

SOME HISTORICAL ASPECTS OF THE ESTABLISHMENT AND DEVELOPMENT OF THE "VOR V ZAKONE" E BIS INSTITUTE

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Abstract: Organized crime is the most dangerous type of criminal activity because organized crime associations run the criminal environment and commit various types of serious criminal acts. The fight against organized crime is, therefore, a priority for individual countries as well as for the world community as a whole. To combat this phenomenon, the United Nations adopted the Convention against Transnational Organized Crime on November 15, 2000, which has been ratified by many countries around the world. In addition, one of the types of organized crime is the so-called "thieves in law" institute, which originated in the former Soviet Union and is known around the world as the Russian mafia, namely the Russian term "Vory v Zakone", which means "thieves in law". Today, their criminal activities are widespread in many countries. We believe that in order to fight against this criminal association, it is necessary to study the history of its emergence and development. That is why our goal is the so-called. A study of the history of the institute of "thieves in law" and some peculiarities.

Keywords: "thief in law"; crime; war; law.

1. Introduction

The controversy between crime and society spans many millennia. During this long period of time humanity has been permanently achieving both the success and the ineffectiveness of the fight against crime against these social evils. No country and no social system has been able to completely defeat this social evil (Inchakov, 1997). The former Soviet Union is the site of the institute of "lawful theft" of a special kind of organized crime. Georgia was not aware of the problem before the Soviet Union, which today the so-called Called the "world of thieves" (Aut. Collective, 2012). Therefore, its area of existence is mainly the states within the post-Soviet space. It should be emphasized that after the annexation of Georgia by Russia, Georgia lost its independence. As a result, the hallmarks of an independent state have been lost,

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including a variety of methods of combating organized crime. Moreover, the former Soviet government stubbornly denied the existence of organized crime in the country - including the institution of lawful theft. Ignoring the problem played a negative role in solving it and fighting it.

The exact number of "thieves in law" is unknown at this time, but according to Prime Crime News Agency, a well-informed agency in the field, the number of thieves has never been less than 600 since the 1990s, including Georgian and Georgian-born thieves. The number was more than 50%. While the number of thieves of Russian nationality did not exceed 100. The increase in the number of Georgian authorities was also facilitated by the fact that the "blessing" of Caucasian thieves was often carried out in exchange for a certain amount of money, which amounted to hundreds of thousands of dollars. In 2005, the famous Russian authority Vyacheslav Ivankov ("Japanese") came up with an initiative to deprive anyone who earned the title of a thief of the status of a thief, but his initiative did not gain support. The mentioned criminal leaders carry out criminal activities not only in post-Soviet but also in different countries of Western Europe and Eastern Europe.

In May 2019, in an exclusive interview with the Ura.ru news agency, the editor-in-chief of Prime Crime, an online publication covering the life of the criminal world, Victoria Gefter said that according to her data, "there are 442 active thieves in the world, 93 of them is in prison", while "in Russia, there are about 70 at large, in custody 37 (12).

The current globalization of the world has contributed to the rapprochement of states, including the strengthening of economic and trade ties. However, it should also be noted the negative impact of globalization in the fight against crime. It is one of the main threats to modern society, facilitated by the development of communications, the rapid and unimpeded movement of property and cash, thus facilitating the establishment of international transnational criminal connections. The scope of modern organized crime is beyond the scope of a specific country, as many countries and regions of the world are involved in the criminal network, which hinders the development of countries and their democratization processes. There are different types of organized crime. For example, the Italian "Mafia", which is based on the principle of blood relations (Ianni,1972), the Colombian "cartel", the Japanese "Yakuza" and others. The institute of "thieves in law" belongs to a special type of organized crime in post-Soviet countries. In order to study the latter and to develop effective methods of combating it, it is necessary to take into account the experience of the leading countries against the above-mentioned types of organized crime and to introduce the methods used by them in legislative or practical activities.

