Brian LaPierre

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"This is a Public Matter:" Mobilizing *Obshchestvennost'* in the Anti-Hooligan Campaign, 1953-1964

INTRODUCTION: DEFINING HOOLIGANISM

The concept of hooliganism, as criminologist A. A. Gertsenzon noted, has been the subject "of frequent and fundamental" change.[1] Basic components of its definition, such as what type of crime it was and who were its victims, were contested subjects of renegotiation, reconceptualization and category-shifting. The canonization of hooliganism as a "crime against social order" only occurred in 1960 and was the end state of a long antecedent process of imagining and reimagining who the Soviet hooligan was and what he did. Reviewing hooliganism' s various redefinitions reveals the many ways it was imagined in Soviet law prior to its canonization as a crime against social order.

Hooliganism (article 176), was first categorized, in the 1924 RSFSR Criminal Code, as a "crime against the individual" (*prestuplenie protiv lichnosti*)." Punishable by a term of corrective labor not exceeding one month or by a fine of 50 rubles, hooliganism was defined, in 1924, as "the commission of mischievous acts, accompanied by explicit disrespect for society."[2] The 1924 definition, while differing from such pre-Soviet formulations as Vladimir Dal' s by attributing a mischievous psychological component (*ozorstvo*) to hooligan actions, envisioned hooliganism as

[1]A. A. Gertsenzon, *Kriminologiia*, (Moscow, 1966), p. 443

[2]*Ugolovnyi kodeks RSFSR*, (Moscow, 1924), p. 42.

directed against a person and only "accompanied" by social disrespect.[3] The 1934 edition of the *Bol'shaia sovetskaia entsiklopedia,* emphasizing hooliganism's configuration as a crime against individuals, stated that "hooliganism is a crime against a person, defined by mischievousness and accompanied by motiveless disrespect for individual citizens or for society."[4]

In 1937, however, the legal configuration of hooliganism shifted, causing a re-conceptualization not of what hooliganism was but of who its victims were. Now numbered article 74, hooliganism, in the 1937 RSFSR Criminal Code, was recategorized under section II, "crimes against administrative order" (*prestupleniia protiv poriadka upravleniia*). The category shifting of hooliganism implied a re-conceptualization of who or what hooligans were harming with their crime. Instead of imagining the victims of hooliganism as concrete individual persons, hooliganism's victim, circa 1937, was envisioned as a supra-human governmental entity denoted by the multivalent word "*upravlenie*" (defined as "authority, administration, government, management").

While hooliganism was still defined as "mischievousness accompanied by explicit (*iavnyi*) disrespect for society," its victim was transposed from particular individuals to the general organization and operation of authority. Excising any sense of individual victimization from the sense of hooliganism, D. N. Ushakov, for example, defined hooliganism's victims in institutional and moral terms, stating "hooliganism is extremely excessive conduct accompanied by explicit disrespect for society and for the dignity of man."[5]

In addition, new qualifiers were included in the 1937 definition in order to distinguish a more severe type of hooliganism.[6] For example, a longer term of confinement, 5 years, was

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[3]see *Tolkovyi slovar' zhivogo Velikorusskogo iazyka*, (Moscow, 1909), Vol. IV, p. 1244.

[4]*Bol'shaia sovetskaia entsiklopedia,* (Moscow, 1934), Vol. 60, p. 277.

[5]D. N. Ushakov, *Tolkovyi slovar' russkogo iazyka,* (Moscow, 1940), Vol. IV, p. 1198. Ushakov's dictionary also contains the two intriguing verbs *khuliganit'* and *khuliganstvovat'* .

[6]The shifting nature of hooliganism's definitions was also shaped by political inputs and contexts. Minister of Defense Klim Voroshilov's 1935 demand for increasing severity in the anti-hooligan

mandated for "hooliganistic" activities exhibiting one of the following aggravating conditions; exhibition of "rowdyness" (*buistvo*) or "excess" (*beschinstvo*); for repeat offenders; for activities "stubbornly continued despite warnings from the militia to stop; and for actions "distinguished by exceptional cynicism or audacity (*derzost'*).[7]

Yet while hooliganism was classified as a crime against authority on the republican level, it was still categorized on the federal level, in Article 21 of the Law of Judicial Construction, according to its earlier classification as a crime against the person.[8] These contradictory classifications persisted until the 1960 Criminal Code Reform when both were changed to reflect the latest legal redefinition of hooliganism.

With the reform of the Criminal Code in 1960, hooliganism was shifted yet again and its developing definition as a crime against society, rather than against persons or against authority, was established. Hooliganism, renumbered as article 206, was relocated to section X of the RSFSR Criminal Code, "Crimes against Social Security, Social Order and the Health of the Population," and redefined as a crime against social order (*obshchestvennyi poriadok*).[9] Again, category shifting changed the notion of who hooliganism's victims were. Instead of governmental authority or individual persons, hooliganism became canonized as a crime directed against the communal or public order of the collective.

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campaign and the Draconian April 1935 Politburo decree "On measures of struggle with crime among minors" surely had an impact on the decision to increase the severity of punishments defined in the 1937 RSFSR UK and in the configuration of that code's set of aggravating circumstances. For information on Voroshilov's demand, the 1935 anti-hooligan campaign and the 1935 Politburo decree, see Peter H. Solomon, Jr. *Soviet Criminal Justice Under Stalin*, (Cambridge: Cambridge University Press, 1996), pp. 201-202, and Sheila Fitzpatrick, *Everyday Stalinism: Ordinary Life in Extraordinary Times*, (Oxford: Oxford University Press, 1999), pp. 151-152.

[7]*Ugolovnyi kodeks RSFSR*, (Moscow, 1937), p. 44.

[8]I. I. Solodkin and I. G. Filanovskii, "Osnovye voprosy bor'by s khuliganstvom," *Sovetskoe gosudarstvo i pravo,* no. 3, 1956, pp. 104-105.

[9]*Ugolovnyi kodeks RSFSR* (Moscow, 1960), p. 76.

The 1960 RSFSR Criminal Code also redefined what hooliganism was, dropping the equation of hooliganism with "mischievousness," and instead defining it as an "intentional action violating public order in a coarse manner and expressing explicit disrespect for society."[10] Rather than envisioning social disrespect or disruption as "accompanying" or resulting from the criminal activity of the hooligan, social disrespect and disruption became the actual crime itself.

The post-1960 Criminal Code reconfigured hooliganism into the triad "ordinary" [*prostoe*] hooliganism, malicious hooliganism and "petty" [*melkoe*] hooliganism. Differential punishments were allocated to each member as well as defined domains of behavior and characteristics. Ordinary hooliganism was defined in the 1965 RSFSR Criminal Code as an "intentional action violating public order in a coarse manner and expressing an explicit disrespect toward society." The punishment for ordinary hooliganism was set at "deprivation of freedom for a period not to exceed one year, or by correctional labor for the same term or by a fine not exceeding 50 rubles or by "social censure" [*sotsialnoe poritsanie*]." Malicious hooliganism was defined as "the same action committed by a person previously convicted of hooliganism, or while resisting a representative of authority, or an act distinguished in its content by exceptional cynicism or audacity." The corresponding punishment for malicious hooliganism was given as "deprivation of freedom" for a term not exceeding 5 years. Petty hooliganism was defined as "committed by a person to whom measures of social or administrative influence had been applied twice in the course of a year." Punishment for petty hooliganism was listed as "corrective labor for a term not exceeding one year or by a fine not exceeding 50 rubles."[11]

The canonization of hooliganism in 1960 as a crime against social order created a tension between the individual offender (*lichnost'*) and the social collective (*obshchestvennost'*) and between the private and the public. This tension and opposition is revealed in the legal commentaries discussion of the main trope of hooliganism; "explicit disrespect for society."

[10]Ibid.

[11]Ibid.

"Explicit disrespect for society" was defined by the 1960 RSFSR Criminal Code's Commentary as a "scornful relationship with Soviet law, norms of socialist morality, rules of socialist communal living and the striving to oppose the person [*lichnost'*] to the collective..."[12] The 1962 RSFSR Criminal Code Commentary, also conceiving hooliganism as an opposition between the individual/private and the social/public/collective, defined "explicit disrespect" as actions "which involve opposing the personal/private (*lichnyi*)..motives of the hooligans to social/public (*obshchestvennye)* interests."[13] Hooliganism can therefore be seen as an opposition between the individual and the private world of his interests and the social world of the collective with its "rules of communal living" and canon of "socialist morality." The next two sections will explore these tensions between public and private and between the collective and the individual in the legal and press discourse on hooliganism.

HOOLIGANISM: PUBLIC OR PRIVATE?

Parallel to the evolution of hooliganism as a social crime, the spaces where hooliganism could or could not occur were being defined in a series of RSFSR and USSR Supreme Court Resolutions. Because *obshchestvennost'* denotes both the "social" and the "public," imagining hooliganism as a crime against *obshchestvennost*' entailed identifying what a public space was and where it was located. While scholars have asserted that hooliganism was a "public crime asserted in a public space," they have overlooked the constructed, contested and fluid nature of public space and its shifting redefinition and reconfiguration in judicial practice.[14] Soviet courts

[12]*Voprosy osobennoi chasti sovetskogo ugolovnogo prava v UK RSFSR 1960 goda*, (Moscow, 1962), p. 173.

[13]*Komentarii ugolovnogo kodeksa RSFSR*, (Moscow, 1962), p. 205.

[14]Joan Neuberger, *Hooliganism: Crime, Culture and Power in St. Petersburg, 1900-1914*, (Berkeley, CA: The University of California Press, 1993), p. 46.

showed special sensitivity to the question of where hooliganism could validly occur, a question that involved, often very ambiguously, defining where the public stage ended and the private space began.

The first attempt to correlate hooliganism with a set of public locations and to construct a sense of what was public was given in a 29 April 1939 USSR Supreme Court Resolution. Trying to contain the widespread misapplication of hooliganism by judges and prosecutors, the Court ruled that aggravated hooliganism should be applied "only under the presence of...certain established conditions." In the 1939 resolution the Court identified a set of locations in which aggravated hooliganism could be committed, ruling that aggravated hooliganism was an "activity that is connected with violence [*nasilie*], damage or destruction of property and other things... *that are committed in a club, in a theater or in other public places*."[15]

The correlation of hooliganism with a constructed set of public locations was extended to both ordinary and aggravated hooliganism in an decree of the RSFSR Supreme Court dated 17 August 1940. The 1940 decree identified a set of specific sites, "enterprises, institutions and public places," where hooliganism could be committed. However, the open-ended nature of these constructed public sites left room for contestation over public and private boundaries in judicial practice (a subject we shall examine in depth below).[16]

The post-1960 RSFSR Criminal Code definition of hooliganism differed from the 1940 RSFSR Supreme Court decree by removing the list of "public places" in which hooliganism could be committed. The 1940 decree had imagined a linkage between hooliganism as a public crime and a set of public spaces to which it was limited. However, the 1960 reconfiguration of hooliganism severed this link. Hooliganism, as a legal commentary on the 1960 RSFSR Criminal Code noted, was now to be understood not as being limited to specific public sites but rather as "any activity that is rudely disruptive of social order and expresses explicit disrespect for society

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[15]*Ugolovnyi kodeks RSFSR*, (Moscow, 1957), p. 179.

