. This law never passed, mainly due to the efforts of another committee, the Supreme Soviet Committee on Defense and Security. Incredibly, many of the members of the Committee on Defense and Security were active security officers. The chairman, Sergei Stepashin would later become the head of the Federal Counterintelligence Service, the successor of the MB. The Committee on Defense and Security had no interest in establishing true legislative

¹²⁹ Knight, *Spies Without Cloaks*, 39.

¹³⁰ Amy Knight, *Russia's New Security Services: An Assessment* (Federal Research Division of the Library of Congress, 1994), 7.

oversight over the services.¹³¹ The committee members did not necessarily want to use the services as their own political powerbase, they simply wanted to strengthen the powers and prestige of the services.

With the support of the Committee, Yeltsin sought to shape and control the services with a number of decrees and laws. These decrees and laws served three purposes:

- They ostensibly regularized and controlled the activities of the services and aligned them with Yeltsin's avowed goals of democratic reform;
- They legalized substantial powers for the services' operative work; and
- They gave control of the services to the office of the president.¹³²

The clash between the president and the parliament came to a head in 1993. After parliament voted in March to strip Yeltsin of his extraordinary presidential powers, Yeltsin declared a state of "special rule." This gave him the right to veto the parliament until new elections could be held. Barannikov, supposedly a good personal friend and supporter of Yeltsin, publicly stated that the MB would remain neutral in any confrontation between the president and parliament. The military echoed this view. Yeltsin, unsure of his level of support from the "power ministries," backed down.¹³³

Yeltsin fired Barannikov in July. The main reason for his dismissal was his unwillingness to back Yeltsin in March.¹³⁴ Yeltsin appointed Barannikov's deputy Golushko to become the new director. Golushko was a career KGB officer, but was not part of Yeltsin's circle. Yeltsin appointed him to provide some continuity in the repeatedly reorganized and demoralized security service.

¹³¹ Knight, *Spies Without Cloaks*, 40-41.

¹³² Knight, *Russia's New Security Services*, 9.

¹³³ *Ibid.*, 11-12.

¹³⁴ *Ibid.*, 16.

To hedge his bets, Yeltsin placed the loyal Sergei Stepashin in the MB as the deputy. He also transferred control of the special operations Vypel unit to the Main Guard Administration (GUO). The GUO was the descendent of the KGB's Ninth Directorate for the protection of government officials. The loyal GUO reported directly to Yeltsin. Yeltsin also sought support from the military and the MVD.¹³⁵

In September, having gained as much support as he felt possible, Yeltsin confronted parliament once again. This time Yeltsin announced that he had dissolved parliament. Parliament responded by essentially impeaching Yeltsin and electing a new president. This time Yeltsin received the support of the "power ministries." However, the MB's support was only lukewarm. Golushko publicly announced that the MB would implement Yeltsin's decree, but that the decree did not allow the MB to carry out "forceful action." The reason for this qualified support was a sharp disagreement within the MB. Reportedly twenty high-ranking MB officers declared that they would not use force against the parliament if ordered to do so. Even if Yeltsin had firm control over Golushko, Golushko did not have firm control over the MB.¹³⁶

On October 3, an armed, pro-parliament mob marched on a television station, which was defended by MVD troops. The ensuing melee left over sixty people dead.¹³⁷ That same night, armed gunmen occupied the mayor's office.¹³⁸ Yeltsin declared a state of emergency. Yeltsin's declaration and the lawlessness and violence in Moscow prompted the Army to send troops into the city. Yeltsin then ordered the attack on the parliament building. This attack was carried out by MVD and Army troops. Special forces of the Alfa and Vypel groups, which were under the command of the GUO,

¹³⁵ Ibid., 17-18.

¹³⁶ Ibid., 18-19.

¹³⁷ Ibid., 20.

¹³⁸ Albats, 347.

actually entered the building and received the surrender of the opposition.¹³⁹ The MB did not play a major part in the operation.

The MVD troops seemed powerless to restore order during this crisis. The military was slow to react to Yeltsin's calls for dispatching troops into Moscow. The MB's actions were the weakest of all. The military and MB perceived this crisis to be a political squabble between Yeltsin and the parliament, and were loath to end this political squabble by using extra-constitutional military force. Yeltsin viewed the crisis as a rebellion started by an illegitimate body of criminals.¹⁴⁰ He was not happy with the performance of his "power ministries."