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2. History of the establishment of the institute of "Vor v zakone"

In order to have a correct idea of the subject of research, it is necessary to study the history of the phenomenon of "thieves in law", to establish the basis for the emergence of this institution, to observe different periods of its development and finally to evaluate the modern form of the event. This method of research allows for a comprehensive analysis and creates the opportunity to develop effective methods of combating adverse events. For the analysis of the topic, it is necessary to study the history and development of the institution of law-abiding thieves. The institute was established on the territory of the former Soviet Union, including the Russian Federation and Georgia. In order to determine the origin of this institute and to develop effective means of combating it, we must consider the history of its emergence and development mainly in the Russian Federation, where the institute was first established and later spread to the territory of Georgia.

In Russia, as well as in Georgia, which is part of the Russian Empire, there are several stages in the periodization of the criminal subculture, which was due to a number of economic and political situations:

- 1) The pre-revolutionary period from the 19th century to 1917 and the post-revolutionary period, which is one of the major stages in which white guards, who had made significant contributions to the formation of a criminal subculture, flocked to prisons (Starkov, 2010).
- 2) The second period is related to the emergence of a special layer of convicts "thieves in law", in particular in the 20s and 30s of the twentieth century, which was significantly facilitated by the Stalinist repressions
- 3) The third stage is related to the end of the Second World War. The "Puppet War", in which the "thieves in law" in prisons who refused to take part in the war due to thieves' traditions and the authorities who fought on the front and returned from the war, confronted each other.
- 4) The fourth stage is related to the period of Stalin's death, in particular to the 50s and 60s of the twentieth century, when the "enemies of the people" were carried out. Mass rehabilitation and amnesty. At the same time, the state publicly announced the liquidation of the institution
- 5) The fifth stage is related to the beginning of the transformation in the former Soviet Union and the beginning of the process of disintegration of the Soviet Empire, namely the end of the eighties of the twentieth century.
- 6) The collapse of the Soviet Union in Georgia led to the emergence of the sixth period when the thieving world actually came to power and brought under its control many state institutions, both in the political and economic spheres. Which manifested itself in the functioning of the Military Council in 1992, the Deputy Chairman of which was appointed Jaba Ioseliani, the founder and leader of the armed formation "Mkhedrioni", a well-known thief in law.

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From the above, it is obvious that the subculture of law-abiding thieves began to form in the 20s and 30s of the 20th century. Therefore, organized crime in the Soviet Union was ruled by the thieving world and its leaders were thieves in law.

Before discussing the special type of organized crime of the Soviet period "thieves in law" and "thieves' world", it is advisable to take a brief look at the situation in the Russian criminal world from 1917 to 20-30, which contributed to the formation of this institution and unwritten laws.

After the Soviet Revolution, penitentiaries and camps were filled with members of opposition forces, including former White Guards, anarchists, small businessmen, and bankrupt Nepmans. A certain stratum of the society was more educated than other prisoners and was endowed with organizational talent. It is this so-called the "ideological" layer of prisoners, later called the "Gigans" ("thieves mean those who have lost everything") (Shalikhvili, 2011), developed new laws to revise old rules aimed at establishing themselves in a new reality and in part, against the new government. Fight. The latter layer did not constitute a caste of experienced criminals, although the desire to resist and harm the new government forced them to establish criminal connections with experienced criminals before the revolution. It should be noted that the new generation of offenders had a great advantage, namely their level of education and convenience was much higher compared to the first group. Hence the leadership of criminal gangs and gangs was soon taken over by the Zhigans (this category is considered to be the forerunners of modern law-abiding thieves). In places of deprivation of liberty, the Gypsies began to deal with experienced criminals in the so-called. (Establishing a criminal alliance with the "Blatians"). Hence the establishment of new rules of criminal behavior in the so-called. "Thieves' rules".

