

The Russian version of Esquire magazine has published a very interesting and extensive conversation between Mikhail Khodorkovsky and the writer Grigory Chkhartishvili - who is better known by his pen name Boris Akunin. Each day this week we will publish a section of this important article. http://www.robertamsterdam.com/2008/10/esquire_interview_with_mikhail_1.htm

Correspondence: CONVERSATION OF WRITER GRIGORY CHKHARTISHVILI (B.AKUNIN) WITH MIKHAIL KHODORKOVSKY



When the editorial board proposed to me to get an interview from any person who would be interesting to me, I said right away: "Most interesting of all for me would be to talk with Mikhail Khodorkovsky". The fate of the former richest person of Russia gives me no peace. And not at all because he is the richest. Every time somebody tries to stand up for Khodorkovsky and his comrades, without fail you always hear the reproach: come on, we have many people in our country who are being held behind bars unfairly. They don't write about them in the newspapers, they don't have a team of high-class lawyers looking out for them. Why is it, gentlemen, that you're making such a fuss over this specific oligarch?

I will explain why I'm making such a fuss. It was specifically on the YUKOS case that we lost the independence of the judiciary – an institution without which a democratic society can not exist. That means this is precisely the point to which we have to return. If we restore justice and legality in the case of Khodorkovsky, this will also help all the rest of the victims of our foundering Themis.

For understandable reasons, the dialogue took place in epistolary form. It is given here without any abridgements. -- Grigory Chkhartishvili

GRIGORY CHKHARTISHVILI. Mikhail Borisovich, I belong to the number of those to whom your fate does not give any peace. And there are quite a lot of us people like this. However, you rarely interact with us. And if an interview does appear, then in some kind of

Financial Times. Why? Can it really be that to attract the attention of the world community is more important for you than to be heard in the motherland?

MIKHAIL KHODORKOVSKY. For a real dialogue is needed an interlocutor who understands and is interested. They just "don't make that kind" of journalist in Russia. Why? Maybe the publishers don't want it, maybe self-censorship. As to the "Westerners" – I interact with them infrequently as well. I don't want to get published a lot in the West, and besides one wants to rant about many questions, but what would be the point of my ranting to a Western reader? So that he could once again condemn Russia in his soul? This is unpleasant to me, and, most important, pointless; we need to be the ones to change Russia, right here. It doesn't work any other way.

But here – there are other problems. Novaya Gazeta? There, many of the readers are [already] like-minded, and to [try to] convince them of something, with respect to the broadest circle of questions, is silly – they already know everything themselves anyway. But in those questions where I don't agree with them, my bilious letters, being published, play into the hand of all kinds of riffraff, who gleefully start to cry out either "look at those liberals, they're such slime that even Khodorkovsky rants at them", or "Khodorkovsky's contriving to get himself a pardon, cursing out the opposition". That's why I write letters, but I don't permit them to be published. As to other publications... When they phoned me, completely unexpectedly for me, to give an interview to Financial Times (for which the court secretary, I believe, suffered), representatives of two of our publications were sitting in the hall too – interesting fellows, we had been discussing questions that interested them, including the prospects for Chita Oblast (one of the journalists represented a Chita newspaper).

We spoke for a long time, they gave us nearly two hours. Financial Times published everything that I said to their journalist (apparently out of ethical considerations, he didn't take anything that I'd said to our [journalists]). Our journalists kept silent [i.e. didn't publish anything from these interviews]. The publications, however, were delighted to reprint the Financial Times material. It is understandable why this is so, but I would never do something like give an interview to Financial Times and deny one to our [journalists] who were right there. As concerns the regime – yes, while I was in the camp, after every article they threw me into the Penalty Isolator.

Perhaps it was just coincidence. But I couldn't care less about that. It doesn't scare me any more. True, after Financial Times this did not take place. Could it be they've smartened up? Or the times have changed? Sorry, that was just me being overly optimistic.