The subsequent parliamentary elections gave a large block of seats to Vladimir Zhirinovskiy's nationalist party. This was not an overwhelming sign of support for Yeltsin by the Russian people. However, voters did approve the new constitution, which gave the office of the president greater powers in relation to the new parliament.¹⁴¹ This election did not give Yeltsin the clear popular mandate that he hoped for.

In the wake of the election, Yeltsin again attempted to consolidate his control over security intelligence. On December 21, 1993, the 76th anniversary of the founding of the Cheka, Yeltsin announced that the MB was to be disbanded.¹⁴² With this disbandment, Yeltsin announced the creation of a new agency, the Federal Counterintelligence Service (FSK). The statute took away the investigative powers of the organization and reduced its size.¹⁴³ A commission was established to screen the service's high ranking officers. This commission was to certify, among other things, the compatibility of each officer's

¹³⁹ Knight, *Russia's New Security Services*, 19-21.

¹⁴⁰ Yeltsin, 285-86.

¹⁴¹ Knight, *Spies Without Cloaks*, 78-79.

¹⁴² Knight, *Russia's New Security Services*, 23.

¹⁴³ *Ibid.*, 23-24.

ideology with democracy.¹⁴⁴ The reorganization also took away the ministerial status of security intelligence.

Even if Yeltsin still really was a reformer and truly wanted to bring security intelligence under the rule of law, his desire to have a powerful (but not too powerful) and personally loyal service continually frustrated any chance at true reform. He lumped the MB in with all of the previous Soviet services and called it unreformable. He admitted that “the attempts at reorganization that have been made in recent years were basically superficial and cosmetic.”¹⁴⁵ But the reforms that created the FSK were once again “superficial and cosmetic.” He had the opportunity to appoint a reformer as the new director, but he did not; rather, he retained Golushko, who was a career KGB officer. The commission rejected only thirteen of 227 officers, and none on the grounds of having had incompatible ideology.¹⁴⁶ The duties of the majority of FSK employees again remained unchanged.

Evidence that Yeltsin was attempting to consolidate his power over the FSK was evident in the wording of the statute. The statute stated that “monitoring the activity of the Russian FSK and counterintelligence organs is carried out by the Russian Federation President.”¹⁴⁷ The window dressing of legislative oversight was gone. There was also no mention of judiciary review.¹⁴⁸ And while degrading security intelligence from ministerial status may have weakened the influence of security intelligence, it was probably done to bureaucratically bring the service under direct control of Yeltsin.

Running parallel to the creation of the FSK was the rise to power of the bodyguard service, the GUO. In December 1993, a separate Presidential Security Service (SBP) was created under the command of Yeltsin's personal bodyguard,

¹⁴⁴ J. Michael Waller, *Secret Empire: The KGB in Russia Today* (Boulder, CO: Westview Press, 1994), 121.

¹⁴⁵ *Ibid.*, 119-20.

¹⁴⁶ *Ibid.*, 121.

¹⁴⁷ *Ibid.*

¹⁴⁸ Knight, *Spies Without Cloaks*, 87.

Alexander Korzhakov. The SBP came to dominate the GUO, and by 1995 the GUO/SBP conglomerate numbered some 20,000-25,000 personnel.¹⁴⁹ The GUO/SBP had investigative powers and performed surveillance. It even had an analytical department that monitored political and economic events.¹⁵⁰ It retained control of the Vypel unit that had been transferred to the GUO before the October 1993 crisis. This was obviously an attempt by Yeltsin and Korzhakov to create a powerful security service that was unquestionably loyal to Yeltsin and Yeltsin alone.¹⁵¹

In February 1994, Golushko was fired and replaced by his deputy, Stepashin. Stepashin was loyal to Yelstin. He had strongly supported Yeltsin during his tenure as chairman of the Supreme Soviet Committee on Defense and Security. Stepashin sought to roll back any reforms and restore to the FSB the level of "penetrativeness" that had been enjoyed by the MB. Within a few months, the investigative powers were back, and the personnel cuts were not nearly as drastic as originally stated. Stepashin publicly announced that the informer network would remain intact and the surveillance of opposition political groups would continue.¹⁵²

In early 1995, security intelligence underwent another name change and reorganization. While the previous change from MB to FSK was billed as a reduction in size and power, this change from FSK to Federal Security Service (FSB) was definitely seen as an increase in power and areas of responsibility. The Federal Counterintelligence Service was now the Federal Security Service. The name change was meant to denote a change from the narrow field of counterintelligence to the broader responsibility of security. The "Law on Organs of the Federal Security Service," which was passed by the

¹⁴⁹ Mark Galeotti, *Heirs of the KGB: Russia's Intelligence and Security Services* (Jane's Intelligence Review, 1998), 19.