A new kind of unwritten so-called. The rules of "thieving" behavior, developed by the Zhigans, were as follows:

- 1) The so-called "Ideur" should not have worked
- 2) should not take part in public activities
- 3) He should not have encountered a family
- 4) Under no circumstances should you receive a weapon from the government (ie should not have served in the army or law enforcement agencies)
- 5) should not participate as a witness or victim during the proceedings
- 6) was obliged to pay the amount lost during card or other gambling
- 7) was obliged to deposit money in the "common treasury" of prisoners. (15)

The above rules of the criminal subculture have undergone periodic changes. However, it should also be noted that due to the closed specifics of places of detention, these laws have been conserved. The emergence of a new stream of prisoners from 1917 somewhat changed the face of these rules, making them more specific and giving them an international character. Eventually, rules of conduct

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were established that met the demands of the time and had the ability to adapt to existing realities. This was the first stage in the formation of new traditions and rules. Other attributes remained unchanged - tattoos, slang, nickname, gestures. The change also did not affect elements of the criminal subculture, such as songs and poems. The first serious conflict appeared in the criminal world in the 20s and 30s of the twentieth century. Part of the criminal world refused to obey the Gypsies and supported the group of new leaders - the Urks. Compared to the Gypsies, the Urks belonged to a group of less politicized criminals, who believed that criminal associations should have nothing to do with "social" issues and should focus entirely on the "professionalism" of criminals. However, the main difference between them was that, unlike the Urks, the Jigans refused to deposit money in "Obshak". In this controversy, the Urks won. Later, however, the Urks also fell into the growing mass of thieves, who made up a quarter of the criminal world. Among the thieves were their "authorities" (Gurov,1990). By modifying the traditions of pre-revolutionary Russia's criminal world, they ostensibly pursued a "policy" of protection and justice for the oppressed in the camps. This was facilitated by the fact that in the late 1920s and early 1990s, part of the administrative apparatus was assigned to the ranks of convicts. In order to influence the convicts, many thieves tried to occupy the above position. In this way, they were able to establish their own "laws". There is no common position on the origin of the term "thief in law".

According to some scholars, the constant conflict between the Urks and the Gypsies made it necessary to change the "code" of the criminal world. Gradually, based on pre-revolutionary criminal traditions and habits, a unified "law" was developed that regulated the behavior of the highest representatives of the criminal environment. Under the law, the most authoritarian criminals who enjoyed the respect of ordinary members of the criminal community were called thieves in law. According to some authors, the category of thieves refused to interfere in state affairs after complete liberation from political impurities. Those who were guided by thieves' rules of conduct were called "thieves in law." The exact date of the formation of these groups is unknown, as well as why they were called "thieves in law". Such a term has not been discovered by researchers in the criminal world of pre-revolutionary Russia. In particular, A. Gurov, a scientist and practitioner, says that a large-scale study of this issue was devoted to the researchers of recidivism and professional crime B. Utevsy, S. Krenev and I. Yakimov, who did not discover the existence of the term "thief in law" in pre-revolutionary Russia. (Shalikhshvili, 2010).

Therefore, we can conclude that the institution of "thieves in law" was established in the early 30s of the twentieth century. This name meant belonging to a caste of recidivists, while other categories of thieves belonged to the category of outlaws. Therefore, as we can see, the institute of "thieves in law" was established in the 20s

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and 30s of the twentieth century, it is interesting to know what became the purpose and basis of this event.

This process dates back to 1929, which was caused by a new wave of repression in the USSR. By this time, the number of detainees had exceeded all limits, which put on the agenda the issue of organizing and managing a large number of prisoners in detention centers. For this purpose, the main division of camp management was created under the name of "Gulag". The founder of this service is considered to be a former criminal, entrepreneur and later party functionary Naftali Frankel. The purpose of creating the Gulag was to involve large numbers of cheap laborers in the Soviet Union's grandiose labor projects, while the Gulag was also intended to maintain order and discipline in a large army of prisoners in order to exercise control over them in a simplified manner. Initially, activists were used for this purpose, who held the position of brigadier in exchange for cooperation with the administration. Nevertheless, their power could not be maintained because the professional criminals in the camps were so-called. The "Blatians" did not obey them, which led to frequent riots and killings of activists in prisons. It was during this period that it was decided to create a layer of criminal leaders who would be formally opposed to the state, but at the same time would be interested in the prisoners successfully completing the various tasks imposed by the administration. It can be said that this is why a special thieving ideology was created, with its own system and unwritten laws. G. Glonti and G. Lobzhanidze note in their paper that the leadership of the Gulag was instructed to carry out operative supervision over the criminal elements in the prisons. The functions of the Main Division were to recruit "urks" (professional criminals) as agents and to establish control over the zones through them (Lobzhanidze, Glonti, 2004)