G.CH. The most painful image from what has happened is how the trial went. In fact, why don't we start with the trial and the judges. It seems to me that in Russia today has arrived an epoch of the personal liability of a person for his conduct. The choice – to participate in something dirty or not – is something everybody has. During the times of the Great Terror, the judge and the procurator put their stamps on the guilty verdict out of fear for their own life. During the times of Brezhnev, by refusing to convict a dissident, they would have risked finding themselves in a jail or a nuthouse. Now we're only talking about a career. You can take off the robe and join the bar. And this means that the choice is not at all that dramatic, and there are no justifications whatsoever for meanness.

The YUKOS affair – is the most shameful page in the history of the post-Soviet judiciary. It, without a doubt, belongs in the history textbooks. Not only the names of those convicted will make it in, but also the names of the "top students" from the judicial/procuratorial

workshop, as this happened with the never-to-be-forgotten judge Savelieva, who publicly berated the parasite Iosif Brodsky. What do you think about the people who actually conducted the investigation, presented the charges, issued the verdict? I was at your trial, at Alexanyan's trial, and just kept looking at their faces. What's going on inside them? For me, it's a mystery why they're not thinking about how it won't be very long at all before their own children are ashamed of them. What kind of special people are they, what makes them tick?

M.KH. When people talk about how Russia has changed since the Soviet times, I recall the trial.

This will sound silly, but the trial became for me an opportunity to see and to re-evaluate my colleagues, my fellow citizens. You want to hear [me talk] about procurator Shokhin, about judge Kolesnikova? These are petty bureaucrats, who would never have been put in such a trial if there weren't enough kompromat against them to hang them with. Novaya Gazeta wrote about Kolesnikova; she was "hanging" on a complaint lying without a response in the Procuracy General throughout the entire trial. On an analogous complaint, her colleagues got 12 years each (a question relating to an apartment). It's not for me to judge how true this is, but I think Kolesnikova knew better than I that the truth in such a situation is meaningless. As concerns Shokhin, his problems are understandable too. The fact that he decided not to stand up against the superiors, but to creatively lie in court (about which I declared there) – unfortunately, this is an unavoidable consequence of the one-hand-washes-the-other-everybody-covers-for-everybody-else system in which he exists.

Now they're trying to demolish it a tiny bit, and inside the procuracy there are many people who would like to be independent and can be that way because they're educated, they're needed, and there isn't any kompromat [on them]. Many, but not all. Today's nomenklatura is based on there being kompromat, i.e. the opportunity to annihilate someone who "lashes out". Is this good? Yes, of course, it's abominable. What is taking place is the advancement upwards of the most "sullied" ones, projecting "downwards" and into society their distorted moral principles. But what can you say about them? Pitiful, miserable people, who in their old age will be scared of death.

What struck me in the trial was something else. The prosecution had interrogated more than fifteen hundred people. Many with threats of bringing charges against them (with some they did). They hand-picked just over 80 for the trial. And these people, who were completely justifiably afraid for their own fate, did not take sin upon the soul. Nobody – I emphasize, nobody – gave testimony against me and Platon.

And some even decided to speak out in our defense. This is witnesses for the prosecution, hand-picked out of those who could have considered themselves to have been wronged by us. I can not help recalling former director of Apatit Anatoly Pozdnyakov, former governor of Murmansk Oblast Yevgeni Komarov, and indeed many – dozens of people who, being found under the strongest of pressure, refused to go against the conscience. And by the way, among them were also employees of the procuracy, who refused to lie on the order of their superiors (I don't know if makes sense to bring up their names now). We're living in a completely different country after all. Yes, there's still enough ruffraff to go around, but there are already more citizens – real citizens – and a further process of transforming the horde into a community of citizens is taking place. Putin's greatest mistake is that he, wittingly or unwittingly, put the brakes on this process, the process of the establishment of

a civil society. Now there are hopes for the resumption of this process, which makes me happy. Maybe my words do sound silly.

G.CH. But why did you agree in the first place to participate in the trial, in what was always going to be a profanation of justice? Would it not have been more proper to declare right from the start: "Do with me what you will, I don't believe in the objectivity of your court and do not intend to help you play your game"? Or did you have some kind of illusions?