¹⁵⁰ Knight, *Spies Without Cloaks*, 228.

¹⁵¹ By 1996, as Yeltsin was running for reelection, Korzhakov became a political liability. Korzhakov was fired, and the GUO was renamed the Federal Protection Service (FSO). The SBP was subordinated to the FSO. The FSO is now an apolitical guard service of 9,000-10,000 personnel. See Galeotti, *Heirs of the KGB*, 19.

¹⁵² Waller, *Secret Empire*, 123.

parliament, codified many of the practices that had previously been sanctioned by presidential decree.

The law legalized penetrative investigation techniques. For instance, FSB officers were now permitted to enter private residences if there was sufficient reason that a crime was being committed or had been committed. The officers only needed to get the procurator's retroactive permission within 24 hours after entering.¹⁵³

The law also allowed the FSB to remain free of effective legislative oversight. The law vaguely mentioned the parliament's right "to obtain information regarding the activity of FSB organs in accordance with procedure laid down by Russian Federation legislation."¹⁵⁴ This one line was not nearly strong or thorough enough to build an effective legislative-oversight process.

In addition to expanding the FSB's powers inside the Russian Federation, the law allowed the FSB to conduct intelligence-gathering operations in the former republics. The FSB could also enter into agreements with the services of these republics.¹⁵⁵

Stepashin was replaced by Barsukov in 1995, who was replaced by Nikolai Kovalev in 1996, who in turn was replaced by Vladimir Putin in 1998. All of these men are former KGB officers.¹⁵⁶ The FSB can still trace its lineage back to the Dzerzhinskiy's Cheka. Chekists' day is still celebrated every year on December 20.¹⁵⁷

4. Corruption and Organized Crime

One of the reasons that the FSK was renamed the FSB and given more penetrative authority was to combat corruption and organized crime. Corruption had been prevalent

¹⁵³ Ibid., 221.

¹⁵⁴ Ibid.

¹⁵⁵ Knight, *Spies Without Cloaks*, 229.

¹⁵⁶ Galeotti, *Heirs of the KGB*, 5, 7.

¹⁵⁷ Konstantin Preobrazhensky, "Chekists' Day: Memories that Continue to Haunt," *The St. Petersburg Times*, December 29, 1997-January 4, 1998, [Online] Available: <http://www.sptimes.ru/archive/times/326/chekists.html>. [1999, March 3].

throughout the Soviet period, and became especially so during the Brezhnev years. This corruption was generated among elements within the Communist Party. There had been no other organization with the power to embark on such institutionalized corruption. As one observer put it:

The economy in the in the former USSR was controlled by what was in essence an organized criminal syndicate: the Communist Party. The bribes that flowed up the party hierarchy formed the tribute, the protection money or the informal taxes, that were a necessary part of conducting business in the USSR.¹⁵⁸

Anti-corruption campaigns, such as Andropov's in the 1970s, were politically motivated. They were used to discredit adversaries. As long as corruption was carried out within the norms of the system, it was allowed and even condoned.

This attitude was carried into the post-Soviet system, only there was no longer any institutional restraint or normative rules that regulated the corruption. Since the Communist Party no longer holds a monopoly on power, this corruption has allowed the growth of organized crime outside the government. The scale of corruption, and hence the magnitude of organized crime, has skyrocketed.

Today, crime and corruption are considered the greatest threats to the Russian state. The 1995 parliamentary study, "Economic Crime and the Security of Citizens, Society, and the State" reported some shocking figures:

- Corruption in government is rated as a greater threat to Russian security than is the sharp decline of industrial output and explosive growth of organized crime;
- In 1993 and 1994, federal officials and bureaucrats took bribes and other forms of illegal income to misappropriate licensing export quotas, registration of commercial enterprises, and easement of real estate, the value of such fraud being liberally estimated at \$100 billion;
- Organized crime controls about 40 percent of the Russian gross domestic product; and

¹⁵⁸ Knight, *Spies Without Cloaks*, 51.

- Organized crime encompasses 41,000 economic entities, including 1,500 state enterprises, 4000 shareholding societies, 500 joint ventures, and 550 banks.¹⁵⁹

The question that experts have tried to answer is how Russia became a “cleptocracy” so quickly and entirely, especially when it was under the eye of the large and penetrative KGB successor organizations and the MVD. One possible explanation is that despite the size and power of these services, their organization and culture made them utterly incapable of stopping the criminalization of Russia.

