



No Country for Made Men: The Decline of the Mafia in Post-Soviet Georgia

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This article studies the decline of a long-standing mafia known as thieves-in-law in the post-Soviet republic of Georgia. In 2005 an anti-mafia campaign began which employed laws directly targeting the thieves-in-law. Within a year, all Georgia's thieves-in-law were in prison or had fled the country. This article looks at the success of the policy by investigating how Georgia's volatile socio-economic environment in the 1990s affected the resilience of the thieves-in-law to state attack. The article presents data showing that the chaos of this period impacted on the ability of thieves-in-law to coordinate activities, regulate recruitment, and protect their main collective resource—their elite criminal status. Due to this, the reputation of the thieves-in-law as a mafia drastically declined creating vulnerability. The article adds to the literature on resilience in criminal networks and the study of organized crime in the post-Soviet space.

In the 1990s, organized crime emanating from the former Soviet Union came to be seen as a "new threat" to Europe (Williams 1997). In the present day, Europe-wide crackdowns on mafias connected to Russia and the Caucasus region still make headline news (BBC 2010). To date, in Eastern Europe attempts to uproot organized crime and implement anti-mafia policies have been inconsistent. Yet, even once created, state policies designed to attack organized criminal interests have variable effects on their targets. Anti-mafia policies result in differing outcomes and levels of resilience to attack depending on the criminal groups concerned. Some groups may

Law & Society Review, Volume 46, Number 3 (2012) © 2012 Law and Society Association. All rights reserved.

The author wishes to acknowledge the guidance of Professors Ian Loader and Federico Varese at Oxford University. Versions of this article were presented at a workshop on recruitment into extra-legal organizations at Nuffield College, Oxford, December 2009, as well as a conference at St. Andrews University, Scotland, April 2010, and a public seminar at the Caucasus Research and Resource Centers, Tbilisi, Georgia, February 2011. Feedback at these events has shaped and improved the final version and I am grateful to the respective audiences. Any remaining mistakes are my own. The research for this article was conducted with the aid of a scholarship from the Economic and Social Research Council, UK, for which I am very grateful. Please direct all correspondence to Gavin Slade, Oxford University—Law, Centre for Criminology, Manor Road Oxford Oxfordshire OX1 3UL, UK; e-mail: sladehouse98@googlemail.com.

absorb the blow and carry on, others become temporarily disengaged but then rebound, whilst still others may be severely weakened and disappear (Bakker et al. 2012; Bouchard 2007; Raab and Milward 2003; Tilly 2006).

This article aims to give a rich account of one particular case study of a criminal group in Eastern Europe and its resilience to state attack. The article takes the case of a long-standing mafia existing in the republic of Georgia, a small post-Soviet country south of Russia on the Black Sea, in the mountainous Caucasus region. This mafia is known as thieves-in-law, often called by their Russian name vory-v-zakone. Thieves-in-law are a criminal elite. They are initiated made men who essentially provide, and attempt to monopolize, governance functions such as protection and dispute resolution services over a given territory. To this extent, thieves-in-law belong to a subset of organized crime—the mafia (Gambetta 1993; Varese 2001, 2010). Thieves-in-law follow a code of honor and belong to a fraternity that originated in the Soviet prison camps of the 1930s and subsequently spread across the Soviet Union. They have survived many upheavals, including specific attacks upon their fraternity by the Soviet authorities in the 1950s and 1980s, the increased uncertainty of economic and political collapse in the 1990s and the rise of other competing violencewielding groups in society (Glonti and Lobjanidze 2004; Gurov 1995; Varese 2001).

In Georgia by the end of the Soviet period, thieves-in-law had become particularly influential compared to other republics (Glonti and Lobjanidze 2004). However, in 2005 the new Georgian government, in power on the back of a popular protest known as the Rose Revolution in 2003, passed laws which directly attacked the thieves-in-law and might be seen as the most aggressive anti-mafia policy implemented in a post-Soviet country to date. In the face of these laws, the thieves-in-law network practically disintegrated in Georgia. In the present day, Georgian thieves-in-law are either in prison or abroad. This article aims to give a rich account of the endogenous processes affecting the decline in resilience of this particular mafia as well as a rare contribution to the literature on successful anti-organized crime policy in the post-Soviet space.

The article begins by giving general background on Georgia, the changes in political structures since the collapse of communism and the anti-mafia policy implemented since 2005. It then presents

¹ I will use the English term throughout. Care should be taken with this, as it is a direct translation from the Russian and can be misleading. The "in-law" part of the name does not denote family bonds, but has the meaning of "bound by code," referring to the thieves' code of honor. Serio and Razinkin (1995) suggest the translation "thieves-professing-the-code" though this is quite unwieldy. In Georgia, the Georgian "kanonieri qurdi" is used. I have avoided using Georgian or Russian to keep the text as jargon-free as possible.

an argument for understanding why the anti-mafia policy was successful in Georgia, looking at the processes at work in the criminal world that led to a devastating loss of resilience among actors carrying the criminal elite status of thief-in-law.

Independence and Weak Statehood in Georgia

Georgia, a country of roughly 4.4 million people, declared its independence from the Soviet Union in April 1991. Georgian independence, however, set the country on a path of violence, decline and impoverishment as secessionist conflicts broke out with autonomous regions South Ossetia and Abkhazia and a low intensity civil war was played out first in the capital Tbilisi (December 1991–January 1992) and western Georgia (1993). By the mid-1990s Georgia had become a weak state—the government failed to control swathes of territory, extraction of resources from the population ceased, and the machinery of the state bureaucracy became corrupted and demoralized.

At this time, violent actors proliferated across the country, often these were ethnic militias connected to the secessionist struggles. Georgian groups that operated nationally included the "Horsemen" or *Mkhedrioni*, formed in 1991, and the National Guard. Both groups were formed and run by convicted criminals and, swollen by undisciplined recruits, quickly became decoupled from authority structures and engaged in mercenary and extortionist activity. Such groups made up part of the violent coalition that overthrew the first president of independent Georgia, Zviad Gamsakhurdia, in December 1991. Left with a power vacuum, Eduard Shevardnadze, former first secretary of the Georgian Soviet Socialist Republic (1972–1985) and Soviet Foreign Minister in Mikheil Gorbachev's administration, was invited back to run the country in 1992.