[16]Ibid, p. 45.

regardless of the place of its commission."[17] Ambiguity over public/private boundaries in the understanding of hooliganism, already evident before 1960, was intensified after 1960, leading to contestation over boundaries between public and private spaces and marked by discursive conflations of the public with the private.

The tensions and ambiguities in defining public as opposed to private spaces and the growing encroachment and overlap between boundaries of public and private were widely deployed in the discourse surrounding "apartment hooliganism." Given the large number of communal apartments in the chronic housing shortage environment of Soviet cities, the apartment hooligan embodied, for many urban dwellers, a potent challenge to the collectivist "rules of socialist communal living."[18] However, the status of the apartment as a private or public space was a subject of contestation. *Literaturnaia gazeta* in 1955 (while the 1940 decree limiting hooligan activity to specific public sites was still in force) devoted a long article to the phenomena of "anti-social" behavior in communal apartments. Hinting at an underlying difference over the definition of public space, the article presented a conflict between legal workers, who were strictly applying the 1940 decree, and the opinion of the paper that the boundaries separating the public from the private must be rethought in cases of moral deviancy. Describing the assaults on tenants, "shouts," "noise," and "hysterics" caused by a pair of apartment hooligans, *Literaturnaia gazeta* asked

> Why was the unworthy and anti-social conduct of Sh. and P. not brought before the court? Certainly no one can dispute that their conduct is anti-social. But, you see, it takes place in the apartment, and in the ideas of some jurists, the apartment is not a public place and therefore Sh. and P. cannot be prosecuted for hooliganism...

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[17]*Voprosy osobennoi chaste sovetskogo ugolovnogo prava v UK RSFSR 1960 goda,* (Moscow, 1962), pp. 173-174 (italics mine).

[18]Despite the Khrushchev regime's large-scale housing construction program, crowded living conditions persisted. In 1959 the USSR's mean per-capita housing space was a mere 4.97 sq. meters. The minimum per capita space considered sanitary was, by contrast, 9 sq. meters. See, Timothy Sosnovy, "The Soviet Housing Situation Today," *Soviet Studies* 11 (1959), p. 18.

Literaturnaia gazeta, illustrating the encroachment of the public onto the private and the shifting of public and private boundaries in the discourse on hooliganism, advocated overturning the distinction between public and private spaces and opening the private sphere to collective public intervention.

> The time has come when instances of unworthy and anti-social conduct in everyday living should be considered cases not for personal but for public accusation...We are against petty supervision, against the tactless interference of public organizations in the private life of the members of their collectives. But it is also impossible to separate work from everyday life by a Chinese wall, and frequently non-interference in everyday life is an encouragement for unruliness and hooliganism...Cases of personal suit must become cases of public accusation. [19]

Krokodil in 1955 also published an article devoted to the apartment hooligan which repeated the call to redefine private space as public and to reconfigure the private acts of "apartment troublemakers"against fellow tenants as hooligan assaults on social order at large. According to *Krokodil*, Nina Parakhina had driven 4 families out of the communal apartment in which she lived, was the subject of 5 prosecutorial requests for trial denied by the people's court and had been the focus of dozens of commissions during the past 17 years. Parakhina, *Krokodil* explained, was committed to terrorizing her fellow tenants through such activities as placing "floor sweepings" in their milk, stomping on their laundry with dirty galoshes, booby trapping their closet with a "nail-studded board," splashing tenants with boiling water, putting razor blades in the soap, and leaving the gas jet on when she exited the apartment in the hope that "perhaps her neighbor will suffocate."

Like the *Literaturnaia gazeta* article, the *Krokodil* writer asked city prosecutors "Why haven't you done anything about her?" *Krokodil's* conclusion mirrored *Literaturnaia gazeta's*,

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[19]*Literaturnaia gazeta*, Aug. 11, 1955, p.2.

calling for an opening of private spaces to public sanctions and the redefinition of individual actions as public concerns. Setting up a distinction between the prosecutor's belief, derived from the 1940 decree, that hooliganism could not be legally applied to private spaces and the paper's opinion that hooligans should be punished regardless of the site in which they committed their acts, *Krokodil* lamented that

> ...in the rare cases in which a people's court does decide to evict some hooligan, the city court unfailingly reverses the decision. The reason is always the same: the hooligan activity has not occurred in a public place but in an apartment, behind closed doors...But this is strange reasoning. If Parakhina were to hit somebody in the face with a dirty rag on the street she would immediately be sentenced...Yet apparently at home you can fight as much as you want...
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> A few days ago the city prosecutor made one more attempt to punish Parakhina. He sent her case to court again. But it was done without any hope of success. "You understand," said the prosecutor with embarrassment, "[it happened] behind closed doors"....
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> True, it was behind closed doors. Then let us throw this door wide open in order to clear the air once and for all of the poison spread by apartment hooligans"[20]

The tension between public and private spaces in the debate concerning apartment hooliganism was part of a larger societal discourse on "Communist morality." The Communist morality discourse aimed at overturning the distinction between public matters and private affairs by redefining the private as a space for public intervention and control and by conflating private/individual interests with public/collective ones. Articles in the central press frequently condemned not only adulterers and child abusers but also their coworkers and neighbors who, based on the false belief that their neighbor or coworker's behavior was "none of their business," failed to intervene in or correct their immoral behavior. The public/private tension in the discourse on apartment hooliganism echoed a larger moral discourse that sought to configure private domestic matters in public terms and to look for public help in dealing with personal

[20]*Krokodil*, May 20, 1955, no.20, p.5.

problems.[21]

The discourse on Communist morality was vital to the Khrushchev regime's legitimacy and performance. In order to cut back on state terror and at the same time to achieve the harmonious self-regulating society he envisioned, Khrushchev, scholars such as Debra Field and Oleg Kharkhodin have suggested, relied on increasing the social control of the collective over the individual and deploying a heightened discourse on morality in order to legitimatize it.[22] The discourse of communist morality, with its stress on the collective sanctioning of norm-deviating individuals and on homogenization around a core set of values, appropriated hooliganism as a symbol of the ultimate outsider, a personified representation of atavistic values and as a discursive red flag legitimizing collective public intervention into private realms. In this moral crusade, the apartment became the ultimate stage and the hooligan the actor in the exploration of the public/private and collective/individual tensions of Communist morality.

The common ground for both Communist morality and hooliganism was the trope, derived from article 120 of the 1937 Constitution, of the "rules of socialist communal living." Displaying the conflation of the social with the individual in Khrushchev's morality discourse, a 1954 *Izvestiia* editorial defined the rules of socialist communal living as "subordinating one's acts, deeds and conduct to the interests of society." Underlining the fallacy of the distinction between the public and the private because of the commonality of social and private interests, the editorial bemoaned

> Still not eliminated are attempts to separate everyday life from public life to declare it a "private matter" presumably unrelated to an individual's social conduct. If an individual carries out his duties at work, what he does

[21]See for example, *Izvestiia*, Jan. 8, 1954, p. 3, *Izvestiia*, July 23, 1955, p. 2, *Izvestiia*, Aug. 12, 1955, p. 2, *Kosomolskaia pravda*, April 12, 1955, p. 1.

[22]Debra Field, "Irreconcilable Differences: Divorce and Conceptions of Private Life in the Khrushchev Era," *The Russian Review* 57 (Oct. 1998), pp. 600-603, and Oleg Kharkhodin, *The Collective and the Individual in Russia: A Study of Practices*, (Berkeley, CA: The University of California Press, 1999), pp. 279-282.

> on his own time, how he conducts himself in public places or in the family — these, they say, concern no one. A profoundly mistaken and harmful idea![23]

After overturning the distinction between areas of public and private conduct, the editorial appropriated the hooligan as a symbol of individual deviation from the collectivist norms of communal living in order to legitimize public intervention in the private sphere.

> Strict and precise observance of the rules of socialist communal living by inhabitants of communal apartments is highly important...It only takes one petty, unsociable individual [the hooligan] to be housed in an apartment and everything is turned upside down..arguments flare up and people write complaints against each other. The strongest and most decisive action — active public intervention — is what is needed here.[24]

Hooliganism, from a crime that was originally defined as public and limited to a defined set of "public places" was increasingly projected onto the stage of the private. Reflecting the growing consensus that hooliganism could be committed in private as well as public sites, the word "domestic [bytovoi] hooligan" was coined in the mid-1960's in order to describe hooliganism occurring in single family and communal apartments.[25] It was also increasingly acknowledged that a large amount of hooligan activity occurred not in public places, like streets, but in "living quarters.[26]

The demand for public intervention in the anti-hooligan struggle also began expanding into the domestic sphere. After ridiculing the "antiquated precept, my home is my castle," L. F. Il'ichev, at a June 1964 Central Committee meeting, reported that the domestic sphere was the place where "hooliganism and other survivals of the past flourish most freely." In his speech he

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[23]*Izvestiia*, July 29, 1954, p. 1.

[24]Ibid.

[25]N. D'iachkov and N. Kuznetsova, "O chem govoriat obobsheniia sudebnoi praktiki po delam khuligantsvo," *Sovetskoe iustitsiia*, no.1, 1964, p. 9.

[26]Ibid., 11.

called for further public intervention and social control over the domestic environment: "it is time to expand the wide front for the struggle to strengthen and develop communist norms in domestic life, to run a fresh breeze into the back alleys of domestic life."[27]

The ambiguity over whether to prosecute private actions directed against individuals as public crimes against society, with its necessary entailment of redefining private spaces as public locations and victims as representatives of the social collective, was not limited to the mid-1950's. A letter by a militia captain, written in 1965, demonstrated that the public/private tension in the discourse on hooliganism continued into the 1960's. Responding to a letter written by a boy seeking help in escaping his alcoholic and abusive father, Captain D. Yermakov wrote

> A few years go there was a controversy over this issue...Some proposed that the apartment rowdy be judged as a hooligan — that is, that he be judged as a violator of public order...The advocates of this position logically pointed out that if a man pronounces an unprintable word on the street, his action has violated social order. And if a drunkard torments his wife and children for hours and gives his neighbors no peace, and if his children have to spend the night on the street, there is no reason why this should be qualified differently.
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> The opposing view came down to the following: there are no signs of hooliganism in the action of this type of person since his behavior is based on "personal interrelationships" with his family and therefore the entire business is a matter for individual suit. In this fashion, they altogether separate society from the interests of the individual and the interests of the smallest social unit, the family.[28]

Alcoholic and abusive husbands, in this discourse, are liable for hooliganism because the individual, the familial and the social are conflated and the interests of all three are held to be common. The family, as a people's judge from Ivanovo wrote, "is a microcosm of society and those who mock their families must be judged as malicious hooligans."[29]

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[27]quoted in "Usilit' bor'bu s khuliganstvom," *Sovetskoe iustitsiia*, no. 7, 1964, p. 13.

[28]*Izvestiia*, June 23, 1965, p. 4.

[29]*Izvestiia*, Nov. 12, 1965, p. 3.