The MVD has historically been viewed as corrupt. In 1991, an MVD spokesman alleged that one third of all “*mafija*” profits went to bribe MVD policemen.¹⁶⁰ However, perhaps even more important than the widespread corruption of individual policemen was the services’ absence of a historical culture of legality and the rule of law.¹⁶¹ Widespread corruption was so ingrained in the Soviet system that the services could not differentiate between “normal” and “destructive” corruption in post-Soviet Russia.

A further explanation is that not only were the MVD and KGB successors incapable of stopping the corruption and organized crime, they were active participants in fostering it. Moreover, the services were ordered to do so by the Communist Party. Only a few weeks after the collapse of the Soviet Union, a parliamentary commission reported the following:

Realizing as irrevocable the loss of then-authoritative and ideological priorities in society, the Politburo of the CPSU CC made several secret resolutions toward direct concealment in commercial structures of property and monetary resources actually accumulated at the expense of the nation. Based on this, at all levels of the party hierarchy, there was a

¹⁵⁹ J. Michael Waller and Victor J. Yasmann, “Russia’s Great Criminal Revolution: The Role of the Security Services,” December 1995, [Online] Available: <http://afpc.org/issues/crimrev.htm>, [1999, April 2], 2.

¹⁶⁰ Knight, *Spies Without Cloaks*, 51.

¹⁶¹ Waller and Yasmann, 1.

mass founding of party banks, joint enterprises, and joint stock companies in 1990 and 1991.¹⁶²

In the ensuing chaos of privatization after the breakup of the Soviet Union, the KGB officers were in position to seize control of even more commercial enterprises. It is unclear whether this alleged group of Communist Party/KGB holdings is under the control of some centralized shadow organization, or whether KGB officers, seeing no personal future in the services, simply quit and went into business for themselves running these companies. While the former may have been the original plan, the latter explanation seems more likely today. Former KGB general, Oleg Kalugin writes:

[H]ordes of the KGB officers bolted from the service in disgust or in search of a better fortune. By the end of 1991, nearly a third of the KGB intelligence and security employees had left it... Many rushed into the private sector, others joined the criminal world.¹⁶³

There have even been accusations that the FSB has committed murder and other crimes. Once again, it is not known if this is FSB policy or the freelancing of FSB officers. In November 1998, a small group of FSB officers publicly announced that certain FSB officials have used the FSB "...to settle accounts with undesirable persons, to carry out private political and criminal orders for a fee and sometimes simply as an instrument to earn money."¹⁶⁴

Any attempts at restraining organized crime and corruption have been ineffective. Since 1991, Yeltsin has mounted six major anti-crime initiatives. In his speeches he has dubbed Russia the "superpower of crime." Yeltsin clearly recognized the threat of corruption and organized crime early in his tenure as president, but his anti-crime actions have been ineffective and even counterproductive. Instead of grounding these campaigns

¹⁶² Ibid., 5-6.

¹⁶³ Oleg Kalugin (intercon@erols.com), "Oleg Kalugin Message," E-mail to Thomas C. Muldoon (tcmuldoon@nps.navy.mil), 25 May 1999.

¹⁶⁴ Will Englund, "KGB Successor is Accused of Offering Terror for Hire; Bosses are Crooks, Say 5 Russian Agents," *The Baltimore Sun*, 18 November 1998, 1A.

in the rule of law and judiciary process, his campaigns have at times been politically motivated. His rivals have come under close scrutiny while his allies have been overlooked. When Barannikov's anti-corruption probes hit too close to Yeltsin, Barannikov himself was fired on the grounds of corruption.¹⁶⁵ This kind of partisan political attitude towards law enforcement ruins any chance of indoctrinating the services in the rule of law.

Under Stepashin in 1994, the FSK established an economic counterintelligence directorate. It was designed to fight penetration into the economy by foreign agents and to fight corruption.¹⁶⁶ With all of the attention focused on fighting corruption and crime, the FSK, together with the MVD and Procuracy, lobbied for looser restrictions on combating crime. The FSK public relations chief actually appeared on television and reminisced about the success the Chekists had in combating crime during the "Red Terror" of 1918.¹⁶⁷

As explained in the last chapter, the Cheka was un-accountable to any elected or judiciary body. It served as police, judge, jury, and executioner. For some crimes, it was permitted to shoot on the spot. The excesses of the Chekists paved the way for Stalin's brutal reign. Stepashin stated on Moscow television, "I am in favor of the violation of human rights if the person involved is a bandit and criminal."¹⁶⁸ This quote sounds like it could easily have been attributed to Dzerzhinskiy in 1918 or Beria in 1942. This is hardly the model that a modern, democratic state should use for its police and security intelligence.