Shevardnadze's presence gave international credibility to Georgia. He set about creating a constitutional basis for the state. By 1995 he had co-opted extra-legal violent actors such as *Mkhedrioni* into state structures and negotiated a temporary end to the conflicts on Georgia's territory. Shevardnadze stayed in power from 1992–2003. During this time his position was often tenuous. The government in Tbilisi remained dependent on informal bargaining between the centre and regional strongmen, granting relative autonomy in return for loyalty to Shevardnadze's regime. Georgians, a people renowned in Soviet times for their tight societal networks and culture of informal mutual aid, looked to informal providers of protection and dispute resolution to govern their lives.

One group of actors had a competitive advantage in this regard—the thieves-in-law. These actors had become increasingly

prominent with the retreat of the state. Professional criminals, they had a carefully cultivated reputation as honorable outlaws within Georgian society based on a mythologized past. Thieves-in-law emerged in the Soviet prison camp system, the Gulag, in the 1930s. Traditionally, they had lived by an anti-materialistic set of rules their "law"—forbidding possessions, contacts with the state, wealth, or family ties, and demanding total commitment to the fraternity and complete honesty with fellow thieves. Thieves-in-law coordinated with each other, maintained standardized rituals and rules for entry and exit into the group as well as communal resources that only they had access to, and disseminated information which included the use of jargon-filled notes, tattoos and nicknames (see Gurov 1995; Serio and Razinkin 1995; Varese 2001). While originally prison based, by the 1970s they had emerged outside the prisons, and operated as private protectors in the Soviet Union's booming black market which, proportionately, was markedly larger in Georgia than in the majority of other Soviet republics (Alexeev and Pyle 2003; Feldbrugge 1989).

Concurrently, Georgia became the biggest producer of thieves-in-law of all the Soviet republics. After the collapse of the Soviet Union, this dubious honor was maintained. As of 2004, of the approximate 1000 thieves-in-law in the post-Soviet space 350 were from Georgia, a highly disproportionate number for a country that made up 2% of the Soviet population (Glonti and Lobjanidze 2004: 34). In 1990s Georgia, thieves-in-law acted with impunity, infiltrating the legal economy and maintaining patrons in the Georgian parliament. At times they appeared more powerful than the government. In 2003, chairing a government session, Shevardnadze expressed dismay on hearing the news that UN aid workers being held hostage in the mountains in Georgia had been released only through appealing to an influential thief-in-law for help (Devdariani 2003).

By this point discontent with Shevardnadze's rule, particularly due to the staggering corruption in the country and the absence of a working government budget, was growing. In November 2003, disputed parliamentary election results triggered mass protests bringing about the peaceful ouster of Shevardnadze. Known as the Rose Revolution, a young lawyer, Mikheil Saakashvili, and his United National Movement party, entered government as a result in 2004. Though often controversial, the pace and scale of reform since then has transformed Georgia. The essence of the reform has been the resurgence of the state's monopoly of violence across the territory it controls. Local strongmen were challenged and overcome by the central government, the police and prisons were purged massively of corrupt officials with 17,000 staff of the Ministry of Interior fired and replaced. Plea-bargaining was introduced

into courts to process an increased caseload, new prisons built, and a discourse of zero tolerance adopted as the prison population jumped 300% within a few years.

In this context, organized crime became a major target of the new government. In 2005 an anti-mafia campaign was launched targeting thieves-in-law directly. Borrowed from Sicily, the campaign had three prongs. First, legislative changes were made that criminalized belonging to criminal associations known as the qurduli samkaro or "thieves' world" as well as possessing the status of thiefin-law. New laws allowed the confiscation of property acquired through illegal means. The penal code was changed to designate a special prison to hold thieves-in-law away from other prisoners under an exceptionally harsh regime. Second, as mentioned, prisons and police were purged of corrupt elements that had previously colluded with thieves-in-law. This effectively removed the patronage buffer that had protected thieves-in-law from state action in the past. Third, a grassroots civic education program was launched somewhat later that promoted "legal socialization," and taught the negative effects of organized crime.

The campaign was undoubtedly successful. By June 2006, the general prosecutor reported that there was not one thief-in-law left in Georgia outside prison (Lenta 2006). By 2007, only 7% of respondents in a national voter survey reported positive attitudes to the thieves-in-law (International Republican Institute, IRI 2007). In a recent representative crime survey (GORBI 2010), 70% of respondents said that the thieves' authority had significantly decreased, 10% that it had decreased somewhat, and 6% that it had been eliminated. This is quite a turnaround from the pre-2003 situation in which academics wrote that "the society of [t]hieves has given the country of Georgia the only uncorrupted and enforceable judicial system Georgia has ever known" (Nordin and Glonti 2006).

Certainly, none of this is to suggest that all organized crime, as a wider category defined as sustained criminal actions involving multiple, coordinating actors who attempt to monopolize the trade of some illegal product or service (Schelling 1984; Varese 2010), has been completely eliminated in Georgia. Organized criminal activity such as drug trafficking, organized prostitution, illegal gambling syndicates, and human smuggling still occurs. There is some evidence though, that such ills have greatly decreased with the attack on the thieves-in-law. While it is difficult to judge levels of organized crime specifically, recent crime surveys show that victimization rates among Georgians have declined to well below pre-1991 levels and are lower than in many parts of Western Europe. Feelings of security have increased significantly. Respondents invariably put this down to two interlinked reforms: the police reform and the antimafia policy (GORBI 2010).

There are a number of reasons why, in the Georgian context, the attack on the thieves-in-law would have preceded a general decline in organized crime. First, thieves-in-law and their associates not only often engaged in organized crime such as drug trafficking or money laundering, but, as a mafia, further provided the governance functions—protection and arbitration—in the criminal world that made coordination among criminals and thus organized crime possible. In essence, thieves-in-law created the trust necessary for the criminal world to function. Second, the rules and hierarchies of the "thieves' world" were a frame of reference for doing most criminal business in Georgia. Precisely due to this, the anti-mafia policy has tended to cast a wide net, picking up people who, while having very little to do with thieves-in-law personally, conducted organized criminal activity in the terms of the "thieves' world" thereby making themselves liable to harsh sentencing under the new laws.

The effects of the policy against the thieves-in-law, then, have been widely felt. This makes an explanation for why the policy was so successful in collapsing the roof of the thieves' world all the more pressing. To this end, a simple argument follows that the anti-mafia policy implemented by the Georgian government was simply so wide-ranging and hard-hitting that it effectively mopped up the mafia.