Private intra-familial behavior was increasingly imagined as a public crime of social disruption in Soviet judicial practice as well as in the print discourse on apartment hooliganism. Gertsenzon's figures show, for example, that 66% of hooligans knew their victims and that they victimized their wives more than any other category grouping.[30] The dissident intellectual Andrei Amalrik also estimated that half of the people convicted for hooliganism were sentenced, not for disruptive behavior in public sites, but for spousal abuse.[31] Although hooliganism in private spaces was being prosecuted, significant asymmetries persisted between the judicial treatment of domestic and public hooligans. People's Judge K. Belskii, for instance, bemoaned the fact that apartment hooligans received lighter sentences than hooligans committing crimes in public places, served their sentences in less-severe "general regime" colonies and were usually paroled after serving only half of their sentence.[32]

Domestic misbehavior, rather than being a private matter, began to be prosecuted as hooliganism, or, in other words, as a public crime directed against society. In 1965, criminologists, for instance, estimated that 50% of all those convicted for hooliganism committed their crime in apartments rather than in "public sites."[33] High apartment hooliganism levels are consistent with figures reported for 1966, as well. Analyzing figures from the second half of that year, A.A. Gertsenzon reported that 41% of hooliganism occurred in "living quarters," almost double the amount that occurred in "streets and courtyards", and he noted that

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[30]A. A. Gertsenzon, *Ugolovnoe pravo i sotsiologiia*, (Moscow, 1970), p. 92.

[31]Andrei Amalrik, *Involuntary Journey to Siberia*, Manya Harari and Max Hayward trans., (New York; Harcourt Brace Jovanovich, Inc., 1970), p. 74.

[32]*Izvestiia*, Nov. 12, 1965, p. 3. During the Khrushchev regime there were four levels of labor colonies: general, enforced, strict and special regime. General regime colonies were the most lenient and were composed of first-time petty offenders and all women, not classified as "especially dangerous recidivists."See, George Feifer, *Justice in Moscow*, (New York: Simon and Schuster, 1964), p. 351.

[33]Gertsenzon, *Kriminologiia*, (Moscow, 1966), p. 443.

every third act of malicious hooliganism took place in a communal apartment.[34]

Although hooliganism was defined as a public crime, the distinction between public spaces and private spheres became increasingly ambiguous due to constant definition shifts and the overlapping of public and private in the discourse of communist morality. Hooliganism, from a crime limited to public spaces, was gradually "domesticated" as public intervention in private worlds obscured the boundaries between them both. Domestic hooliganism evolved from, in 1955, a private affair "behind closed doors" to, in 1964, a public concern that was being tried as a crime against social order.

THE RELATIONSHIPS AND MOTIVES OF HOOLIGANISM

Another significant area of debate in the Soviet legal literature on hooliganism was whether crimes that occurred between parties in a personal relationship could be considered as hooliganism. Like the space in which the act was committed, the type of relationship that existed between criminal and victim was, for Soviet legal workers, vital to determining if a criminal act was hooliganism. Soviet judges and prosecutors were therefore sensitive to defining not only the spaces but also the relationship types in which hooliganism could or could not occur. Like the link between public sites and hooliganism, significant ambiguities were also introduced during the Khrushchev period over the correlation between hooliganism and personal relationships.

Several resolutions were passed during the thirties which were designed to guide prosecutors and judges in applying hooliganism correctly in legal practice. The People's Commissariat of Justice [Nakomiust], in July 1932, continued this process of shaping the domain and identity of hooliganism by identifying classes of actions not liable to prosecution as hooliganism. According to the Narkomiust resolution, actions "arising in everyday [bytovye]

[34]Gertsenzon, *Ugolovnoe pravo i sotsiologiia*, p. 92.

conditions or family interrelationships should not be considered as hooliganism."[35]

The 1939 USSR Supreme Court decree also concerned itself with further limiting the domain of hooliganism and reducing its misapplication by identifying the types of relationships in which hooliganism could not occur. According to the decree, crimes, such as "beatings" [*nanesenie poboev*] and "insults" [*oskorblenie*], could be prosecuted as hooliganism only if their "goal" was to "display explicit disrespect for society and not when their motives [were] connected with *the personal interrelationship of the guilty party and the victim*."[36] Like acts in private spaces, acts in private relationships that did not have the motive of disrupting and disrespecting social order were denied consideration as hooliganism.

However, the USSR Supreme Court issued another resolution on 20 March 1953 which threw the question of whether hooliganism could or could not occur between parties in a personal relationship into doubt. The 1953 decree dropped the last part of the 1939 decree's explanation of what hooligan acts were. As we have seen, the 1939 decree ruled that acts such as rendering insults or inflicting blows "should only be prosecuted [as hooliganism] if their motive [was] to display explicit disrespect for society and not when their motives [were] connected with the personal interrelationship of the guilty party with the victim." All reference to motives, personal or otherwise, were excised from the 1953 decree. Instead of being informed about the types of relationships in which hooliganism could or could not occur, judges were simply informed that "crimes can be prosecuted [as hooliganism] if their motive is to display explicit disrespect for society."[37]

Because of this constant shifting and excision fundamental ambiguity was created over whether crimes against an individual, that occurred within a personal or family relationship, could be considered as a crime against social order (hooliganism). A paradoxical body of judicial

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[35]*Ugolovnnyi kodeks RSFSR,* (Moscow, 1937), p. 156.

[36]*Ugolovnyi kodeks RSFSR,* (Moscow, 1957), p. 179. (italics mine)

[37]*Komentarii ugolovnogo kodeksa RSFSR,* (Moscow, 1962), p. 207

practice was generated in which some actions stemming from personal relationships were punished as hooliganism and some were not. For example, a man, Vakhidov, was convicted for hooliganism for cursing at his former wife, striking her several times and causing slight physical injury. The crime occurred in a movie theater and had been started when Vakhidov's former wife began questioning him about alimony payments. The Uzbekistan Supreme Court however overruled the lower court's verdict, stating that Vakhidov's crime could not be hooliganism because its motive was connected to problems arising from the couple's personal relationship. The crime should therefore, the Uzbek Court ruled, be identified as "intentional assault causing minor bodily injury" [a crime against the person]. Overruling yet again, the USSR Supreme Court ruled that the Uzbekistan Supreme Court had "underestimated the social damage caused by Vakhidov's crime which in its content had gone beyond the limits for applying physical injury and presented a malicious disruption of social order, accompanied by explicit disrespect for the elementary rules of socialist living." Vakhidov, the USSR Supreme Court determined, had indeed committed hooliganism.[38]

Writing on the practical difficulty courts face in differentiating hooliganism from "crimes against the person" and generalizing on the USSR Supreme Court's verdict in the Vakhidov case, legal scholars I. I. Solodkin and I. F. Filanovskiii concluded that

> in cases when the guilty person renders bodily harm to another in a social place by blows, beatings, insults etc., such activities, although they may originate from a personal relationship, inevitably lead to a disruption of social order. It is supposed therefore that the direct motive to commit a crime against the person [*lichnost'*] develops into a direct motive to disrupt social order.[39]

Under certain circumstances and past certain limits, the Vakhidov ruling and Solodkin

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[38] *Sudebnaia prakhtika Verkhovnogo Suda SSSR*, no. 10, 1954, pp 18-19.

[39]I. I. Solodkin, I. G. Filanovskii, "Osnovye voprosy bor'by s khuligantsvom*"* *Sovetskoe gosudarstvo i pravo*, no.3, 1956, p. 109.

and Filanovskii's thesis suggested, the victim of a public crime switches from an individual to society in general. Both judicial practice and the print discourse on hooliganism tended to redefine the victim in social rather than individual terms and conflated individual victimization with social damage and disruption. Displaying this pattern of conflation between the individual and the social collective, an *Izvestiia* editorial stated that in cases of hooliganism it is "not only the victim but society as a whole [that] suffers."[40]

However the conditions under which crimes against an individual transform into crimes against social order remained unclear. A case similar to Vakhidov's showed the continuing difficulty courts faced in differentiating whether a public crime was directed at an individual or against society. At a People's Court session held to punish him for failure to pay alimony, Lelekin, a Dnepropetrovsk worker, struck his wife. Lelekin, after grabbing his child and attempting to walk out of the court with him, then struck a citizen who tried to detain him. For these actions, Lelekin was convicted of hooliganism. At the trial, Lelekin claimed that he beat his wife because she had beaten his mother, who lived with them. The General Procurator, upon reviewing the verdict, sent the case to the Ukrainian Supreme Court in order to determine whether Lelekin's actions might better be classified as "intentional rendering of bodily harm" [a crime against the person] rather than as hooliganism [a crime against social order]. The Ukrainian Court rejected the Procurator's protest claiming, in line with Solodkin and Filanovskii's thesis, that since the crime occurred in a public place Lelekin's actions developed, from a crime with personal motives, into hooliganism.

Upon further review by the USSR Supreme Court, Lelekin's crime was changed from hooliganism to "intentional rendering of bodily harm." Announcing the verdict, the court claimed "Lelekin had personal motives, connected with the immoral conduct of his wife towards his mother."[41] Reversing the conclusion they had reached in the Vakhidov case, the Court ruled that

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[40]*Izvestiia*, Oct. 23, 1964, p. 4.

[41]*Sudebnaia prakhtika Verkhovnogo Suda SSSR*, no. 4, 1957, pp. 16-17.

Lelekin's action, even though it involved the use of physical violence in a public place, was not hooliganism because its motive derived from a familial relationship.

This problem of differentiating hooliganism from "crimes against the person" was frequently debated in the pages of Soviet legal texts and journals. Legal scholars Mochalov, Solodkin and Filanovskii argued that what differentiated hooliganism from other crimes was the "directionality" [*napravlennost'*] of its motive or, in other words, whether it was directed against an individual or against social order. However, under certain circumstances the motive to cause harm to an individual, they continued, could transform itself into an intent to disrupt social order. "If," they argued, "the [criminal's] goal was to cause damage to a person, and socially dangerous actions were committed in a public place and caused a disruption of social order, then it should be considered that such a motive developed into hooliganistic activities and criminal responsibility for them should be judged as hooliganism." In conclusion, they argued that hooliganism could be committed by either direct [*priamoi*] motives to disrupt social order or indirect [*kosvennyi*] motives which, although they were primarily directed towards the individual, could develop into a crime against social order under certain circumstances.[42]

Many legal scholars however rejected the validity of "indirect" hooligan motives, arguing that if such motives were allowed then all crimes occurring within a public context would have to be considered hooliganism. Instead, M. I.. Bazhanov and V. I. Tkachenko argued that what distinguished hooliganism was its "mischievous" [*ozorstvo*] nature. Crimes committed in public places with motives of revenge or jealousy, but without mischievousness, should not, they argued, be considered as hooliganism. Bazhanov and Tkachenko even went so far as to suggest that acts which resulted in "the disruption of social order" and displayed "disrespect for society" (the very definition of hooliganism given in the Criminal Code) but which did not have mischievous motives could not be considered as hooliganism. However since their equation of

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[42]P. Mochalov, I. Solodkin, I. Filanovskii, "Ser'eznye nedostatki v bor'be s khuligantsvom, *"Sotsialitsicheskaia zakonnost'*, no. 11, 1955, pp. 26-27.

hooliganism with mischievousness relied on an earlier definition of hooliganism that had been replaced by the 1940 USSR Supreme Court resolution, Bazhanov and Tkachenko's thesis was rejected by most legal workers.[43]

The dominant approach in the legal literature for differentiating hooliganism from crimes against the individual, like the other two, was also motive-based. Denying the validity of indirect hooliganism, these legal scholars merely repeated the April 1939 USSR Supreme Court resolution that only motives "displaying explicit disrespect for society" could be considered as hooliganism. This conclusion, though some tried to factor severity of bodily injury into the diagnosis of hooliganism, brought the debate back to its starting point without adding any clarification to the vexing problem of how to distinguish hooliganism from other crimes.