In June 1994, Yeltsin issued an anti-crime decree. The decree allowed suspects to be detained for up to thirty days without being charged. During the thirty days they could be interrogated and have their financial affairs investigated. Moreover, relatives could

¹⁶⁵ Knight, *Spies Without Cloaks*, 54-55.

¹⁶⁶ *Ibid.*, 92.

¹⁶⁷ *Ibid.*, 94.

¹⁶⁸ *Ibid.*, 97.

also be investigated. FSK and MVD officers could stop and search vehicles and enter residences without warrants. This decree evoked strong protests from both the left and right wings. Democratic reformers naturally saw this as a grave threat to human rights, while conservatives saw this as another attempt for Yeltsin to gain political power.¹⁶⁹ Even with this opposition, Yeltsin still managed to codify these practices into law with the creation of the FSB and the passing of the "Law on Organs of the Federal Security Service."

There is no doubt that Yeltsin has honestly wanted to curb crime, but this was the wrong way of doing so. By issuing a decree, instead of drafting a law for parliamentary vote, Yeltsin's orders were essentially illegal. Only later, when he gained enough political support, did he attempt to make his decrees into law. As the Chairman of the Duma Committee on Legislation put it, "Law enforcement organs that do not base their activity on the law are transformed from a tool in the struggle against crime into the largest mafioso gang backing up the power and interests of their 'godfather.'"¹⁷⁰ This statement sums up the basis for law enforcement in a democratic state. Yeltsin, indoctrinated in communism for most of his life, could not come to terms with the inefficiencies of democratic governing. His solo attempts at fighting crime and corruption, even if they were noble, served to undermine the democratic process, and the MVD and FSK were all too willing to follow Yeltsin's lead. This willingness, along with some very retrograde public comments has compromised the legitimacy of the services.

Russia is faced with a grave threat to its security, but this threat is being confronted by giving greater penetrative power to the security services. What little legislative, judicial, and popular oversight there is, is not being strengthened. This process is eroding away what little democratic norms were established in the wake of the dissolution of the Soviet Union.

¹⁶⁹ Ibid., 95-96.

¹⁷⁰ Ibid., 96.

5. Too Little State?

As mentioned in Chapter II, Gill describes the need for the state to provide a basic level of security to its citizens. Without some form of collective security, the individual cannot be safe. The Soviet Union was so “protective” of its citizenry that it became the principal threat to their security. The opposite is true for Russia today.¹⁷¹ When the “illegal” monopoly of communism disappeared, there was nothing to take its place; after a brief spurt of democratic idealism, organized crime, corruption, and apathy filled the void. The current Russian state cannot provide basic security for its citizens.

Both extremes are dangerous to the human rights of individual citizens. A Russian presidential commission report on human rights in 1996-97 released the finding of a public opinion poll conducted by the Public Opinion Foundation. It found that 75 percent of those polled believed that basic human rights are not observed in Russia. The top five rights that were not being observed were:

- The right to life;
- The right to security;
- The right to employment;
- The right to environmental safety; and
- The right to social security in the event of a disability.¹⁷²

The violation of these five rights results from a lack of government. The Russian state cannot provide security to its citizenry. Interestingly, the results of the survey also listed the top five rights that respondents said were being observed:

- Freedom of conscience and religion;
- Freedom of speech;
- Freedom of movement and domicile;

¹⁷¹ Stephen Holmes, “When Less State Means Less Freedom,” September 1997, [Online] Available: <http://www.ijt.cz/transitions/whenles1.html> [1999, April 2], 1-9.

¹⁷² *Transitions*, “Notes From Along the Way,” January 1999, [Online] Available: <http://www.ijt.cz/transitions/jan99/notesfro.html>, [1999, April 2], 2.

- The right to private property; and
- The right to education.¹⁷³

If the Soviet Union had conducted such polls, this list could have been the top five rights that were *not* being observed in the early 1980s. These were the rights that the KGB tried hardest to suppress. This flip-flop of the rights being observed and violated offers an interesting contrast between the Soviet Union and Russia. The poll illustrates that much has changed in the fifteen-year time frame of my analysis, but the conditions for the average citizen have not greatly improved.