While acknowledging the effects of the policy, this article will approach the conundrum of what happened to the thieves-in-law in Georgia from a different perspective—that of the criminals themselves. The article will argue that the virtual disappearance of the thieves-in-law can be explained by the burnout of a vital communally held resource, the status and reputation held in the criminal title, and that this in itself was the product of inefficient and maladaptive criminal institutional change in conditions of high uncertainty in the violent 1990s. Thus, once the anti-mafia campaign got underway in 2005 in Georgia, the thieves-in-law were disorganized, highly vulnerable and unable to mount any coordinated or sustained resistance. This case study aims to add to the literature on the resilience of criminal networks and the understanding of organized crime and anti-organized crime policy in the former Soviet Union.

Method and Data

This article draws on 44 expert interviews and four prison visits conducted in Tbilisi, Kutaisi, and Zugdidi over two research trips in 2008 and 2009, data from which are cited in the article; when quoted interviewees are cited as (I) and an interview number given

for reference. As well as secondary sources from court cases, archives and official publications, this article also utilizes police files on individual thieves-in-law from the Special Operations Department, Anti-Organised Crime Units in Tbilisi and Kutaisi. In total 279 usable files were collected. This number represents around 80% of all the Georgian thieves-in-law known to the police. The amount of information in the files is variable from individual to individual, however it has been coded to make a database on a variety of individual attributes and some of the data is presented here.

Ouite rightly, there is much scepticism of police sources when used for research purposes (Rawlinson 2008; Serio 2008) due to their utilitarian function and potential biases. For this study, first, it should be underlined that the classification of a criminal as a thiefin-law is not based on some police definition but on the boundary that thieves-in-law strictly maintain themselves and which, as an elite marking, is intentionally made highly visible by the criminals and thus, coincidently, easily recordable for the police. Second, in the police files, I was interested in recording mundane facts about thieves-in-law, such as nicknames, place and date of birth, numbers of convictions and movement. Thus, while police data is unlikely to be value free, these aspects in the data cannot be distorted easily in the interests of the police. Finally, where possible all data was checked against other sources. Where the police files are cited, I use the abbreviation AOCU for Anti-Organised Crime Unit and the year the document was produced. I use only initials when referring to specific individuals mentioned in the files.

Selling Status

Thieves-in-law maintain a system of collective decision-making and deliberation at meetings known as *skhodki*. They hold rights and obligations to each other, and pool resources into communal pots, known as *obshchaki*, distributed regionally. Moreover, thieves-in-law maintain high barriers to entry and exit through ritual initiation procedures, clear punishment mechanisms for rule-breakers, and shared, codified norms of behavior that emphasize long-term commitment, generalized reciprocity and fraternization.

Through these arrangements, thieves-in-law cultivated a crucial common resource: an exclusive criminal status. Selectiveness of membership and a clear and distinct lifestyle is the classic basis of status groups (Weber in Whimster 2003). But in creating and maintaining status boundaries thieves-in-law also required recognition from others outside those boundaries (Bourdieu 1996; Ridgeway 2001). Such recognition, in the form of positive

normative orientations, has been noted by many scholars of the post-Soviet space (Dolgova 2003; Humphrey 2002; Oleinik 2003). For example, Humphrey (2002: 112) argues that supporting organized criminals is not simply about power and influence or fear but "that they [thieves-in-law] are the kind of people who have law . . . the whole notion of themselves as the kind of people who are disciplined, orderly, and subject to law [appealed]" (original italics). The thieves' code of honor can have instrumental value for those that produce it and those that follow it, and it can also be valued as somehow socially appropriate and even ethical.

This was particularly true in Georgia, where "criminal figures have often been characterized as servants of the public good, embodying notions of honour, justice or even democracy" (Godson et al. 2003: 9). As with other mafias, the Georgian thieves-in-law worked to advertise this reputation, investing in church building in the 1990s and actively propagating the myth of the self-denying prisoner of conscience who adopted the criminal life in defiance of the Soviet regime. As Georgian scholars Glonti and Lobjanidze (2004: 115) state: "it is possible to observe the widespread propaganda of the "thieves' movement," agitation for the "zakonniki" [thieves-in-law] as "business people," so to say, "thieves with a human face" and the romanticization of these leaders in the eyes of the population and especially the youth.

Thieves-in-law in Georgia then might be thought of as a criminal nobility or elite. To be a member of an elite may be attractive but to become a thief-in-law can involve years living in prison, taking extra punishments for refusing to work, breaking off family ties, and paying in to the thieves' communal fund. All such practices are stipulated in the thieves' law. Certainly, genuine normative commitment is a strong element in choosing such a life, but in the later Soviet and post-Soviet period, the title was not only prestigious but also profitable.

The instrumental value of status, as argued by Joel Podolny (2005), is as an exchange commodity. The productive resources held in the title thief-in-law then create incentives to take on the costs of investing in the name rather than relying simply on a personal reputation as a strongman. Status and reputation are particularly crucial to the successful functioning of a mafia as they directly substitute for the production costs of violence, the key asset that grounds a mafia's operation in the markets for dispute resolution and protection (Gambetta 1993). Moreover, if this reputation is collective then, as Bacharach and Gambetta (2001: 166) state, it can be built and disseminated much quicker than individual reputation. Thus, buying into an established trademark for an individual gives access to an accumulated collective reputation, and where this trademark is recognized as denoting distinction in

lifestyle, status. Revenue is directly generated from this reputation and status, which is why protecting a trademark is so important in the business world.

A franchise operates according to a similar logic. Franchisors can grow quicker through avoiding full investment and liability for each enterprise and maintain control over franchisees by tying them into the fortunes of the franchise whilst demanding protection and standardisation of its trademarks, business concept, and methods. For the franchisee on the other hand, the reputation of the brand can do all the work in bringing in custom. This logic worked just as well for the thieves-in-law on the protection market in Georgia: (I-1) "I remember my father's friend's wife, a very dignified woman ... coming and asking me 'do you know any thieves-in-law? I have a problem I need sorting out.' She didn't have any idea what she was asking for just that she had heard the thieves-in-law can help you." Here the brand does all the work in advertising the mafia service. This was particularly true in the 1990s when the demand for protection and dispute resolution was higher than ever before, pushing up the returns on possession of the thief-in-law status.