The administration helped to increase the authority of the convicts, for this purpose, the regime in the camp area was relatively free for them, they were able to meet freely with any convict in order to receive information and provide it to the administration. Such persons were nicknamed "Blatians" (Lobzhanidze, Glonti, 2004). This category of prisoners was called "thieves in law" in the future. For the camp leadership, it meant a "legitimate" criminal authority recruited as an agent. The origin of the term is linked to the head of the former Soviet Ministry of Security, Heinrich Yagoda, who suggested to Stalin that he use the method of the famous Prussian lawyer and counterintelligence founder Wilhelm Stieber to develop effective methods of combating crime. Stieber argued that the eradication of crime was impossible, so it was necessary to control the criminal world, the only way of which he considered to be the control of the criminal elite. The implementation of this model has significantly reduced crime in Germany. In order to suppress the criminal explosion, a privileged caste of criminals was to be created, which would regulate the system of criminals. At the same time, the indicated caste would be under the

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control of the law, which is why this layer was called "thieves in law". They were required to be in secret alliance with the camp administration, in return for which they would enjoy great privileges in the camps and be virtually inviolable from other inmates if the covenant was violated.

3. A historical overview of the unwritten laws of the "Thieving world"

The normative acts and literary sources of the Ministry of Internal Affairs of the former USSR contain very little and in many cases contradictory data on the "laws" of the criminal world and criminal activities. Therefore, we can conclude that the "thief in law" is a phenomenon of the Soviet Union, which arose in the 30s of the twentieth century and who lived under the so-called special rules established by them. According to the "Thieves Code". According to the laws of thieves, "Skhodka" or "Siezd" is the gathering place of "lawful thieves" and criminal authorities, the "criminal parliament" (Roth,2000). The "thieves in law" could not own property, they were forbidden to work, to get married, to have a permanent place of residence. In addition, military service and all relations with the state, membership in the Communist Party and the Communist Party were prohibited. The "thief in law" was obliged to steal, he had to serve his sentence and did not have the right to demand early release. In exchange for complying with these requirements, the "thief in law" was "baptized" by the decision of three recognized leaders-authorities of the criminal world. After that, the "baptized" authority became the "spectator" of the camp and the so-called thieves' cashier. The manager of "Obshak", from which the money was used to prepare a new crime, as well as to help members of the thieving world and their families. All prisoners were required to contribute a certain portion of both the products and money received from abroad, as well as the remuneration received in the camp. At the same time, 6 main provisions of the thieving laws were developed, namely:

- 1-Loyalty and support of the thieving idea (to steal, not to have a family, to give up luxury, to take care of one's own authority):
- 2 - Inadmissibility of contact with law enforcement agencies: (Such persons were imprisoned in "kazles" or activists (Illesch, 1991)
- 3- Protecting honesty in relations with other thieves-in-law or authorities:
- 4-Commitment to involve new members, especially young people, in their circles:
- 5-Prohibition of political activity:
- 6- Control over the maintenance of order in correctional facilities and temporary detention cells. (Alexandrov, 2012).

It was thus in the interest of the thieves to carry out the production plan in the prisons and colonies, which would lead to an increase in the produce and income of the prisoners, thus contributing to the strengthening of discipline in the camps.

4. Controversy in the "Thieving world"

The beginning of the Second World War can be considered as the next stage in the history of the thieving world. By 1941 all prisoners in the Soviet Union were faced with a choice: the authorities offered them either the prospect of further release from the war or to remain in Gulag camps where discipline was more stringent. In many cases, the alternative was simpler either front or torture. Many criminals deliberately chose to join the military, despite realizing that such behavior disregarded thieving traditions. Battalions were formed from prisoners, including criminal authorities, who were sent to the hottest spots on the front. Frequent warrior soldiers were left on the front line and again engaged in criminal activities. (For example, in 1942 a mass arrest of thieves took place in the Moscow market) (14).