Hooliganism, culminating in the Khrushchev period, became increasingly generalized and stripped of specific content. Early attempts to define the content and domain of hooliganism, to limit the spaces it could occur in, to preclude personal relationships from consideration and to create a basis for differentiating hooliganism from other crimes were rethought. This created fundamental ambiguity about how to apply hooliganism, where to apply it and who to apply it to.

The inability to solve these issues created difficulties for Khrushchev's anti-hooligan campaign, difficulties which were amplified by the growing use of scarcely trained volunteers in the anti-hooligan struggle. Whipped into enthusiasm by mobilization appeals broadcast in the press and empowered by a broad and intrusive idea of what hooliganism was, volunteers, conflating hooliganism with departure from conventional norms of behavior or dress, began to

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[43]M. I. Bazhanov, B. I. Tkachenko, "Kvalifikatsiia khuliganstva po sovetskomu ugolovnomu pravu," *Sovetskoe gosudarstvo i pravo*, no. 6, June 1958, pp. 133-138. In 1958 only Georgia and Uzbekistan retained the definition of hooliganism as mischievousness. After 1960, only Armenia continued to use this definition of hooliganism in their Criminal Code. For republican definitions of hooliganism, see *Ugolovnoe zakonodatel'stvo soiuza SSR i soiuznykh respublik v dvukh tomakh*, (Moscow, 1963).

see hooliganism in misdemeanors and in displays of cultural difference. Volunteers, armed with broad ideas of what hooliganism was and where it could be found, began to terrorize and intrude upon the very society whose order they were mobilized to protect.

SECTION II

MOBILIZING *OBSHCHESTVENNOST'*

In the Khrushchev period legal literature two trends were emergent; the canonization of hooliganism as a crime against society, creating a tension between the individual and the collective/social/public, and the redefinition of the private as a public space demanding social intervention and control. Parallel to this legal debate over the meaning and extension of hooliganism, a discourse was broadcast in the print media which also redefined hooliganism as a matter of public concern demanding collective social intervention and control.

This discourse sought to encourage individuals to intervene in hooligan social order violations by redefining the dichotomy between public/social and private/individual interests. A 1955 *Izvestiia* feuilleton, lamenting the brazenness of unchecked hooliganism, called for the mobilization of individual intervention by reimagining the boundaries between private affairs and matters of public interest demanding the input of the entire social collective. Written in the sensationalistic prose typical of the hooligan discourse, the feuilleton began

> "I am troubled to the depths of my soul! I cannot speak calmly about any of this! Give me a light. I need a smoke. Well, listen. Today I went to the park. The weather was beautiful, the sunset was perfect and there were many people. Suddenly, I see a drunken hooligan come out of a side street and go up to a girl. There are quite healthy and strong men sitting on the benches and walking around...Not one of them tried to help this girl. I looked at these indifferent people with annoyance. Not one person — not one! — got up from his place."
>
> "And how about you?" we asked this disturbed and most agreeable man. "Who, me? What did I have to do with it? Why should I interfere? It

> wasn't any business of mine."...
>
> There are still many people who do not like "incidents." Hooligans value people who say it is none of their business.[44]

Individual failure to check hooligan behavior, the article implied, was caused by fear of intervening as well as by a failure to identify the public nature of hooligan offenses. The duty to intervene, moreover, was of vital importance because the failure to do so motivated hooligans to cause greater mayhem. A people's judge, for instance, wrote: "From my own court practice, I can say that a hooligan feels himself to be a 'hero' when he is not checked. People have only to treat him as he deserves and he will stop. A hooligan is a coward by nature."[45]

The press discourse highlighted the universality of its mobilization call by selecting as interveners actors who subverted conventional expectations of who the hero should be. For example, the person who finally confronted the hooligans in the *Izvestiia* feuilleton was not a man ("...several men did walk by. They all looked as if they were hurrying and saw nothing."), but a woman, reversing traditional gender role expectations. By juxtaposing the bravery of women to male cowardice, the anti-hooligan discourse subverted conventional gender stereotypes of masculine courage and female passivity, shamed the males who failed to intervene and underlined the message that all citizens, regardless of sex or physical condition, must intervene to put an end to the public menace of hooliganism. A 1955 *Komsomolskaia pravda* article, showing the correlation between public cowardice and hooligan courage, also celebrated the female hero and the necessity of collective intervention in the anti-hooligan struggle.

> Many [young people] were dancing in a brightly lighted hall. Then, suddenly — a noise. Two youths burst into the hall and began to push the dancers and use obscene language. Valentin Kochetkov, a fairly strong man, turned pale, looked away from the hooligans and, as he walked out of the crowd, whispered to his friends: "A little farther, a little farther away. It is dangerous to become involved with them.

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[44]*Izvestiia*, Sept. 4, 1955, p.2.

[45]*Komsomolskaia pravda*, May 29, 1955, p. 4.

> They will beat you up..." Some of the young people followed Kochetkov... Sensing the embarrassment, the hooligans began to use their fists.
>
> Suddenly a young girl came forward. She shouted angrily: "Why be afraid of them! Let's throw the scoundrels out of the club!"[46]

The discourse centered around intervention mobilization developed from a focus on individual opposition to hooligans to an increasing concentration on the duties of the social collective in the fight against deviance. The intervention mobilization discourse "appropriated" the language of communist morality in order to redefine the boundaries between both private and public spaces and individual and social interests in order to legitimize the collective sanctioning of norm-deviants. The discourse on hooliganism, through charging the individual/private with collective/social significance, aimed at mobilizing *obshchestvennost'* against hooligans and individuals breaking conventional norms.

A 1956 *Izvestiia* article underlined the discursive shift from individual opposition to the collective social confrontation against deviants. After describing how a hooligan terrorized a woman in a trolley, *Izvestiia* declared: "If the bully does meet resistance, it is only from brave individuals with whom he finds it easy to cope, rather than from all pedestrians, all the passengers in the streetcar, or all the spectators at the movie theater, against whose united resistance the hooligan is helpless." In conclusion, the writer advocated collective social intervention against hooligans, declaring that hooligans "must be surrounded with the wrath of the public/society (*obshchestvennost'*).[47]"

Khrushchev, in his 20th Party Congress speech to the Central Committee, delivered the iconic statement concerning *obshchestvennost'* mobilization. Legitimizing the collective sanctioning of individuals deviating from communal norms, Khrushchev visualized the anti-hooligan campaign in terms of an *lichnost/obshchestvennost'* opposition and the creation of a moralized public sphere in which deviancy would no longer be socially tolerated.

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[46]*Komsomolskaia Pravda,* May 29, 1955, p.4.

[47]*Izvestiia*, Jan. 22, 1956, p.3.

> One can meet..individuals [*lichnosti*] who maliciously violate the the rules of socialist communal living. It is impossible to stamp out these ugly manifestations merely by administrative measures, without the participation of society [*obshchestvennost'*]. In this matter, public opinion [*obshchestvennoe mnenie*] plays a great role. It is necessary to create such an atmosphere that individuals who violate the standards of behavior and principles of Soviet morality will feel that the whole of society [*obshchestvo*] condemns their actions.[48]

Khrushchev's public call for the mobilization of *obshchestvennost'* in the anti-hooligan campaign was quickly echoed in the Soviet press. *Sovetskaia Latviia* proclaimed that "in the struggle against [hooliganism], society/the public [*obshchestvennost'*] plays the main role."[49] *Kommunist Tadzhikistana* likewise announced that "the struggle against hooliganism must include not only the organs of the prosecutor, the courts and the militia but, more importantly, the social collective/the public [*obshchestvennost'*] as well."[50]

Yet what did Khrushchev intend to mobilize by appealing to *obshchestvennost'*? More importantly, what kinds of weapons could *obshchestvennost'* bring to the struggle with hooliganism? And, in addition, what were the differences between his usage of the term and the usage of the term in the legal literature?

DEFINING *OBSHCHESTVENNOST'*

As we have seen in the first section of this paper, the problems jurists and journalists experienced in defining what hooliganism was and where it could occur were, in part, caused by problems linked to *obshchestvennost'*'s dual connotation as both "social" and "public." As "the

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[48]*Pravda*, Feb. 15, 1956, p. 8.

[49]"Po stranitsam respublikanskikh gazet," *Sotsialitsicheskaia zakonnost'*, no. 7, 1957, p. 106.

[50]Ibid., p. 106.

public," jurists sought to define *obshchestvennost'* by identifying the boundaries of public space, a process that led to the increasing conflation of public worlds with private spheres and redefinitions of private interests in social terms. As "the social," *obshchestvennost'* had to be defined by jurists in order to decide whether the victim of a crime was either "social order" [*obshchestvennyi poriadok*] or the individual [*lichnost'*], resulting in the conflation of the individual with the social and the redefinition of individual suffering in terms of social disorder. Understanding Khrushchev's use of *obshchestvennost'* in the anti-hooligan campaign also involves understanding the ways and senses in which he was using this multivalent concept. Khrushchev's paradigmatic statement and the *obshchestvennost'* campaign that sprang out of it made use of to two different connotations of *obshchestvennost'*; as "social activism" and as "public opinion."

In one sense, *obshchestvennost'* signifies "the total number of people who take an active interest in social life" or what D. N. Ushakov termed "social temperament or the inclination for social work."[51] Instead of referring to everyone within a particular society, *obshchestvennost'* refers to those people who choose to involve themselves in volunteer social work projects or social activists (i.e. an *obshchestvennik* or *obshchestvennitsa*). Khrushchev's plan to form militia assistance brigades, such as the *druzhina,* (who we shall discuss in detail below), signaled his intent to mobilize *obshchestvennost'* by encouraging social activism and the formation of voluntary mass organizations.[52]

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[51]*Bol'shaia sovetskaia entsiklopedia,* 2nd ed., (Moscow, 1954), vol. 30, p. 418, Ushakov, vol. II, pp. 728-729, Catriona Kelly and Vadim Volkov, "*Obshchestvennost', Sobornost'*: Collective Identities," in Catriona Kelly and David Shepherd, *Constructing Russian Culture in the Age of Revolution: 1881-1940*, (London: Oxford University Press, 1998), pp. 26-27.

[52]Therefore *obshchestvennost'* signifies, in the adjectival form (*obshchestvennyi*) and with the appropriate noun complement (*poriadok*), the object that hooligans disrupt and attack in their criminal behavior. But *obshchestvennost'* also, in the nominative form, refers to the collective group of social activists who, in the *druzhina* case, are fighting to eradicate deviancy. In a paradoxical way then *obshchestvennost'* can be conceptualized as both the victim and the vanquisher of the hooligan.

However, Khrushchev's speech also made reference to the definition of *obshchestvennost'* as "public opinion" (*obshchestvennoe mnenie).*[53] According to Ushakov, public opinion is "the judgement of society [*obshchestvo*] about something or someone."[54] Rather than referring to the total set of socially engaged activists, such a definition of *obshchestvennost'* signifies a moral stance or evaluation which society has toward a person, event, trend, or action. When Khrushchev, in his speech, referred to the creation of an "atmosphere" in which "individuals who violate standards of behavior...will feel that the whole of society condemns them," he was mobilizing an alternative form of *obshchestvennost'* conceived in terms of "public opinion" rather than increased "social activism."