Given the importance of the status, it was particularly important to make sure that only truly made men could benefit from such returns and that all thieves-in-law worked to maintain the exclusivity of the status. Every status bearer has a responsibility to protect and propagate this exclusivity. Negative experiences with one status bearer can damage beliefs about that status in general among non-status bearers. This can potentially lower the value of the status for others and decrease the payoffs from investments in attaining the status for potential candidates (Ridgeway et al. 1998).

Thieves-in-law must then carefully manage their collective resource. Just as in a franchise, there must be standardization across status bearers in terms of their behavior and personal attributes and the methods used for signaling their membership of the criminal elite (Bacharach and Gambetta 2001: 166). Thus, for a group identity such as a mafia's, it is vital that conformity is regulated and monitored within the group as well as watching for the threat of mimickers on the outside who would pretend to be status bearers. Such conformity is achieved through monitoring barriers to entry and exit, socialising members into shared norms to reduce rule-breaking and associated costs on punishment, while effectively sanctioning those who still do not conform.

Effectively, in managing their collective resource, thieves-in-law must deal with a set of dilemmas laid out by Ostrom (1990) in her work on collective action problems in managing common pool resources. Even when institutions are created to overcome individualistic opportunism this only leaves further unresolved

problems: how can an institution be supplied with rules, including rules on rule-changing itself? How can credible commitment to follow those rules be signalled by actors? What incentives are there to monitor and punish others, given that punishment itself is a public good that generates lower returns to the punisher than to the institution? With no monitoring, there can be little commitment and with little commitment no incentive to create or change rules. Common resources get used up as a result (Ostrom 1990: 41).

Moreover, in competitive or changing environments, the ability to change and implement rules is important for survival: "one can predict in a highly competitive environment, those who do not search and select alternative rules that can enhance net benefits will lose out to those who are successful in adopting better values" (Ibid: 207). Various studies in the ecology of organizations attempt to understand why some organizations or institutions achieve change that enables persistence through hostile environments while others fail completely (Barnett and Carroll 1995; Hannan and Freeman 1984; Haveman 1992). There are many obstacles to successful organizational change. External threats to existence such as increased competition for scarce resources create pressure to change but hit up against inertial weights such as sunk costs, internal political wrangling, collective action problems, and imperfect information. Furthermore, as Hannan and Freeman (1984: 151) point out, where the environment is highly uncertain or changing quickly "learning and adjusting structure enhances the chance of survival only if the speed of response is commensurate with the temporal patterns of relevant environments." If organizations cannot adjust quickly during rapid change, inertia may prove an inadvertently better strategy.

These insights into organizational change in the presence of collective action problems where there are common resources at stake can illuminate the problems thieves-in-law faced in protecting their status during extreme environmental change and external pressures. In the following sections, I will argue the following:

- Increased criminal competition lowered barriers to recruitment in becoming a thieves-in-law, and this in turn lowered the human capital in the fraternity.
- Increased opportunities for wealth creation through criminality pushed up opportunity and agency costs on mutual monitoring within the fraternity. This stifled investment in protecting the criminal status of thief-in-law.
- Distrust in the commitment to shared norms within the fraternity increased. The belief that others did not follow the norms that had traditionally put a brake on opportunism in using the collective reputation of the thief-in-law name spread.

• Discount rates on the value of possessing the thief-in-law name therefore increased. This created a race to cash in on the title over the short-term, further using up the thieves' main resource, their elite criminal status, and destroying value in the brand name on the market for mafia services.

Due to these processes and the inability to adapt to control them, I argue that by 2003 the whole institution of the "thieves' world" had become virtually exhausted as a distinct, valuable criminal status, societal support had declined, and those thieves-in-law that remained in Georgia were vulnerable to attack. I turn first, though, to the key issue of recruitment and the quality of the thieves' human capital.

Recruitment and Prison

The thief-in-law Sumbat Abasov was "baptized"² in Rustavi prison camp in Soviet Georgia in 1990, during a seven year term for theft. The "baptism," or initiation ritual, took place at a thieves' meeting, known as a *skhodka* (AOCU 2004). The *skhodka* acts as a test for ensuring that new recruits are of a high quality. It bridges the informational gap in terms of trusting the character, commitment and identity of a new recruit: "the main purpose [of the *skhodka*] is to define the trustworthiness of the candidate to propagate the thieves' idea amongst other law-breakers" (Gurov 1995: 106).

The method taken to establish the authenticity of the candidate is referral. Two or more recommendations are needed from made men. Through this method the recommenders are held responsible for the future performance of the would-be thief-in-law. The recommending thieves-in-law prefer to know the candidate intimately, thus the recruit has "to spend time with them . . . help the families, money, rent, they have to get to know you, if they don't know who you are you can't just become a thief-in-law, you have to have respect" (I-2).

Once all agree that the candidate is worthy, the new recruit takes an oath of allegiance that according to some is very similar to that which was taken by Soviet Communist Party members (Oleinik 2003). The oath, according to Gurov (1995: 106), is: "I, as a goodfella [patsan], have taken the thieves" way in life, I swear, in front of the thieves that are present at the skhodka, to have nothing to do with the fraud of the Chekists.' This oath expresses one of the first

² In Georgian *natvla*, literally "baptism," is the word used for the initiation ritual for becoming a thief-in-law. It is more religious than the term the Russians use, *koronavannie*, which means "crowning."

canons of the thieves' code of honor: to have nothing to do with the state. It also seems to express a deep anxiety about infiltration by the police (the Chekists, a reference to the Cheka, the original Soviet secret police). Once the oath is taken, an announcement (malyava or vorovskoi progon) is sent out through the prison system, informing others of the new recruit.

Clearly then, the thieves-in-law are very concerned with maintaining high barriers to entry. This creates assurances that new recruits are not impostors, and sustains the exclusivity of possessing the title of thief-in-law. High barriers impose costs on potential recruits. Costly signals must be produced that only genuine candidates could afford. Signals that discriminate based on the cost to the signaller allow sorting between high-quality candidates and low-quality ones (Bliege-Bird and Smith 2005; Gambetta 2009; Spence 1973). Cost-discriminating signals are comprised of available signs from the specific social and cultural context in which they exist. In the thieves' world, the main cost-discriminating signal is constituted by time served in prison.

In the environment of the prison, personal information flows quickly and tight connections form between inmates. This makes genuine prison experience very difficult to fake (Gambetta 2009). Prison experience is most definitely a costly signal for those that are not truly dedicated to the thieves' life. Furthermore, numbers of convictions and length of sentences are measurable signals—the greater the length of time spent in prison the more dedication and knowledge of the thieves' code and informal behavioral rules a person is likely to have. Thus, prison experience can be used as a trustworthy signal of someone's criminal credentials.