From the mentioned category of soldiers was created the so-called Penal Battalions. An attractive aspect of service to prisoners in such a battalion was the fact that the wounded soldier was considered to have served his sentence, and he was subsequently transferred to a regular military unit.

In order to prevent desertion from the free battalions, the troops of the Commissariat of Internal Affairs formed locking battalions called "Zagradostrids" who had the right to shoot deserters fleeing the battlefield.

Although many thieves were punished on the front line, and some of them even received the rank of officer, most of them returned to their old activities, which is why they returned to the camps. For thieves left in the camps who did not betray the thieving idea and traditions, the authorities returning from the war were considered traitors to those traditions. The former authorities were called "Polish thieves" the same "cousins" who united to fight against thieves. The confrontation between the two groups was called the "Puppet War" and lasted from 1946 to 1956. The camp administration originally used the "puppet war" to reduce the number of thieves. To this end, the representatives of both camps were deliberately placed in the same penitentiary institution in order to create a conflict between them, at which time the leadership avoided resolving the resulting conflict. Due to the created situation, the so-called "cousins" started recruiting "thieves in law". To achieve this, they beat the thief in groups, threatened him with death, or used other methods to force the thieves to renounce their thieving traditions. The colony administration actively supported them in this activity. One of the recruitment methods is described in the inspection papers of the Chaunsky and Chaun-Chukotka correctional camps, where it is stated that in 1951, at the initiative of Lt. Col. Warsaw, Brigade # 21 of the Krasnoarmeysk settlement was established, where syphilis patients were present. When the "thieves" refused to recruit them, they were sent to the # 21 Brigade, where they were raped and ill. Thus the so-called shaking of authority in prisons. The "admission" ceremony can be said to have been set up during the "Cunt War" and has been actively used by the administration since the early 1950s.

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The former front-line bosses are in much larger numbers in the camps, and the latter thought they would be able to make changes to the law of thieves. In essence, the principal question was whether the "thief" could co-operate with the authorities under certain circumstances. The so-called The "Polish thieves" thought it was possible, while the "thieves in law" categorically opposed it. Time passed, but the bloodshed that started between these two camps did not end. The bloodshed escalated to the point where the "thieves in law" were forced to change their code because they had no other way to escape. After many negotiations between them, they agreed to include one rule in the existing rules of conduct as an exception: thieves could start working as brigadiers and barbers in the colony. The following explanation was given: The brigadiers could always feed a few friends, while the barber had access to sharp objects, which gave the thieves a great advantage during the conflict in the camp.

Seeing that the effective means of combating the thieving world were the confrontation of the members of the world with each other, the authorities continued the set policy during the rule of Khrushchev in the 1950s. During this period, a special regime colony called the "White Swan" was established in the Russian Federation, in particular in Salikamsk. The difference of the zone was that in it only the thieves in law and the authorities of the thieving world were punished, who were forbidden to perform any kind of work according to the rules of thieves. Since other categories of convicts were not placed in the facility, there were frequent conflicts between the thieves, which dealt a significant blow to the world (12). I would also like to add the fact that psychological research has established that certain groups are limited to contact only with members of their own group, which is characteristic of members of the thieving world. Thus, the placement of one category of convicts in the "White Swan" in itself led to a conflict between them (Kun, 2005).

Vasily Babushkin, nicknamed "Vasya Brilliant", one of the prominent leaders of the criminal world and one of the founders of the Criminal Code, ended his life in the mentioned colony.