Khrushchev's call for the utilization of *obshchestvennost'* (as public opinion) in the anti-hooligan struggle echoed earlier newspaper demands for the creation of a society-wide "atmosphere of intolerance" against hooligans. Criticizing the "indulgent" treatment and "lenient" attitude many sectors of society (family, work unit, school, Komsomol) displayed towards hooliganism, *Izvestiia* declared that "public opinion" must be changed so that "in every collective — be it a factory, a collective farm or an institution — an atmosphere of the strictest condemnation of individuals, who refuse to live by the commonly accepted norms of behavior,..[can be] established."[55] Implicit in both Khrushchev's call and the *Izvestiia* editorial was the belief that existing public opinion was too tolerant and permissive of deviancy and needed to be changed from "an atmosphere of cooperation, of pity and sometimes even of kind sympathy," to an "atmosphere of intolerance."[56]

The mobilization of *obshchestvennost'* in the anti-hooligan campaign therefore involved utilizing two distinct weapons, social activism (activated through the formation of the *Druzhina*)

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[53]Ibid.

[54]Ushakov, vol. II, p. 232.

[55]*Izvestiia,* Jan. 6, 1954, p. 1.

[56]*Izvestiia,* Dec. 17, 1955, p. 2.

and public opinion (creating a social sphere of intolerance and condemnation). *Obshchestvennost'* as social activism was mobilized and channeled through the creation of voluntary social organizations designed to assist the militia in combating deviancy. The utilization of *obshchestvennost'* as public opinion entailed exposing the hooligan to the gaze and condemnation of the collective via shaming devices, such as the public display of the hooligan's photo or caricature, forced public labor or the use of "open" trials enacted before the presence of the offender's assembled collective.

THE CONTEXT OF *OBSHCHESTVENNOST'*: LENIENT COURTS, INCOMPETENT MILITIA AND THE POST-STALIN CRIME WAVE

Several scholars, focusing on Khrushchev's populist, pro-mobilization leadership style, have interpreted the recruitment of voluntary mass organizations (the mobilization of *obshchestvennost'* as social activism) as a mechanism for increasing popular, participatory input into governmental affairs.[57] Instead, Kharkhodin has interpreted the development of groups such as the *Druzhina* as part of a process, instituted under the Khrushchev regime, designed to increase social self-policing, mass surveillance and regime social control capabilities.[58] Yet while Khrushchev's mobilization of *obshchestvennost*' as social activism and public opinion did result in mass participation, and the increased surveillance and social control of norm-deviants, these phenomena were the effects of this policy shift rather than the reasons for its implementation. What these interpretations overlook is a key contextual factor surrounding Khrushchev's

[57]see Jerry Hough and Merle Fainsod, *How the Soviet Union is Governed*, (Cambridge, MA: Harvard University Press, 1979), 297, 301-302, George W. Breslauer, *Khrushchev and Brezhnev as Leaders: Building Authority in Soviet Politics*, (London: George Allen and Unwin, 1982), pp. 13, 75, 271.

[58]Kharkhodin, 279-283.

mobilization appeal: the enormous growth of crime in the years following Stalin's death and the popular pressures for change that it produced.

Using newly opened archives, the historian V. A. Kozlov has demonstrated that there was an increase in crime (including hooliganism) in the period from 1953 to 1960. In 1946, for example, only 70,000 persons were convicted of hooliganism in the RSFSR. By 1953 hooligan conviction numbers rose to 128,000 and in 1956 to nearly 200,000 convictions, figures nearly double and triple the 1946 base rate. With convictions for petty hooliganism factored in, but excluding rates of apartment and domestic hooliganism (whose prominence was becoming increasingly recognized throughout this period, as we have seen), Kozlov estimates that there were nearly 1.5 million convictions for hooliganism in 1957. These figures remained steady throughout the late 1950's, dropping slightly to a total RSFSR conviction level of 1.4 million for 1959 (yielding a hooligan conviction rate of 11 per 1,000 citizens given the 1959 RSFSR population of 117,534,000).[59]

Soviet law enforcement structures proved incapable of stopping this rising "hooligan terror." Widespread popular criticism, reflected in the press, blamed unresponsive court and militia agencies for surging local hooligan rates and demanded that the government institute changes aimed at addressing rising crime and deviancy levels. Situated within the context of increased rates of hooliganism and popular criticism of court and militia incompetence, Khrushchev's appeal to *obshchestvennost'* should be seen as a response designed to address popular discontent and growing pressure, from below, to reform court and militia work. Moreover, by tying discontented activists into subordinate mass-participatory organizations (the militia assistance brigades or *druzhina*), Khrushchev's appeal to *obshchestvennost'* acted as a safety valve, defusing, co-opting and controlling a potentially destructive stream of popular social discontent that may otherwise have been focused on the regime's ineffectiveness in

[59]V. A. Kozlov, *Massovye besporiadki v SSSR pri Khrushcheve i Brezhneve,* (Novosibirsk, 1999), pp 185-186. For population figures, see *Narodnoe khoziaistvo SSSR v 1960 godu: statisticheskii ezhegodnik,* (Moscow, 1961), p. 8.

stopping criminal activity.

The call to mobilize *obshchestvennost'* was promulgated amid widespread press attention and popular anxiety over crime and the inability of law enforcement bodies to deal with it effectively. The militia's poor performance in the anti-hooligan campaign was a key staple of this part of the hooligan discourse. Readers of *Izvestiia,* for example, suggested that local Soviets evaluate militia performance directly on their ability to safeguard public order and cited "quite a few instances when militiamen steer clear of hooligans."[60] Criticizing the militia for ignoring the growing problem of hooliganism, an *Izvestiia* article similarly complained that the militia "simply closes its eyes to the fact of hooliganism."[61]

Cartoons printed in *Krokodil* also illustrated the militiaman as unconcerned with helping a victimized populace fight against hooligans and leaving hooligan-prone neighborhoods and streets unprotected.[62] As in the discourse on mobilizing intervention, the refusal of militia personnel to check hooligan behavior was interpreted in the press as tacit acceptance encouraging further violent misbehavior.

> I wish, Comrades Fedoseyenko and Nagaitsev, to remind you of how this all happened. You stood on duty...A few drunken hooligans passed us. They shouted all the way down the street. They hurled the vilest abuse at the men, women and children passing by.
>
> You, Fedoseyenko and Nagaitsev, two militiamen, looked at the hooligans indifferently, listened and smiled...Shame on you, Fedoseyenko and Nagaitsev, defending namecallers and drunks!...
>
> Isn't this why such bad apples grow among us? Isn't this why some sinister persons have decided that they are permitted everything?[63]

Militiamen were also presented as unconcerned with hooliganism because of its relative

[60]*Izvestiia,* Jan. 6, 1957, p. 1.

[61]*Izvestiia,* Oct. 23, 1954, p. 4.

[62]*Krokodil,* no. 20, 1956, p. 13, *Krokodil*, no. 24, 1956, p. 9.

[63]*Izvestiia*, Dec. 8, 1955, p.3.

lack of severity compared with other crimes and because of their confusion about which actions constituted hooligan behavior. A *Pravda* feuilleton, telling the story of a pair of hooligans who beat a girl who refused to dance with them and threw her in a pond, lampooned the image of the confused and unconcerned militiaman.

> The girls friends ran to the militiaman Skvortsov, but he only asked:
> "And so, did your friend drown?"
> "No, she swam out."
> Well, that's too bad. If there was no drowning, that means there was no hooliganism. And one does not prosecute people for mischief."
> [Later, a worker trying to protect the girl is stabbed by the hooligans. His friends rush to report the incident to the militiaman, who responds]
> "But did they kill him?"
> "No."
> The militiaman immediately lost interest in the matter.
> "A one-sided beating," he said. "For this we do not take a person into court, but merely impose a fine of 50 to 200 rubles."
> "A fine? And what about the blow with the knife?"
> "Oh, well, it wasn't such a big knife! If they had struck him with a hunting knife I would make a criminal charge, but a pen-knife — that is nothing.[64]

Excessive leniency in the sentencing and treatment of hooligans was also decried in the press as a refusal to use the "strong measures" needed to end hooligan tirades. A 1956 *Trud* article complained that "the first and foremost duty of the militia is obviously to prevent crimes...not to give lectures to drunken hooligans or attempt to persuade them when stronger measures are needed."[65] The typical form of this press jeremiad over custodial leniency depicted a softly-treated hooligan becoming overly brazen and committing worse crimes following release.

> A drunken hooligan had caused a scene in a public place; there were both casualties and witnesses. All that remained was to arraign the

[64]*Pravda*, Aug. 12, 1956, p. 4.

[65]*Trud*, Dec. 15, 1956, p. 4.

> culprit...and let the law take its course. But that is not the way things worked out! Yaremchuk, the militia captain on duty, gave Kupriyenko [the hooligan] a long lecture. When he thought the arrested man was ready to apologize, Yaremchuk quietly filled out a charge sheet on the disturbance of public order and let the hooligan go. And here is the result: the hooligan and three of his pals waited until the militiaman on duty started home alone and brutally murdered him.[66]

The reputation of the court system was also suffering under increasing attack from both press and reader during this period. Letters to the press reflected growing public alarm at increased hooliganism rates and the inability of the courts to effectively stop surging deviancy levels. A 1956 letter published in *Trud* by a resident of Lipetsk told plainly of the "great deal of alarm" hooligans were causing the city's population and blamed the courts' "apathy" for failing to address the problem.[67] Another letter, written by a group of Moscow residents, also reflected popular awareness and alarm over growing rates of hooliganism and frustration at the inability of local law enforcement organs to stop rising levels of hooligan misbehavior.

> It should be said bluntly that hooligans are causing a lot of anxiety not only to the residents of Molchanovka Street but also to all the residents of Moscow. And many Soviet citizens are asking the exact same question: Why do our agencies of public order, the prosecutors and the courts adopt such a liberal and lenient attitude toward hooligans.[68]

Denunciations of court leniency developed into a central theme of the press critique of court incompetence. In a period of rising popular concern over crime, the inability of courts to bring hooligans to justice was treated in the press with scorn and amazement. Describing how a hooligan gang in Orel and its leader, nicknamed "the city mayor [*gorodskoi golova*]," had

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[66]Ibid.

[67]*Trud,* Jan. 13, 1956, p. 2.

[68]*Trud,* Dec. 3, 1955, p. 4.

escaped punishment for a series of brutal "gang fights," a *Literaturnaia gazeta* article criticized not only the city's courts for being too lenient in their struggle with this "hooligan sultan," but accused the entire civic law enforcement infrastructure of following a policy of non-resistence to evil.