Prison also enables monitoring. For one thing it can be immediately known what crime someone has committed and this itself might act as a signal. Behavior in prison is easier to closely observe and ensure that rules are kept to. Such rules include the fact that "goodfellas" (kai bichebi in Georgian or those who follow the thieves' life) should never work in prison, they should give to and collect for the common fund known as the obshchak, shun the undesirables in prison, have command of jargon, and skills at card-playing. In pre-Rose Revolution Georgia, the thieves-in-law often corrupted prison officials and informally controlled prisons (so-called "black" prisons) thus making an intense environment where true normative orientations, character flaws and attempted imitation of desirable qualities could be easily discerned. Indeed, this is captured in language—the thieves' "representatives" in prison are called makarublebi in Georgian, literally "overseers."

In the Soviet period, the cost involved in creating the recruitment signal, prison time, was constituted by the actions of a third party—the state. As part of the code of honor, potential thieves-

Number of Convictions Baptism Cohort Total Pre-1991 Post-1991 Total

Table 1. Differences in Numbers of Convictions Across "Baptism" Cohorts Up to

Source: AOCU 2004.

in-law must refuse to work or wear uniforms and this on its own would have been enough to be convicted in Soviet times for "parasitism." Those who chose the thieves' life could then easily anticipate a prison term; it was a strategy that was guaranteed to impose the necessary costs to signal criminal worthiness in the Soviet Union. Thus, while prison is forced upon a person by the state, in the Soviet Union this imposition could be reliably brought about by the intentional choice of lifestyle taken up prior to this.

Prison experience is vital for generating shared experience and trust in potential recruits, thus "baptism" of new recruits should only occur after conviction. Police data suggest this to be the case. From the Georgian police files that contained the relevant data, the average first conviction age for a thief-in-law is $20 \ (N=73)$ whereas the mean "baptism" age is $24 \ (N=76)$ (AOCU 2004). Though this is a small sample it does suggest that "baptism" occurs only during or after a prison term, yet looking through the data, some cases report zero convictions for some thieves-in-law. Who was being "baptized" without having served prison time?

Dividing cases where there is conviction data (N = 92) into cohorts of thieves-in-law who were "baptized" before and after the collapse of the Soviet Union, an interesting picture emerges. Table 1 shows that the vast majority of those thieves-in-law with zero convictions occur in one cohort.

The table shows that those who became thieves-in-law without serving prison time almost exclusively belong to the younger cohort "baptized" after the collapse of the Soviet Union (post-1991). Due to age, it is to be expected that cases from this younger cohort would generally have lower numbers of convictions than the older cohort and the results show this to be the case. However, the fact that so many (42%) from the youngest cohort became thieves-in-law without having any prison experience is less expected.

Is it possible that the members of the older cohort had become thieves-in-law before spending time in prison as well thus making the post-1991 cohort no exception? Based on historical accounts and the centrality of prison in the thieves' world this is very unlikely. Respondents were adamant that prison was absolutely necessary to become a thief-in-law. As an anti-organized crime investigator said: "In the past, if you hadn't sat in prison there was no way you could be 'baptized', you couldn't! In the past, there was proper respect for these traditions" (I-3).

Furthermore, all thieves-in-law should have a conviction simply based on their code of honor, which demands it. Moreover, the younger cohort should have more convictions generally based on the data available. The average age of a member of the post-1991 cohort in the year when the police reports were complied—2004—was already 30. Given that the mean age for first conviction across cohorts was around 20 years old, second conviction 24, and third conviction 28, we would still expect more of this cohort to have at least one or more convictions regardless of whether they were "baptized" before or after these convictions.

The most obvious explanation in understanding why so many thieves-in-law from the 1991–2004 cohort have no convictions is that the authorities in the 1990s were much weaker than during Soviet times and levels of impunity were therefore higher. Given that the predictable actions of the state during the Soviet period reliably constituted the costs of signaling criminal attributes, the loss of state capacity impacted seriously on the equilibrium in the signaling game in sorting good candidates out from bad ones. In the new world of the 1990s, where very few people were in prison, the main mechanism for monitoring new candidates, imposing costs on them and thereby maintaining a flow of information amongst criminal actors as to their criminal capabilities, had broken down.

The weakness of the state and subsequent lack of a reliable signaling mechanism for recruitment is linked to another new phenomenon: reports emerged in the 1990s of the title of thief-in-law being sold for money. One clear-cut instance involved a thief-in-law from Tbilisi who paid another big name thief-in-law to get a recommendation for his younger brother to acquire the status too. The police estimate \$50,000 was spent on securing this support (I-4; I-2). Another report cites a "young bandit" paying \$300,000 for his title (Nikulina 1999). Varese (2001) also mentions instances of this in Russia, as do Russian inmates quoted in Lambert (2003: 111).

Though the signal of paying vast sums of money could well be cost discriminating in definitely showing dedication to acquiring the title, it is not readable as a signal of anything criminal to the receiver in the context in which it is produced. Thus, buying the thief-in-law title shows a corruption of the criminal institution rather than simply a switch in the method of signaling. This phenomenon most likely shows the inability to adapt collectively in

instituting new reliable methods of signaling criminal worthiness in conditions of weak statehood as well as a lapse in monitoring and punishing wayward practices, as will be discussed below.

The disruption to recruitment and the lowering of barriers to entry are serious problems. They can have consequences for the communally held resource of status and reputation. One press report in Russia (Nikulina 1999) strikes at the heart of the matter: "as noted by experts, in the main the title [of thief-in-law] is bought by Georgian nationals [vykhodtsi] . . . the quantity of 'baptized' criminals is growing, whereas the level of their authority in the criminal world is declining." I will return to the effects on the common pool of reputation later, first, I will suggest that the driver for lowering entry barriers emerged precisely due to environmental pressures and in particular, competition from other violence-wielding groups.