The investigative powers that have been given back to the security services since the dissolution of the Soviet Union have not been effective in curbing crime and corruption. However, by the results of the survey, they do not seem to be creating an overbearing, penetrative service in the mold of the KGB, at least in the eyes of the average citizen. Oleg Kalugin states "The FSB's influence in the country as a whole is low."¹⁷⁴

B. ANALYSIS

As I did with the KGB, I will analyze the power of the FSB in terms of penetration and autonomy.

1. Penetration

To assess the level of penetration the FSB has into the Russian state and society, I will examine the FSB's organization and resources, and how surveillance relates to action.

The FSB is still a huge organization. By law, it is limited to 77,640, but this does not include the support staff, which could number up to 130,000.¹⁷⁵ This brings the

¹⁷³ Ibid.

¹⁷⁴ Kalugin, "Oleg Kalugin Message."

¹⁷⁵ Galeotti, 6.

number to over 200,000. This number dwarfs the 12,000 personnel of the Foreign Intelligence Service.¹⁷⁶ Assuming a population of 147 million,¹⁷⁷ there is one FSB employee for every 710 citizens. Even when using the legal limit of 77,640, there is one FSB employee for every 1,893 citizens.¹⁷⁸ These ratios have not appreciably changed from the Soviet era. Clearly, the focus of the Russian intelligence/counterintelligence apparatus is still inwardly focused. This is an indicator of a penetrative service and a weak state.

The informer network became degraded after the collapse of the Soviet Union. The KGB successor organizations fought hard to protect files that would compromise Soviet-era agents. Stepashin publicly announced that the old KGB networks would be preserved.¹⁷⁹

“Reservist” state-security employees now work at all governmental institutions as anti-corruption watchdogs.¹⁸⁰ Ex-security officers are also employed in big business, the media, private security services, and also criminal organizations. There is no way to determine how closely this collection of active, reserve, and former security officers are interrelated, but there is little doubt that there are at least informal ties between former co-workers.¹⁸¹

¹⁷⁶ *Ibid.*, 10.

¹⁷⁷ Central Intelligence Agency, *The World Factbook, 1998*, [Online] Available: <http://www.odci.gov/cia/publications/factbook/rs.html>, [1999, June 04].

¹⁷⁸ In comparison, the U.S. Federal Bureau of Investigation (FBI) has 11,519 agents and 16,342 support staff for a total of 27,861 employees. Assuming a U.S. population of 270 million, there is one FBI employee for every 9,691 citizens. See: Federal Bureau of Investigation, [Online] Available: <http://www.fbi.gov/employment/employ.htm>, select “Special Agent Employment” and “Support Staff Employment,” [1999, June 4].

¹⁷⁹ J. Michael Waller, “Russia’s Security Services: A Checklist for Reform,” 1997, [Online] Available: <http://bu.edu/iscip/vol18/Waller.html>, [1999, March 31], 4.

¹⁸⁰ Knight, *Spies Without Cloaks*, 53.

¹⁸¹ *Ibid.*, 57-59.

In an interesting reversal of roles, Kalugin states that active-duty FSB officers have become informers for companies and organized crime. Also, in contrast to Stepashin's declaration, the informer network is a shadow of its former self. Kalugin states, "In the old days [informants] cooperated because of faith, fear, or career considerations. This is no longer valid."¹⁸²

Russia's constitution guarantees freedom of the press, but the Freedom House Organization only rates it as partially free. Eighty percent of Russia's newspapers and magazines have been privatized, but most receive some sort of government funding. Large, powerful companies that may have links to organized crime own most of the media. These media organizations must then echo the political agendas of their owners. Libel laws are very strict, and the threat to sue causes many papers to self-censor.¹⁸³ There are many ex-intelligence officers in the media and in their large parent companies. It can also be assumed that the FSB has informers in these organizations, but there is no evidence that the FSB properly exercises any significant level of control over the media.

The FSB is an independent agency. It is not merged with foreign intelligence or domestic law enforcement. This is an indicator of a less penetrative and less oppressive service. Kalugin states that "the breakup of the KGB...effectively undercut the KGB omnipotence and deprived it of the special role in the country's domestic and international affairs, the current set-up, particularly the FSB, is a sorry shadow of the old Soviet Secret police."¹⁸⁴

The levels of surveillance and investigative powers have ebbed and flowed since 1991, but the general trend has been towards an increase in power for the services. The height of investigative power was reached in 1994, when Yeltsin issued his decree on combating crime. Subsequent laws decreased this power and now a search warrant is

¹⁸² Kalugin, "Oleg Kalugin Message."