> When I studied this case I had the impression that everyone, the investigator, the prosecutor's office, the courts at the various levels and even the workers' collectives had been seized by a Christian feeling of all-forgiveness. Not humanism, not a desire to help individuals who had strayed for the first time, but an all-forgiveness that can lead to nothing but harm in the fight against crime.[69]

When courts did sentence hooligans the sentences were denounced in the press as overly "soft." Criticizing the widespread undersentencing of hooligans, *Izvestiia* observed that "in some of our courts you will not find even one court sentence that gives a hooligan what he deserves."[70] A 1956 *Izvestiia* feuilleton likewise commented that in many cases of hooliganism "the reports are read, the drunks' pranks are marveled over; sometimes grown men are given scoldings as if they were little children and there the matter ends."[71] Overly lenient court sentences, according to the Soviet press discourse, eroded the law's power to deter hooligans from misbehavior. Exploring the negative correlation between sentence severity and rates of hooligan activity, *Izvestiia* complained that

> Kudelin, Yakimovich [hooligans] and others like them think like this: "Well, I go on a drinking spree, get wild and engage in a little fight. What is so terrible about that? At the most they will write out a report and send a notice to my place of work. But I will say that I am sorry and that I was not thinking correctly and that I will never do it again. There are tenderhearted people around and they will believe me. If the case goes to the

[69]*Literaturnaia gazeta*, July 23, 1960, p. 6.

[70]*Izvestiia*, Dec. 8, 1955, p. 3.

[71]*Izvestiia*, Oct. 23, 1956, p. 2.

> people's court there will not be any trouble there either. The judge is hardly ever strict with people like us. They give you a suspended sentence and you are freed."[72]

The legal literature on hooliganism during this period was unanimous as well in denouncing the lenient sentences given to hooligans. An incensed jurist recalled hearing an assistant prosecutor conclude his closing statement with the following address to the court: "I demand that the court find Zhgent guilty of paragraph 2 article 75 of the Georgian Criminal Code (malicious hooliganism) and that he be given the punishment corresponding to this article. If you want, then place him under arrest or if you prefer, don't."[73] Frequently, local judges gave malicious hooligans, Sapozhnikov noted, sentences below the legal norm, creating a paradoxical situation in which ordinary hooligans were receiving longer terms than malicious hooligans.[74]

The terms of punishment were also overlooked, increasing perceptions of leniency in the treatment of hooligans. The requirement that convicted hooligans spend their sentence performing labor was frequently disregarded because of local governments' inability to finance convict labor projects. Dnepropetrovsk's militia captain, arguing that the lenient treatment of hooligans would not serve as a deterent to deviancy, protested the lack of work projects caused by a shortage of city funding.

> The decree requires that hooligans be used to perform manual labor, but now they do nothing for days, live at the state's expense and "rest." In Dnepropetrovsk more than 45,000 rubles in state funds have been spent just for feeding them. And all this time they are not doing any work...Such punishment is hardly a burden and will hardly remove the wild boys' desire to misbehave.[75]

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[72]*Izvestiia,* Dec. 8, 1955, p. 3.

[73]I. Sapozhnikov, "Usilit' bor'bu s khuliganstvom," *Sotsialisticheskaia zakonnost',* no. 12, 1955, p. 16.

[74]Ibid., p. 13.

[75]*Izvestiia,* Nov. 2, 1958, p. 3.

Furthermore, Jurist V. Baskov estimated that only a third of those arrested for petty hooliganism were put to work. "The rest eat free bread...and do not suffer any remorse. Arrest for them is a kind of vacation." When work projects were available problems still arose. Bashkov reported that hooligans placed in the custody of work units in order to perform corrective labor often failed to report to work, got drunk instead and committed "dangerous crimes" while they were supposedly serving their sentences.[76]

Calls for greater severity in the judicial treatment of hooligans became more frequent in the press as rates of hooliganism climbed in the mid-fifties. An *Izvestiia* article announced "we have been too indulgent toward hooligans for too long...our humaneness towards criminals has reached a limit at which it can become cruelty toward society."[77] A letter from a mother whose runaway son had "started to drink, engage in brawls and insult people" complained of inattentive and incompetent law enforcement, proclaiming "how relieved the citizens of Leningrad would be if..hooligans were dealt with more severely."[78]

However, letters to the press not only complained of a lack of severity but also called for changes to the Criminal Code in order to achieve them. A 1956 review of readers letters to *Trud,* for example, bluntly stated "all the letters demand that sterner measures be applied to malicious hooligans...and if existing legislation prevents such measures, they demand the amending of certain articles in the Criminal Code."[79] Moscow residents likewise wrote to *Trud* in 1955

> We do not understand why the hooligans cannot be arrested. Are Soviet laws really powerless against them? If this is so, then perhaps the laws should be changed so that violators of social order will not get into the

[76]*Izvestiia,* April 1, 1965, p. 3.

[77]*Izvestiia,* Oct. 23, 1954, p. 4.

[78]*Izvestiia,* Oct. 20, 1955, p. 2.

[79]*Trud,* Jan. 13, 1956, p. 2.

habit of preventing citizens from living and working peacefully..."[80]

A 1955 letter from the workers of the Nikolaev Cotton Clothe Combine, printed in *Izvestiia,* also echoed the themes of increasing severity and reform: "It is time to curb hooliganism...Those articles of the Criminal Code that artificially complicate the apprehension of malicious hooligans or prevent severity in judging them must be amended."[81]

Published letters to the press during the period 1955-1956 indicate popular unrest with crime, intolerance of court and militia malpractice and calls for reforms. A content comparison of these press letters with citizens' letters forwarded to the Central Committee (TsK KPSS), during the same period, provides partial verification for the authenticity and representativeness of their complaints. A February 1954 letter, recently published by Kozlov, from a group of workers living in Molotov contains all the motifs (anxiety over growing crime rates, incompetent and ineffective court and militia bodies and the call for reform) exhibited in the letters published in the press.

> We all beg you to place a request before the Government of the Soviet Union in order to change some articles of the Criminal Code...In particular, those dealing with punishments...The cause for this request is the unprecedented growth of criminal elements here in Molotov...We consider the cause of this to be...the idleness of the city prosecutor...and the excessively lenient punishments given to criminals.[82]

By the summer of 1955, the Central Committee, according to Kozlov, had received similar letters of complaint from residents of Cherepovets. Engel's, Baku, Voronezh, Rovenek and from the Piatigorskii state farm.

Kozlov contends that Khrushchev and the central leadership were concerned with

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[80]*Trud,* Dec. 3, 1955, p. 4.

[81]*Trud,* Dec. 5, 1955, p. 2.

[82]Kozlov, 191.

addressing popular criticism about rising crime rates and perceptions of law enforcement breakdown, such as those contained in the Molotov workers' letter and those printed in the press.[83] Khrushchev's *Osobaia papka* also shows that he was kept regularly informed, by the MVD, of hooligan activities throughout 1955, including reports on such trivia as individual cases and sentences.[84] The frequency and detail of MVD reports on hooliganism suggest that the topic was of vital interest to Khrushchev. Letters and reports indicating popular discontent over the growth in crime and deviancy resulted in Khrushchev's personal intervention into anti-hooligan policy and his sponsorship of *obshchestvennost'* mobilization.

Khrushchev, in response to increased criminal activity in Moscow, issued a personal instruction to the MVD in the spring of 1955 ordering the creation of special units to protect city streets during evening and nighttime hours. In addition to the MVD garrison assigned to the task, a number of special operational groups were formed and staffed mainly with Komsomol members and youth volunteers. This pilot program was then instituted in several other cities.[85] Therefore 1955 can be identified as the point in which Khrushchev, in response to increasing crime rates and the popular outcry they generated, personally intervened in the creation of anti-hooligan policy in favor of mobilizing volunteer social activists (*obshchestvennost')* and forming militia assistance brigades. Khrushchev's 1955 personal instruction appears to be the official birth of the anti-hooligan *obshchestvennost'* mobilization campaign that was publically announced at the 20th Party Congress in 1956 and officially launched with the creation of the *druzhina* movement in 1959.

Khrushchev's intervention in anti-hooligan policy in favor of *obshchestvennost',* or the mobilization of social activism, predated the 20th Party Congress and was a response both to

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[83]Kozlov, 192-193.

[84]*Arkhiv noveishei istorii Rossii, Tom III: "Osobaia papka" N. S. Krushcheva (1954-1956 gg.): perepiska MVD SSSR s TsK KPSS iz materialov Sekretariat MVD SSSR 1954-1959 gg.,* (Moscow, 1995), pp. 93, 112, 116, 120, 123, 141, 142, 155, 156, 173.

[85]Kozlov, 191-192.

rising crime rates and to popular criticism. The campaign to mobilize *obshchestvennost'* must be understood within the context of the huge growth in crime following Stalin's death and increasingly critical popular responses to the legal infrastructure's inability to control it. The call to mobilize *obshchestvennost'* was intended not just to increase popular participation in government affairs as Hough and Breslauer contend, but to create a safer social sphere in response to the from-below criticism of urban residents' and the realty of escalating crime. Moreover, by working in cooperation with the militia, the *obshchestvennost'/*social activism campaign supplemented and extended the reach of an ineffective militia, and defused popular frustration by co-opting and institutionalizing energetic social activists within a (theoretically) controllable Party-subordinate organization.

ACTIVISM EMPOWERED

Khrushchev's 1955 private instruction and his public appeal, at the 20th Party Congress, to utilize *obshchestvennost'* in the collective intervention and control of deviants was designed to generate social activism, change public opinion, and address the militia's and court's inability to control hooliganism. The 20th Party Congress's public call was broadcast in the middle of a press-driven discourse on hooliganism that redefined hooliganism as a public, social concern, called for collective sanctioning and exposed the militia's and court's leniency, incompetence and inattentive attitude regarding hooligan behavior. O*bshchestvennost'* (as social activism) was mobilized and channeled in the anti-hooligan campaign during the Khrushchev period through the formation and development of the People's Volunteer Regiments (DND), commonly known as the *Druzhina*.

As the 1959 Central Committee Resolution officially authorizing the development of the *Druzhina* stated, the *Druzhina* were created on the basis of "existing local initiatives" and "revolutionary tradition." According to a history of the movement, the first revolutionary

detachments were formed during 1905 and became active following the revolution. After growing stagnant during the NEP period, public detachments were reformed under the name Osodmil (society for the assistance of the militia) and later renamed Brigadmil (militia assistance brigades) in 1932. Although inactive after 1946, Khrushchev's order for the formation of patrol detachments in 1955 resulted in the active formation of trial units prior to the official birth of the Druzhina movement in 1959.[86]

The *Druzhina* were officially organized by a 2 March 1959 Central Committee resolution as a volunteer body of "workers, employees, collective farmers, students, pupils and pensioners" charged with "protecting public order and socialist legality." Citizens over 18 who had gained the recommendation of the collective where they worked, studied or resided were eligible to join the *Druzhina*. Upon acceptance, new members received "a certificate, chest badge, and people's guard booklet in which the duties and rights of a people's guard are set forth, as well as the basic provisions of law relating to public order."[87]

The growth and size of the volunteer movement during the Khrushchev period was immense. In July 1960, little more than a year after the resolution establishing their existence was announced, 80,000 people's patrols totaling 2.5 million members were reported to be involved in the *Druzhina*. By July 1965, this number had grown to the incredible figure of 130,000 patrols and 4.5 million members.[88] These figures, however, are highly suspect. Membership in the *druzhina*, though nominally voluntary, was, in practice, forced upon unwilling members of the collective. An *Izvestiia* article from 1961 ridiculed the non-voluntary *druzhinnik* recruitment practices often exercised by collectives and reported the following comment of a director to his subordinates

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[86]N.V. Dement'ev, *Trudiashchiesia na strazhe obshchestvennogo poriadka*, (Moscow, 1959), 12-16.

[87]Ibid.