Competition

The breakdown in the signaling game produced by state weakness in post-Soviet Georgia is not the only external influence that might have lowered barriers to entry. Competition is crucial in shaping the size, structure, and activities of collective enterprises and this is also true for mafias (Gambetta 1993; Lesson and Rogers n.d.; Pfeffer and Leblebici 1973). The post-Soviet period created a proliferation of potential violent entrepreneurs of all stripes from Afghan war veterans, to wrestlers and karate experts (Volkov 2002). Serio (2008: 171) argues that: "the confusion and ambiguity that gripped society as the Soviet Union disappeared also impacted the thieves' world. Suddenly, a [thief-in-law's] decade in prison didn't count for much on the outside world." Now disputes could be settled with guns rather than thieves-in-law. Varese (2001) makes a similar observation in suggesting that increased violence in the 1990s made the position of thieves-in-law precarious and suggests their decline. This competition was a significant pressure in lowering entry barriers and recruiting substandard individuals among the thieves-in-law in Georgia.

Even for the post-Soviet space, the proliferation of violence in Georgia was exceptional. A thief-in-law, Jaba Ioseliani, practically ran the country for a short period having deposed elected President Gamsakhurdia in January 1992. One might expect this to have lifted the profile of the thieves-in-law considerably. Instead, it did the opposite. Ioseliani had started up *Mkhedrioni* [Horsemen] a paramilitary organization which comprised 4000 men nationwide (Wheatley 2005: 54). This had become his powerbase. According to Ioseliani himself *Mkhedrioni* "was a patriotic organisation, but based



Figure 1. Numbers of Thieves-In-Law Killed Between the Years 1988–2009.

on the thieves' traditions" (Ioseliani J. in Wheatley 2005: fn 20, 63–64), yet his unruly paramilitaries did not always respect the old ways of the thieves-in-law and the thieves-in-law in turn considered Ioseliani inauthentic and blemished by his involvement in politics (I-1; I-5).

Members of *Mkhedrioni* were often young and violent and Ioseliani was powerless to stop competition with the thieves-in-law because, as Wheatley (2005: 80) states, "other smaller criminal gangs (often referred to as 'Mkhedrioni' but quite clearly beyond the control of Jaba Ioseliani) dominated at local level, typically offering protection to local communities against marauding gangs." Elements of Mkhedrioni then quickly became a competitor to the thieves-in-law in the protection market: "in return for protecting enterprises . . . Ioseliani's deputies took stakes in many of the private businesses that got started in Georgia in 1993 and 1994" (Areshidze 2007: 35). The country lacked any overarching authority with a monopoly of violence. Instead the country was "divided into fiefdoms presided over by warlords and their private armies. . . . gangs and paramilitary thugs roamed the streets and terrorized towns and villages; corruption and violence were rife" (Ekedahl and Goodman 2001: 263).

Mkhedrioni were just one of many threats to the thieves-in-law then who, along with the whole society, experienced growing victimization. This is shown in Figure 1, based on police data, that shows numbers of thieves-in-law killed or disappeared between the years 1988–2009.

From 1992 to 1993, the number of thieves-in-law killed jumps over 120%, from 9 deaths to 20. The deaths then climb, remaining high with a peak in 1996 when 29 thieves-in-law were killed. The 1990s then ushered in a period of unprecedented levels of violence which, on the figures in the graph above, definitely touched the thieves-in-law.

A high-ranking police respondent (I-6) ties the level of violence to the changes in recruitment practice: "at this point the thieves-in-law stopped being able to control people so they tried to bring people into the ranks—to gain support and to protect themselves from attack. By 'baptizing' someone, a thief-in-law must abide by the thieves" rules which includes the forbiddance of hitting another thief-in-law and murder is outlawed. So they started accepting more and more people' (I-6). The incentive to self-preservation, on this view, was the mechanism linking violent competition with the changing recruitment practices.

Groups such as *Mkhedrioni* did not just represent an existential threat to the thieves-in-law but might also be seen as competitors in terms of recruitment. Young men might have been tempted to don a paramilitary uniform and set off for adventure and looting in the conflict with Abkhazia as a member of the National Guard or *Mkhedrioni*, or perhaps simply join any ragtag armed group that would take them on without asking for the same commitment or normative standards as the thieves-in-law.

Attracting violent individuals into the thieves' ranks allowed better management of them through the controls on violence built into the thieves' code yet this risked corrupting the code itself through interaction with under-socialized individuals. The common logic of safety in numbers in times of conflict is also present here. This strategy has been recorded in other places during mafia wars. For example, Paoli (2003) refers to the Cosa Nostra in southern Italy allowing an influx of new members during a conflict with other organized crime groups during the 1970s to balance the attrition rate.

Competition then crucially shaped the internal dynamics of the thieves-in-law in Georgia in the early and mid 1990s. In such tumultuous times, emerging risks could not be easily predicted. Adaptations were then haphazard, forced, partial and imperfectly informed as to the consequences. Moreover, organizational changes were not coordinated and mechanisms for oversight and sanctioning had all but broken down.

Monitoring and Sanctioning

Turbulence in the environment in the form of rising competition and fluctuating state strength had changed the rules of the game for the thieves-in-law and required strategic adaptation in turn. Yet, how can new rules be supplied, commitments rendered credible and mutual monitoring assured in conditions of change? I will show that the costs of transformation became increasingly high as weak-state capitalism created massive opportunity costs on investing in internal regulation of the thieves-in-law fraternity, while increasing agency costs reduced incentives to monitor and punish wayward recruitment practices.

Selling the title of thief-in-law is a grave offence that should attract severe punishment. A simple punishment that would still be a huge blow to a thief-in-law's honor and respect is to be publicly slapped or beaten. The harshest punishment is of course death, but also for very serious offences a thief-in-law can be "uncrowned" or "de-sanctified," which means to be stripped of the title. It is also possible to have the title removed for some time. This is known as being "stopped" (garcherebuli in Georgian) with a view to having the title re-conferred once a transgressor has redeemed himself in the future. For example, the thief-in-law K. was "stopped" for a few years after introducing a Russian as a thief-in-law when he in fact was not. Evidently such mistakes are threatening to the thieves-inlaw, being able to read whether a person is truly a thief-in-law or not is just as important as reading whether a new recruit has the qualities to be a thief-in-law. K. was eventually reinstated after showing up to a *skhodka* in a restaurant whilst serving a prison term (AOCU 2004).

The process of punishment is relatively expensive to the punishers in that it involves collecting information on people, calling a *skhodka*, attending the *skhodka*, bringing evidence forward, deciding on a punishment and carrying out that punishment. Thus, it is a measure of last resort. It is clear, moreover, that some thieves-in-law simply have greater authority to pass sentences on their brethren than others. The most authoritative thieves-in-law tend to be older and more experienced. However, these more respected thieves-in-law also have converted more reputational capital into economic power, and have the most vested interests in business and politics and thus the highest opportunity costs on punishing.