The creation of a special prison for the "White Swan" and the placement of only "thieves in law" in it was a kind of experiment and was in the interests of the state, as it led to a conflict between the "thieves in law". The special zone did not try to employ "thieves" because the authorities were well aware that working under "thieves' rules" was not allowed. This experiment had another purpose. The Ministry of Internal Affairs, at the behest of the government and the Central Committee, attempted to convert the recidivists, which manifested itself in the written practice of renouncing the practice of "lawful theft" and the subsequent release of these individuals. As a result of this experiment, only a few thieves renounced their criminal status, after which they left the penitentiary. The released prisoners could not even reach their homes because, according to instructions from the "thieves in

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law" in prison, they were killed on the way. Compared to the 1930s, at the end of the 1950s, the number of "thieves in law" in the USSR decreased by 97%. After that, the state punishment machine calmed down and solemnly announced the death of the last "thief in law". The penitentiary system and the militia continued to operate on the principle of "as if" and "thieves in law" no longer existed, "as if" prisoners were run by the prison administration, and "as if" the thieving elite was transformed into an ordinary criminal group. (13).

Thus the position of the government on the successful completion of the fight against the thieving world turned out to be wrong, as the thieving world adapted to the created situation in order to save itself and temporarily ceased its activity. I think this feature should be well studied by law enforcement agencies and they should not celebrate the victory over the "thieves' world" prematurely, because due to the specifics of this world, it can change color like a chameleon and adapt to an environment that is unacceptable to it.

The next stage in the development of the thieving world is related to the collapse of the Soviet Union when the state monopoly on the economy was abolished and the development of private business began. During this period, thieves-in-law negotiated with entrepreneurs who engaged in illegal activities in parallel with legal activities, from which they received large profits. These entrepreneurs are called They were called "Tsekhaviks". At the end of the seventies of the last century, the "Tsekhaviks" decided that it was in their interests to deal with the bandits. In 1979 a meeting of "Tsekhoviks" and "thieves in law" took place in Pyatigorsk. At the meeting, an agreement was reached that the so-called "Tsekhaviks" will pay 10% of their income to "thieves in law" to protect their business (16).

Thus the institute of the thieving world was established in the 1920s and it went through several stages of development, there was a period when the Soviet government declared victory over this phenomenon of organized crime and informed the population about its liquidation. However, this approach turned out to be unrealistic and wrong, as the institution of "thieves in law" and the phenomenon of the thieving world with new force and new rules in line with reality, exploded after the collapse of the Soviet Union.

5. Conclusions

The research topic discussed the history of the formation and development of the thieving world. The aim of the study was to study the effective methods of combating the representatives of the thieving world and "thieves in law". If we look at the recent history of Georgia, we will clearly see how much evil and problems the criminal world has created for the society, which appeared with special intensity in Georgia in the 90s of the 20th century.

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A study of the history of the thieving world has shown that its "nourishment" and its mainstay is the establishment of a criminal ideology and financial strength, the source of which is the proceeds of crime. The thieving world is actively trying to propagate the criminal mentality, especially in the younger generation. Also, in order to achieve criminal goals, the so-called collection of material funds. "In general". In order to combat this institution, joint efforts of law enforcement agencies and financial authorities should be carried out in order to minimize its negative impact on adolescents and young people, at the same time, measures should be intensified to identify Compensation.

The criminal connections of the criminal authorities located in the penitentiary institutions with the outside world should be limited as much as possible, which means taking appropriate operative measures on the contacts of the indicated persons, means of communication with the outside world (correspondence, telephone connections, appointments).

Appropriate ideological work should be done against the supporters and propagators of the thieving traditions in order to neutralize their popularization of the thieving rules.

The authority of the leaders of the criminal world should be undermined and the existing approach against the criminal subculture should be promoted in society, first of all, the mentioned work should be done among the minors. To achieve this, it is possible to use the views of criminals and former "thieves in law" who have abandoned these traditions.

The institute of district inspectors should be strengthened in order to study in detail the criminal situation and the circle of persons with a criminal mentality on the ground, in order to further neutralize their negative impact on society. Special attention should be paid to coordinated work with law enforcement agencies of foreign countries.

A study of the history of the origin of the "thieves' world" has shown that the unwritten laws of this world are not immutable rules of conduct. The world of criminals, like all events in nature, changes and evolves and adapts to the existing reality. Thus, these evolutionary signs of development must be given special attention by both the state authorities and the society in order to minimize the negative impact of the "thieves' world" on the state and society and to prevent attempts to hinder the active development of the country.

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