[88]Kharkhodin, p. 286.

> Right...everybody must participate in the *druzhina*."
> "But it is voluntary."
> "So what, should we leave things to themselves?"[89]

In practice, the *Druzhina* were charged with everything from fighting hooliganism, drunkenness, speculation, juvenile delinquency, the theft of socialist and personal property, and violations of Soviet trade to "explaining the rules of motor traffic." In order to accomplish these diverse tasks, a *druzhina*'s main weapon against offenders of the rules of socialist morality was "first and foremost persuasion and warnings." Serious offenders who were resistant to moral lecturing were to be escorted to the militia or *Druzhina* headquarters for processing and punishment. In addition, the *Druzhina* were charged with contacting the norm violators work unit and place of residence of their offense so that the collective could hold meetings to discuss his transgression and practice further forms of on-site shaming, such as public confession and display of contrition.[90]

Another main *Druzhina* weapon in the struggle with hooliganism was the use of public shaming techniques or the mobilization of *obshchestvennost'* as public opinion or social evaluation and condemnation. The *Druzhina* exposed hooligans to the gaze and judgement of the assembled collective through satirical cartoons, wall newspapers and the public display of offenders' photos Being publically labelled as hooligan on a *druzhina* wall newspaper or display, a deviant was stigmatized in the collective court of public opinion, or *obshchestvennost'*, and exposed to the ridicule of his collective. The stigmatization and humiliation public shaming practices produced was vividly communicated in 1958 *Komsomolskaia pravda* article

> The *komosomolets* was deeply ashamed when he saw his own picture in the regular issue of the *Komsomol Patrol*, read the satirical verses about his unseemly behavior and heard the laughter and indignant words

[89]*Izvestiia*, April 3, 1963, p.4.

[90]Dement'ev, 17-22.

> of those standing near. It seemed to him that even as he walked down the street fingers pointed at him: There he is, the hooligan student[91]

The display of offenders' photographs like other *Druzhina* shaming techniques was intended not only to stigmatize the deviant in the collective's public opinion but to promote rehabilitation. Giving an example of public shaming's rehabilitative power, a Soviet jurist recounted

> The *Druzhina* publish a satirical newspaper called *Do Not Pass By* [*Ne prokhodite mimo]*. The paper is posted at a disorderly person's place of residence or employment. The January issue carried a caricature of Oganezov...The issue was put at the place of residence of this violator of the rules of communal living. The next day all the residents knew of Oganezov's drunken exploits. Oganezov's conduct drew universal censure and contempt, and so great was the force of this public opinion [*obshchestvennoe mnenie*] that Oganezov came to the headquarters several times to request that the caricature be taken down, pleading that the settlement dwellers "would not leave him alone." Soon after, Oganezov found a job and no longer disturbs the peace. His companions have followed his example.[92]

Druzhina shaming practices also took more imaginative forms of public display and stigmatization. For example, a problem drinker and frequent hooligan was forced to receive his pay from a fair booth shaped like a bottle of *Osobaia moskovskaia* (a popular brand of vodka), a technique a certain Comrade Kotov claimed would cause the offender to become "embarrassed and forsake booze."[93] Another hooligan named Gagarin was finally scared into rehabilitation by the collective of the Minsk Plywood and Match Combine after they threatened to change his last

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[91]*Komsomolskaia pravda,* Aug. 15, 1958, p. 2.

[92]A.I. Makarov, "Obschestvennost' Kuibyshevskogo raiona g. Moskvy v bor'be s narusheniiami sovetskoi zakonnosti i pravil sotsialisticheskogo obshchezhitiia," *Sovetskoe gosudarstvo i pravo,* no.10, p 53.

[93]*Izvestiia,* April 12, 1964, p. 3.

name (Gagarin had presumably been claiming himself as a relative of the famous cosmonaut).[94]

The mobilization of *obshchestvennost',* however, took place in an atmosphere of extreme ambiguity and tension over what constituted hooliganism and what constituted a separable public space during a time when strict dichotomies of public and private and individual and collective were being contested. The erosion of hooliganism's specific content during the Khrushchev period resulted in a dilution and broadening of its meaning. Complaining of the vagueness of the current definition of hooliganism in relation to prior formulations, G. Anashkin, Chairman of the Criminal Cases Collegium of the USSR Supreme Court, wrote that the ill-defined nature of hooliganism jeopardized the success and the legality of the anti-hooligan campaign.

> In order to successfully combat hooliganism, it is necessary to clearly define what this law violation is...the law defines this crime in very general terms. It does not even contain definitions such as "violent actions," scandalous actions," "mischievous and goal-less actions" etc., which were contained in the criminal codes of the early years of Soviet rule...A correct definition is very important for handing down just sentences. However, certain militia officials, prosecutors and judges interpret the concept of hooliganism very broadly... and, hence, [are waging the "the struggle against lawbreaking in everyday life"] by an illegal intensification of court repression.[95]

A. A. Gertsenzon attributed the expanding broadness of hooliganism to shifting definitions, the difficulty of differentiating hooliganism from a wide variety of misdemeanors and the enthusiasm caused by anti-hooligan campaigning.

> The dynamic of hooliganism, more than any other crime, is distinguished by irregularity. The main cause of the fluctuating levels of hooliganism is due to the fact that the legislation determining criminal responsibility for hooliganism frequently and fundamentally changes. The sphere of criminal responsibility for hooliganism expands and narrows...the other cause [for this fluctuation] is that hooliganism directly borders on a wide range of misdemeanors connected with disruptions of social order. A

[94]*Izvestiia,* Nov. 27, 1962, p. 3.

[95]*Izvestiia,* March 3, 1964, p. 3.

> significant problem is differentiating hooliganism from these misdemeanors. Because of this confusion every strengthening of the struggle against hooliganism is frequently accompanied by enthusiasm for bringing to criminal responsibility those whose actions would earlier have been considered as misdemeanors.[96]

Hooliganism's broadness and ambiguity as a distinct criminal category had drastic effects on volunteers' ability to identify exactly who was a hooligan and what behaviors were hooliganistic. Empowered by a discourse of mobilization and driven by an environment of fear over rising crime levels yet lacking a clear idea of what hooliganism was, *druzhinniki* identified hooligans through a linking technique that Stuart Hall has termed a "signification spiral."

The main signification spiral process, according to Hall, is "convergence." During convergence phases, two distinct activities are linked together based on an assumed shared attribute. New social problems are therefore understood through being placed in the context of familiar social problems.[97] *Druzhina* prosecution patterns for hooliganism effected a convergence between hooliganism (norm breaking behavior that results in the criminal disruption of and disrespect for society) and deviation from established social conventions (difference in the common dress or behavioral style of a particular culture). In other words, hooliganism was understood as anything that was culturally out of the ordinary or that subverted conventional moral norms whether they were socially disruptive or not.

The legal concept of hooliganism was applied broadly by volunteers to signify any activity that violated moral sensibilities or visually displayed cultural difference (for example unconventional dance or dress styles). Via convergence linking, volunteers labeled as hooliganism such trivial norm-breaking actions as walking outside the designated path in a park,[98] discarding cigarette butts on the street or sidewalk,[99] "disturbing public order while

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[96]A.A. Gertsenzon, *Kriminologiia*, 441-442.

[97]Stuart Hall, *Policing the Crisis: Mugging the State, and Law and Order*, (New York: MacMillan Press Ltd., 1978), pp. 223-224.

[98]Makarov, p. 54.

entering a taxi [presumably cutting in front of the line at a taxi stand],"[100] going out in public clad in a bathrobe or pajamas [a trying problem in Sochi],[101] cruelty to cats,[102] and sending insulting letters through the mail.[103]

The most striking example of signification spiral in *druzhina* persecution patterns was the labeling of cultural difference as hooliganism. A 1963 *Komsomolskaia pravda* letter told the story of a woman who was labeled a hooligan, had her photo displayed in the satire window and was kicked out of the Komsomol for dancing the "Charleston." When the newspaper's editors called the local Komsomol first secretary to inquire about why she had been punished as a hooligan the first secretary responded

> -- "She is quite strange, you know."
> –"Strange? But how?"
> –"Well, she hasn't bought a bed, for one thing; she thinks one would crowd the room. And everyone has white curtains hanging in the windows, but she hangs red ones."[104]

Individual displays of difference and stylistic pluralism in norms of fashion attracted frequent intervention and sanctioning by the *Druzhina* as public violations of social order. One *Izvestiia* reader wrote a letter complaining that his 17 year old daughter was brought to the militia station along with "drunken hooligans" because "her scarf had been tied around her head in a certain way." The editor responded angrily that volunteer patrols needed more education on what their actual responsibilities in maintaining public order were and declared that "the girl's

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[99]*Izvestiia,* April 3, 1963, p. 4.

[100]*Izvestiia,* June 23, 1960, p. 6.

[101]*Komsomolskaia pravda,* Dec. 13, 1961, p 2.

[102]*Izvestiia,* Oct. 4, 1959, p. 3.

[103]Valery Chalidze, *Ugolovnaia Rossiia,* (New York: Khronika Press, 1977), p. 87.

[104]*Komsomolskaia pravda,* June 29, 1962, p. 2.

manner of dress was hardly more flirtatious than that of any other girl."[105]

Sochi was particularly infamous for sanctioning individuals deviating from fashion norms. The conflation of hooliganism and cultural difference in *druzhina* prosecution patterns was exemplified in the Sochi *druzhina*'s practice of labeling displays of difference, such as men wearing narrow pants or bright shirts, as examples of hooliganism. Dyed red and black shirts, according to local volunteers, were worn by hooligans "who annoy girls when drunk and start fights on the dance floor." Based on this spurious correlation, volunteers reasoned metonymically (identifying a whole by one of its constitutive parts) that "consequently, when you see a person who is distinguished from others by the color of his shirt, do not expect good of him."[106]

The volunteers' imagining of the ambiguous legal category of hooliganism, via signification spiral linking, in terms of deviations from standardized cultural conventions in local dress styles was subject to growing press criticism. Exhibiting the link Gertsenzon posited between the enthusiasm inherent in anti-hooligan campaigning and the illegitimate extension of hooliganism to non-criminal acts, *Komsomolskaia pravda* responded critically to a *druzhina* leaders confession that

> "Perhaps we overdid things a bit...Sometimes the fellows were carried away by their enthusiasm and detained worthy persons because they were dressed somewhat out of the ordinary [the captain said]."
> To fight parasites, hooligans and other harmful elements is a noble and necessary task...But can one confuse such chaff with working people whose only sin is that they dressed differently from the standard and in a way that some Sochi komsomol members were not accustomed to.[107]

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[105]*Izvestiia,* March 31, 1961, p. 3.

[106]*Komsomolskaia pravda,* Dec. 13, 1961, p. 2.

[107]Ibid.

The mobilization of *obshchestvennost'* as a collective device for sanctioning hooligan deviancy and promoting conformity to a core set of ambiguous values resulted in the creation of an atmosphere of intolerance not only toward hooliganism but also toward any deviation from local cultural parameters. Simultaneously, the signification spiral-type convergence or confusion between misdemeanor, stylistic difference and hooliganism in *druzhina* sanctioning practices resulted in the extension of the types of actions considered as hooliganism as well as in the class of people identified as hooligans.