During the 1990s these authoritative thieves-in-law also tended to move out of Georgia as they were in a position to exploit new market opportunities elsewhere. These were in places such as the brash, anomic Russian cities of Moscow, Petersburg and Nizhnii Novogorod, the industry of the Don basin in Ukraine, and the big import-export markets of the Russian Far East (I-7). This leads to a situation where the thieves-in-law who are most able to pass judgement on others are precisely the ones for whom the act of punishing incurs greater opportunity costs (they have more business

Baptism Cohort	<u>-</u>		
	Georgia	Abroad	Total N
Pre-1991	66 (41%)	95 (59%)	161
Post-1991	83 (75%)	27 (25%)	110
Total N	149	122	271

Table 2. Location of Thieves-In-Law in 2004 by "Baptism" Cohort

Source: AOCU 2004.

interests) and greater agency costs (they often operate from a long distance).

This is manifested in the police data. The older, most authoritative generations of thieves-in-law tend to be those living abroad by 2004. Coding the data in the files into "baptism" before the collapse of the Soviet Union or after it, and cross-tabulating this by whether an individual was living in Georgia or not living in Georgia (which in most cases means Russia) in 2004, a chi-square test shows that there is a cohort effect³ on the chances of finding a Georgian thief-in-law abroad by 2004 as Table 2 shows.⁴

In the table, the majority of those "baptized" in the 1970s and 1980s lived outside Georgia in 2004. It takes strong commitment to the common good for these potential principals to take on the extra agency and opportunity costs caused by distance (Reuter 1985). This commitment is more likely to exist if there is a belief that other thieves-in-law also act according to traditional shared norms, and are committed to protecting the good name of the thieves-in-law for everybody's benefit.

However, competition externally, rising agency and opportunity costs on monitoring, and lowered barriers to entry most likely accelerated an ongoing unraveling of such beliefs about others' commitment to the thieves' life. Through the 1990s, this led to growing discount rates on investment in the collective resource contained in the thief-in-law status, growing distrust, and an increasing gap between the demand for monitoring and sanctioning and the supply of these practices. Moreover, while trust was eroding internally, attitudes also changed to the thieves-in-law within Georgian society. Below I will deal with the issue of changing levels of internal and external legitimacy of the thieves-in-law in perceptions of them as an elite criminal caste.

³ The difference across cohorts is significant (p < 0.000); there is a negative association between being in the pre-1991 cohort and being in Georgia in 2004. This is of medium strength (d.f. = 1, Phi = -334).

⁴ It should be remembered that these figures are police data for the period up to 2004, following the Rose Revolution the total figure of those now abroad from all cohorts would have to be greatly revised upwards.

Commitment, Legitimacy, and Discount Rates

The growing presence of inexperienced new recruits or those who had bought the title for short-term gain impacted negatively on the shared belief that other status bearers would invest in maintaining the collective resource held by all, the status, sparking a race to the bottom in playing off the "brand name" for quick gain. The reduction in the quality of human resources became negatively manifested in a variety of ways. First, traditionalists amongst the thieves-in-law began to complain about the "work performance" of those recently recruited as thieves-in-law. Dissatisfaction with the performance of thieves' duties such as paying into the communal fund, the *obshchak*, and turning up at thieves' meeting, the *skhodka*, took hold. As one expert police respondent recalled (I-3):

'You can't know what someone will be like. Like this guy, Z [a thief-in-law]. When he was on the street he was a real guy, he did everything right, and when he became a thief-in-law he just became a drug addict, he didn't do anything . . . he didn't turn up to any skhodki for a long time. . . . Can you imagine? It's like at work here. See my friend? He's head of division, you think he can just not come to work without trouble? That's how it is for them too.'

Eventually Z. landed in prison and lost the title. Organising and attending *skhodki* is important. One former prison governor (I-8) reported that during Soviet times *skhodki* were often held in the prison hospital of which there was only one on the territory of Soviet Georgia. In most cases attendance could easily be assured through a bribe in the right place and feigned injury. When this proved impossible, feigning was substituted by real self-mutilation ensuring a trip to the hospital and attendance at the *skhodka*. In comparison to this, dedication to performing thievish duties appears to have diminished.

Secondly, some younger generation thieves-in-law began to be picked up by the police for crimes not befitting the status. This was exemplified by the example of a young Georgian thief-in-law (born in 1983) who was recently caught trying to steal a bottle of alcohol from a supermarket in Moscow (Criminalnaya 2008a). Once initiated, such petty shoplifting is no longer part of a thief-in-law's repertoire of criminal activity. This particular thief-in-law was "baptized" in the late 1990s in the western Georgian town of Samtredia by two older thieves-in-law following the funeral of his father who had been a well-known thief-in-law there. He was "baptized" without any convictions (AOCU 2004). In similar examples, two other Georgian thieves-in-law of the younger generation were picked up in Moscow in 2007 for similar crimes, one also had been

"baptized" on the basis that he had relatives who were thieves-inlaw—another recent development in recruitment practice which goes against the thieves' original code (Criminalnaya 2008b).

Thirdly, the thieves-in-law were affected by general trends of consumption, ownership and wealth creation occurring in Georgia directly before and after the collapse of the Soviet Union. As one respondent (I-8) stated: "I knew a lot of thieves-in-law in my time, and I asked them: 20 odd years ago you didn't have the right to marry, settle down, have property. They say, 'that was then, now life is different, look at this or that guy, this minister or that one. They want to live well don't you think we want to too?" Respondents often attested that the main attraction of becoming a thief-in-law by the 1990s was the sheer fact of becoming rich. A typical response to what was so attractive about the thieves' life was given by the head of the Kutaisi city police (I-9): "they were all driving big cars, they had money, people wanted to be like that. Simple."

Finally, whereas in the original code maintaining social ties and families outside the fraternity had been banned, thieves-in-law no longer adhere to this principle. The original "burning bridges" strategy induced commitment by increasing costs on exiting the fraternity. As one Russian inmate remembers: "[t]he thief had nothing . . . he was even forbidden to marry since otherwise he would think more of his family than the inmates" (quoted in Oleinik 2003: 72). However, in recent times, the Georgian thievesin-law began to take wives and maintain links with their families. The proportion of Georgian thieves-in-law with wives as of 2004 in the police files was 93% (N = 141). It is not clear how exceptional Georgian thieves-in-law are in terms of not giving up family and social ties though Oleinik (2003) argues that Georgians were the exception on this issue and that this created a split between Georgians and thieves-in-law of other ethnicities from the 1960s onwards.