¹⁸³ Freedom House, "Press Freedom Survey," 1999, [Online] Available: <http://freedomhouse.org/pfs99/reports.html>, [1999, May 3].

¹⁸⁴ Kalugin, "Oleg Kalugin Message."

required to enter residences. However there are loopholes, and investigators still supposedly enter without warrants.¹⁸⁵ Although the FSB has been given more power to carry out surveillance, Kalugin states, "The FSB reporting has become sporadic, incomplete, and shallow."¹⁸⁶

There have been some publicized cases of the MB/FSK/FSB bringing critics up on charges. These cases seemed to be pursued out of a sense of revenge rather than any responsibility to the rule of law.¹⁸⁷ In addition, there are reports of extra-judicial persecution of critics in the form of assaults.¹⁸⁸ There are reports that torture is still used to force confessions.¹⁸⁹ The FSB still conducts surveillance on citizens based on their political beliefs.¹⁹⁰

2. Autonomy

To judge the FSB's level of autonomy, I will analyze the "secret state's" freedom from executive, legislative, judicial, and public oversight.

When Russia's current situation is viewed through Gill's Gore-Tex model, the executive branch occupies the layer outside the secret state. Yeltsin should not be placed in the middle with the FSB. The FSB has been responsive to the executive branch, but this responsiveness seems to be more to the personage of Yeltsin rather than any established institutional subservience to the executive branch. While Yeltsin and his security intelligence chiefs may have contradicted each other from time to time, they have

¹⁸⁵ Freedom House, *Nations in Transit*, 1998, [Online], Available: <http://www.freedomhouse.org/nit98/russia.pdf>, [1999, May 3], 13.

¹⁸⁶ Oleg Kalugin, "Oleg Kalugin Message."

¹⁸⁷ For an example, see: Amnesty International, "Who is Afraid of Aleksandr Nikitin," February 1999, [Online] Available: www.amnesty.org/news/1999/44600699.htm, [1999, May 3].

¹⁸⁸ Waller, "Checklist for Reform," 5-6.

¹⁸⁹ Freedom House, *Nations in Transit*, 13.

¹⁹⁰ Waller, "Checklist for Reform," 4.

never been fundamentally at odds with one another.¹⁹¹ They need each other. Yeltsin needs the support of the security services to fight his extra-constitutional battles with his political rivals. The services need Yeltsin to give them a sense of legitimacy and purpose.

Yeltsin has managed to gain almost total constitutional control over the services. He has been able to reorganize them and hire and fire their leaders almost at will. He has consistently placed personal allies into critical posts within the services.

Remember that control is not the same as oversight. Just because the FSB carries out Yeltsin's orders does not mean that Yeltsin has the ability monitor the FSB's day-to-day actions to ensure that it is operating within the law. Just because Yeltsin currently has the loyalty of the FSB leadership does not mean that Yeltsin has the loyalty of the whole organization. Due to corruption, it is likely that there are at least some FSB officers that are unresponsive to the FSB leadership. This dilutes Yeltsin's true level of control of the FSB.

Legislative oversight should be the most stringent because the legislature directly represents the people, but has more constitutional access to and authority over the secret state than the average citizen. According to law, the FSB and the other services are technically under legislative oversight. In reality, this oversight is not effective or firmly institutionalized. Bureaucratically, Yeltsin has managed to usurp most of the control from the legislature, but there are still influential legislators with close ties to the services. The FSB is essentially autonomous from the direct oversight of the parliament. This is not to say that factions of the Duma cannot influence the FSB, but this is done more for political reasons more than out of any obligation to enforce the rule of law.

In Russia, the executive publishes all presidential decrees and the legislature publishes all laws. Hence, all of the formal regulations that govern the behavior of security intelligence services are publicly known. As Gill points out however, this is not enough to ensure the legal conduct of security intelligence. Any organization's day-to-day operations are regulated by a more informal set of rules. Furthermore, any consistent

¹⁹¹ Knight, *Russia's New Security Services*, 61.

violation of the law becomes imbedded in the law itself through precedent and executive pronouncements. While the services appear, according to Russian law, to be accountable to democratic principles and the rule of law, in reality they are not.