The creation of a sphere of intolerance in which the slightest deviation (wrong scarf knot, improper curtain color, non-ordinary shirt pattern) from convention was labeled as a violation of social order created not an orderly public sphere but public resentment. In addition, the diffusion and proliferation of rules of public conduct through pamphlets, posters and lectures made citizens feel self-conscious of multiplying conduct rules and the ever-present possibility of being labeled as a hooligan for breaking one. A 1959 *Ogonek* article, for instance, complained that

> ..indeed comrades, haven't too many "rules" and "obligatory regulations" appeared in our life? As soon as you leave the apartment you are no longer an ordinary citizen but a potential rule breaker and hooligan. You are admonished by announcements, posters and appeals that you are a thug and that in general you do not know how to behave in decent society.[108]

The increasingly broad application of hooliganism to increasing numbers of people based on ambiguous conduct rules prompted *Komsomolskaia pravda* to observe that "the *druzhina* see practically everyone as a hooligan. They degrade and insult people for no reason at all"[109]

Broad definitions of hooliganism not only affected the convergence strategies that volunteers used to identify hooligans, but also where they looked for hooliganism. Just as private actions in private spaces (apartment hooligans and wife beating, for example) were being

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[108]*Ogonek*, Oct. 1959, no. 41, p. 55.

[109]*Komsomolskaia pravda,* Oct. 6, 1960, p. 2.

reconfigured as acts with public significance in the legal sphere, volunteers identified public hooligan disruptions in both the private world of the domestic and in individual expressions of style and taste. However, public/private contestation became increasingly prevalent as volunteers' intrusion into domestic spaces and their investment of individual style with public (social order-disrupting) significance was countered by victims' claims that domestic spaces and individual expression (in dress and music) were private matters of choice and autonomy.

THE DEFENSE OF THE PRIVATE

Volunteers' persecution of cultural difference as hooliganism was aimed at promoting value homogenization by limiting individual behavior and choice to the conventions of local culture. However, the creation of a sphere of intolerance to diversity and its projection onto private areas of individual expression resulted in a backlash against an increasingly intrusive *druzhina*. Attacking the legitimacy of *druzhina* persecution, individual displays of difference were defended in the print discourse by being phrased in the rhetoric of privacy and individual choice. Actors defended their displays of stylistic plurality by configuring the world of fashion and art as a private, autonomous space closed to public intervention.

A music patrol created by the *druzhina* "in order to fight against banality and to teach good musical taste" prompted an anonymous letter from Kiev's students. In the letter, the students defended stylistic plurality by using the rhetoric of individual choice in order to challenge the legitimacy of public interference in matters of personal taste: "Our anger is beyond all bounds! What are you [the music patrol] trying to tell us? We ourselves can tell which music is good and which is bad."[110] In another instance, a woman, manipulating a rhetoric of privacy, defended stylistic plurality by appealing to a personal space beyond public intervention and control. Confronted by a *druzhina* patrol for wearing pants and informed that her "indecent"

[110]*Komsomolskaia pravda,* Dec. 25, 1960, p. 4.

attire was socially disruptive, "Nina S., instead of candidly repenting her action and giving up the pants became angry. She went so far as to assert that wearing pants was strictly a private matter."[111]

Druzhina brigades, empowered with a broad, intrusive definition of hooliganism and understanding the private as open to public intervention, showed an increasingly intrusive interest in monitoring domestic spaces. Such intrusive intervention in private space was viewed as a legitimate prophylactic measure aimed at preventing future social-order violations. A sympathetic legal journal article stated that "...by intruding into individuals' "personal lives" the *druzhina* have in effect saved them from committing crimes and helped them to embark upon an honest life of labor."[112] However the legitimacy of redefining the private sphere as a key site for preventative *druzhina* intervention was contested in the press. Writing on a notorious Nikolaev brigade, *Komsomolskaia pravda,* for example, criticized the *druzhina*'s domestic surveillance practices and intimated that there were some private spaces in which the public gaze was unwelcome. For the Nikolaev *druzhina*, *Komsomolskaia pravda* complained, the "the most important task....is to peak into others' bedrooms and to savor the details of their personal relations."[113]

Actors, facing aggressive *druzhina* intrusions into spaces of individual choice and privacy, reasserted the separation of private life from public intervention. In a letter to *Izvestiia* a 72 year old pensioner told of a pair of *druzhinniki* who lived next to her. The *druzhinniki,* according to the woman, regularly listened at her door and reported private activities which took place in her apartment to the local comrades' court, calling her weekly family gatherings "binges," and "orgies," and reporting that her son was her lover. *Izvestiia'*s editorial response to this case argued that the duty of social organizations to control and intervene in the private

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[111]*Izvestiia,* Oct. 12, 1960, p. 6.

[112]Makarov, p. 56.

[113]*Komsomolskaia pravda,* Oct. 6, 1960, p. 2.

spaces of individuals, though it was necessary for sanctioning and preventing hooliganism, was also an invasion of privacy when applied to "good" non-deviant actors.

> Society [*obshchestvennost'*] will rightly be interested in how a person behaves, [and] will rebuff hooligans...But this has nothing in common with crude interference in the personal lives of good people, with secretive peeping into keyholes.[114]

A press that in the apartment hooligan discourse blurred and conflated notions of public and private and social and individual by advocating "throwing open" the doors of the private to public control now advocated shutting the door linking the public world to the private sphere of the individual. Instead of generating greater social-mindedness, intrusive *druzhina* practices such as persecuting individual choice and engaging in domestic surveillance generated instead a concern with protecting and separating the private and domestic realms from unwarranted public intrusion. An unexpected consequence of the *obshchestvennost'* campaign was a partial reassertion of the private, the individual and the domestic in the face of a public/social (*obshchestvennost'*) movement gone too far.

CONCLUSION: WHO EXACTLY ARE THE BAD GUYS? *DRUZHINNIKI* AS HOOLIGANS AND HOOLIGANS AS *DRUZHINNIKI*

Though widely celebrated, the *druzhina,* barely a year after their creation, were also the subject of growing press criticism. The extension of hooliganism to include misdemeanors and displays of cultural difference was attacked as arbitrary and incorrect. *Druzhina* intervention into the personal spheres of taste, choice and domesticity were rebuked as unwarranted invasions. Ironically, the *druzhina* were, at times, described as terrorizing the very society they were mobilized to protect and violating the laws they were organized to enforce. A 1963 *Izvestiia*

[114]*Izvestiia,* June 1, 1963, p. 4.

article, for example, detailing the brutal methods a Leningrad *druzhina* brigade used to enforce public order, complained of growing *druzhina* lawlessness.

> Not only in Leningrad but also in Moscow, Kiev and Minsk, the *druzhina* at times act out of a conviction that in the struggle against violators all means are fair. Therefore, they interpret the law very loosely...He [the *druzhinnik*] has been told that he can treat the law lightly. He already accepts the old saying: "the law is what you make it" as the guide to his actions.[115]

With the growing awareness of many *druzhinniki*'s use of illegal tactics in the anti-hooligan campaign, the distinction between *druzhinnik* and hooligan became blurred. A letter published in *Komsomolskaia pravda,* complaining about the brutal tactics of a Kuibyshev volunteer brigade, made the linkage explicit, proclaiming "this [the *druzhina*'s conduct] is not combating bad taste, it is out and out hooliganism."[116] The prominent trial of Nikolaev *druzhina* captain Arkadi Mednik. and his "gang of hooligans and thugs" further underlined the reality of *druzhina* hooliganism and the crimes (ranging from murder and rape to requiring local girls to get written permission from *druzhina* headquarters in order to go out on a date) they sometimes committed in the defense of public order.[117]

Druzhina recruitment practices were also being attacked in the press. Originally constructed as a site for social activism and the instantiation of *obshchestvennost',* the *druzhina* were identified as attracting "the dishonest and the petty, people with warped egos who are anxious to display their 'power' and even ordinary hooligans."[118] These recruitment errors further eroded distinctions between hooligan and *druzhinnik*.

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[115]*Izvestiia,* April 3, 1963, p. 4. See also, *Komsomolskaia pravda,* Nov. 19, 1959, p. 2, and *Komsomolskaia pravda,* Oct 5, 1965, p. 2.

[116]*Komsomolskaia pravda,* July 19, 1957, p. 2.

[117]*Komsomolskaia pravda,* Oct. 6, 1960, p. 2, *Komsomolskaia pravda,* May 5, 1961, p. 4, *Izvestiia,* June 23, 1961, p. 6, *Izvestiia,* July 21, 1961, p. 6.

[118]*Izvestiia,* April 3, 1963, p. 4, see also *Komsomolskaia pravda,* Nov. 19, 1959, p. 2.

Because of illegal tactics, the *Druzhinniki* were becoming hooligans and hooligans were, because of bad recruitment practices, becoming *druzhinniki*. The call to mobilize *obshchestvennost'* had resulted in the mobilization of *obshchestvennost"*s enemy. Ironically, the *druzhina* were found to be composed, to some extent, of the criminals that they had been formed to fight.

Hooliganism, during the Khrushchev period, became denuded of its specific content through definition change and excision. The prior legal consensus defining the meaning of hooliganism and specifying the spaces and relationships it could and could not occur within was abandoned. Fundamental ambiguity, contestation and inconsistent judicial practice resulted as basic questions, such as how to apply hooliganism, where to apply it, who to apply it to and how to differentiate it from other crimes, became harder to answer.

Hooliganism, during this period, also became increasingly projected onto private spaces. In the "apartment hooliganism" debate, the press, via the language and discourse of communist morality, redefined hooligan acts committed in private spaces in public (social order-disrupting) terms, blurring the distinction between private affairs and public matters and legitimizing collective social/public intervention into private spheres. A judiciary, initially reluctant to apply hooliganism to private realms, also began to prosecute "domestic hooligans" in large numbers as the legal resolutions restricting hooliganism to acts in public places were annulled. Originally imagined as a public crime enacted in public places, hooliganism, during the Khrushchev period, was rethought in private terms and correlated to domestic, as well as public, sites.

During this same period, a press discourse advocating collective social (*obshchestvennost*') intervention in the fight against deviancy and redefining hooliganism as a public matter (*obshchestvennoe delo)* was broadcast in the press. Khrushchev, responding to a growing wave of crime and hooliganism, popular criticism of militia and court incompetence, and grassroots appeals for reform, appropriated, instituted and officially sponsored the press

discourse on *obshchestvennost'* mobilization. Understanding *obshchestvennost'* as both increasing social activism and public opinion, Khrushchev sought to instantiate *obshchestvennost*' through the creation of voluntary, mass-participatory organizations, the *druzhina*, and by fostering an "atmosphere of intolerance" towards hooligans.

The domestication and content-stripping of hooliganism though had significant effects on the anti-hooligan campaign's ability to identify who was a hooliganism and where hooliganism occurred. Whipped into enthusiasm by a discourse of mass mobilization and yet lacking a clear idea of what hooliganism was, the *druzhina* linked hooliganism with departure from conventional norms of behavior and identified misdemeanors and displays of cultural difference as hooliganism. The *druzhina*, empowered with a broad and domesticated idea of hooliganism, also showed an increasingly intrusive interest in domestic surveillance and in policing individual matters of taste and choice. As we have seen, such *druzhina* overtures were met with resistance as individuals defended stylistic plurality and domestic autonomy by reasserting the, once conflated, barriers between public spaces and private spheres.