These abuses of the original shared norms contained in the thieves' law do not always go unpunished. Arrogant displays of wealth amongst many thieves-in-law even in the 1990s were still not considered correct and were often a source of conflict or seen as deserving of punishment. For example, one Kutaisi thief-in-law, G., built a luxurious new house near the centre of town. For such a display of wealth he got into a conflict with an old thief-in-law B. who was born in 1949 and considered himself a pure thief (AOCU 2004). According to the police records of this conflict, G. was unimpressed with B.'s claims against him suggesting that B. should not be surprised at wealth or big houses. However, G. himself had made claims against another young Kutaisi thief-in-law for similarly living an extravagant and "un-thievish" lifestyle (AOCU 2004). Thieves-in-law then maintain a type of double-think, paying lip service to

the original code while breaking it with abandon. As a further example, out of respect for the original code a thief-in-law will not refer to his wife as a "wife," according to one respondent who has defended many thieves-in-law in court (I-10).

The lower barriers for entry of new recruits fuelled suspicions over the strength of normative restraints in using the status for personal gain without investing back in the fraternity. This simply pushed up discount rates, providing fewer and fewer incentives to overcome agency and opportunity costs and induce coordinated change in the thieves' institution. Short-term profits from the conversion of the thief-in-law status into capital trumped long-term investment in the exclusivity of the institution that created the value of the status in the first place.

This value in the membership of the thieves-in-law is premised conditionally upon the belief that all those who can signal that status successfully almost invariably have certain attributes (Bacharach and Gambetta 2001). Once those attributes become variable and less predictable, beliefs about the distinctiveness of status-bearers can quickly wane and with it the standing of the whole group. Those that possess such status beliefs and receive and understand signals of status include ordinary members of society. The status beliefs of such people in Georgia clearly began to waver with regards the thieves-in-law.

Georgians often draw a curious distinction now when talking about the thieves-in-law: during Soviet times, they were men of honor whereas in the 1990s they became a "mafia." Though the thieves-in-law were probably always a mafia in the analytical sense used in this article, the common distinction refers to a sense in which the thieves-in-law in the 1990s moved away from their original code and began to be "in it for the money." This, of course, says more about collective memory of a less troubled Soviet past when even the criminals were honest than actual historical record. In reality, the thieves-in-law appear to have always flaunted and adapted their rules and moved away from their previous ascetic values when it suited them.

Nevertheless, the damage to reputation among ordinary Georgians appears clear: by 2004, a year before the anti-mafia laws, only 11% of respondents in a national survey viewed the thieves-in-law favorably (International Republican Institute 2004). In the present day, many Georgians remark on how any residual support for the thieves-in-law appeared to evaporate overnight with the anti-mafia reform, though the suspicion remains that support for the mafia remains dissimulated.

Still, since the anti-mafia campaign the reputation of the thieves-in-law may have been negatively affected to the point where the thieves-in-law as a status group within the criminal world fail to maintain their distinction and are regarded as any other set of criminals. In such circumstances the causal arrow flips and reputation begins to affect recruitment. The supply of people dries up, as the exclusivity of the status is lost. "Thief-in-law" becomes a name that anyone can use for themselves without punishment but also with little convertible value. As one respondent (I-11) said of a close relative who had the criminal credentials to become a thief-in-law: "the thieves-in-law wanted him to [become a thief-in-law]. They recognized his authority, but he didn't want to himself. He felt he didn't need the title. And he didn't really respect those guys, they don't live correctly anymore."

The old notions of ascetic men of honor may have been wearing away even prior to the Soviet collapse. Yet the new world of the 1990s and in particular the lowering of barriers to entry added lubricant to a slippery slope. A positive feedback loop was set in motion. Georgian thieves-in-law, motivated by the price their status fetched on the newly unleashed and unregulated markets for dispute resolution and protection, but unable to expect commitment or conformity to any rule changes from fellow status bearers and therefore uninhibited by the burdens and restraints of mutual monitoring, sought simply to maximize the profits available to them. In turn, discount rates on investments in the title increased making monitoring, commitment, rule-following, and institutional adaptation even more costly. Ostrom (1990: 207) saw the potential for this problem when managing a common resource: "simply following short-term profit maximisation in response to the market price for a resource unit may . . . be exactly the strategy that will destroy the [common resource] leaving everyone worse off."

Conclusion

In less than two decades, Georgia has gone from the quintessential organized crime-ridden post-Soviet republic to no country for made men. This is remarkable given the fact that in the post-Soviet space mafias are often seen as a naturalized part of the social and cultural landscape—deeply embedded and thus inescapable. This article has sought to show that we should be careful not to buy too much into this narrative—one propagated by mafias themselves. For all the apparent power and pervasiveness of secretive illegal organizations, criminal groups struggle in times of change and face mundane coordination and collective action problems that make them vulnerable to intervention.

This article then also adds to other studies (Bakker, Raab, and Milward 2012; Bouchard 2007; Tilly 2006) on the variable resilience of criminal groups to state attack. The article has touched

upon such factors as internal and external legitimacy, the preservation of social and symbolic boundaries, as well as the underlying motivation influencing actors in a criminal group. Further factors important to resilience include the access and extent of resources available to criminal groups, the internal structure of networks and external relations with patrons. By studying such variables on a case-by-case basis, we can better understand how organized criminal networks, which in many parts of the world challenge the creation of law-governed states, can be tackled by state policy.

This article concentrated on the defence of a valuable collective resource, status, in affecting the resilience of the thieves-in-law, a mafia in Georgia, as they interacted with a turbulent socioeconomic environment following the collapse of the Soviet Union in 1991. Unprotected property rights, demoralized police forces and porous state borders in the 1990s increased the flow of resources available to the thieves-in-law in Georgia. Yet these factors also led to a rise in violent competition for the spoils of state collapse, creating pressures on the thieves-in-law to which they did not adapt successfully. Unpredictability in the environment made coordinating collective change difficult, ultimately leaving the thieves-in-law vulnerable to state attack. This finding is an important corrective to the perception that mafias love a power vacuum, thriving when the state is weak. The volatility of the 1990s in Georgia plays a crucial role in explaining why the thieves-in-law faced decline and why the state can now claim a victory not wholly of its making.

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