The FSB can still put political pressure on the judiciary branch, but it does not own the courts as in the past. In the highly publicized Nikitin case, the courts dismissed the FSB's case.¹⁹² However, the courts are chronically under-funded, and the judicial branch is in a lower bureaucratic position relative to the executive and legislature.¹⁹³ While the courts do not enjoy the independence of a Western, liberal democracy, they are not merely the pawns of the executive and the FSB.

As discussed earlier, Russia has a robust, partially-free press. Articles that are critical of the service are frequently published. The average citizen is much better informed now than in the Soviet period. In addition, Russia's borders are essentially transparent to the flow of information. Citizens have access to the foreign press and organizations. The services can no longer ignore public opinion. However, security intelligence is very secretive by nature. Even in the most liberal society, most operations will be kept secret in the name of national security. Popular oversight is always tenuous at best. Russia is no exception.

3. Conclusion

In the above analysis, the level of power of the services seems erratic. In some ways they appear to be highly penetrative and autonomous, but in other ways not so much so. There is much debate over the true level of power the security services wield in Russia today, but based on the overall view from my analysis, I can confidently say that their power is weaker now than in the Soviet era. The current services are neither as penetrative nor as autonomous as the KGB was. However, they do still possess more

¹⁹² Amnesty International, "Who is Afraid of Aleksandr Nikitin?"

¹⁹³ Freedom House, *Nations in Transit*, 14.

power than Gill's bureau of domestic security model. The definition of Gill's political police most aptly describes the current state of the services:

Political Police: Is distinguished from the bureau of domestic intelligence in that it enjoys greater autonomy from democratic policy making and is more insulated from legislative and judicial scrutiny. It is more responsive to the groups in power and derives its powers and responsibilities from more loosely defined delegations of executive power. It may also gather political intelligence unrelated to specific offenses and conduct aggressive countering operations against political opposition.¹⁹⁴

Because Russia's services are most accurately described by Gill's political police model, Russia should best be described by Gill's national securitism model:

National Securitism: The acuteness and persistence of the political conflict forces the government continually to resort to its emergency powers. Here the gap between the official political discourse (polyarchy) and the actual policies of the government creates a purely formal democracy. The government's legitimacy is at stake, rights are restricted, political conflict is 'militarized' and the national security establishment receives powers usually only applicable during an exceptional state of emergency.¹⁹⁵

This state of emergency that Gill describes could best be described as Russia's problems of minority nationalism, such as that in Chechnia, its problems with corruption and crime, and its overall poor economy. All of these problems have lead to the powers of the services settling at their present level.

¹⁹⁴ Gill, 60-61.

¹⁹⁵ Ibid., 67-68.

V. CONCLUSION

From the analysis, it is clear that Russia's domestic security intelligence service, the FSB, is not as powerful as the KGB had been. The FSB is neither as penetrative nor as autonomous as the KGB. While this may seem to be a welcome revelation, the analysis also reveals that the current state of Russian security intelligence does not reflect the service of a democratic, or polyarchic, state. More ominously, the situation is not improving over time.

Russia is at a critical point in its history. The idealistic period following the abortive coup of August 1991 is long gone. True democratic reforms and the rule of law have not become institutionalized. Russia is facing the crises of militant nationalism, corruption, organized crime, and economic stagnation.

The communist ideology that empowered the KGB is gone, but gone too is the restraint that the ideology put on the KGB. Corruption, which was regulated under the Soviet system, is now rampant. The ability of the legislative, and judicial branches to control and oversee the FSB is marginal. What also may be marginal is the FSB's ability to control and oversee its own officers. This level of analysis is one below what Gill has explored. He assumes that the secret state is a monolith, but in Russia, this may not be true.

The realities of the post-Soviet era have enabled many intelligence and security officers to migrate into other branches of government, business, the media, and organized crime. It is unlikely that this turmoil has transformed the FSB into a pervasive, extra-legal, shadow organization. More likely, the FSB has become a demoralized shell of the KGB, filled with underpaid officers susceptible to corruption and freelancing. The reality may be somewhere in between these two unhealthy extremes.

What is clear is that Russian security intelligence occupies the center box of Gill's typology of security intelligence services. It is in this box because this is where its penetrative and autonomous powers have leveled out under the current conditions in the Russian state and society. While the FSB may appear weak, portions of it may penetrate

into certain sectors of society. Portions also appear to be autonomous from control and oversight.

In the coming years, watching the movement of Russian security intelligence within this typology will be an effective means of determining the true nature of the state, namely the true level of democratization in Russia.

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