M.KH. You're going to laugh, but I turned out to be quite a naïve person. That is, I didn't have doubts that the procuracy would be able to hold me long in jail, but I didn't believe until practically the very end that the court would be able to issue a guilty verdict without evidence and, most importantly, in defiance of obvious facts – and in an open trial, no less. I considered that a court is still a court; it can, and it will, play along with the prosecutors, but it can not directly violate the law... Turns out, it sure can, and how. No, at first everything was decent enough, but in the beginning of 2005, someone called someone in someplace, and that's when I understood – there's nothing to discuss with these people. But there remained society, investors, my colleagues, the employees of the company, and I had the duty to explain to them that they had worked not in a criminal group, but in a normal company, which found itself in a grindstone not simply out of political motives, but – and here's the main thing – on charges of crimes that never were. And, judging by the fact that [employers] both here and abroad are happy to hire all the YUKOS employees, I have succeeded in this.

G.CH. Let's turn the clock back. By the moment when the power adopted the final decision: to lock [you] up. With whom haven't I talked on this topic in the intervening years.

Everyone was preoccupied and to this day is preoccupied [by the question of] what was the true reason for Putin's personal war against you. I've gotten to hear the most varied of hypotheses. It is noteworthy that nobody, not one person of those with whom I have discussed this, took the official hypothesis seriously: that YUKOS was supposedly unlawfully grabbing someone else's property, was maliciously evading taxes, and that's why they've locked all those good-for-nothings up.

First, YUKOS itself was snatched right before everybody's eyes, without any embarrassment. Second, many had heard that YUKOS was paying more taxes into the treasury than Rosneft – the company that gobbled it up – does today, even though oil has become four times more expensive in this time. "This isn't what they locked Khodorkovsky up for" – such was the general voice. I will now enumerate the prevailing hypotheses for you, and you say which one of them is closer to the truth. The theory of what happened that's maximally close to the official one (let's call it Version 1) looks something like this. All the oligarchs of the 1990s amassed wealth in an unrighteous way. They had gotten access to the subsoil from the state and therefore were supposed to have observed certain conventions in relations with the power. But Khodorkovsky, having accumulated billions, violated this unspoken understanding and began to behave like an independent socio-political force. His example could have been picked up by other billionaires, and Russia once again would have ended up in a dim and restless time of "seven banker-ness". Yes, Putin applied unlawful and dishonest methods towards Khodorkovsky, but he could not have acted any other way. The oligarchs had to be scared a bit and brought into line.

Version 2, the romantic one, was narrated to me by one Splendidly Informed Lady. Supposedly at a meeting of Putin with oligarchs you alone dared to appear without a necktie, in a turtleneck, and The Guarantor [Putin], very sensitive to signs of external

obedience, supposedly said: "For Bush, he, I'll bet, would have put on a tie". And deep inside he felt this as a mortal affront. That same lady said: "And in general, He can't stand tall men". (This last is obvious hogwash. If that's the case, then Mikhail Prokhorov would need to be locked up).

Version 3 (narrated to me by one Person of State). Competent organs reported to the president that Khodorkovsky is planning to invest billions in "orange" scenarios. For the sake of public tranquillity the president adopted a heavy – but the only right – decision. Version 4 – my own. I can easily imagine that a 40-year-old person, at one time having set himself the ambitious task of becoming the most successful entrepreneur of the new Russian economy, at some moment suddenly realized that, broadly speaking, "money can't buy happiness". So I've become the richest, now what? Lots of strength, half a lifetime still ahead, and you want to do something truly large-scale: for example, to help Russia to finally become a civilized, competitive country. And this drive got someone mighty worried.

Which of the hypotheses is closer to the truth? What really happened?

PART 2

Mikhail Khodorkovsky: At first, probably, the power simply wanted to have kompromat on influential business groups, but then more radical plans appeared. It must be said, a talk with the president about the rules of the game did take place. During the time of this talk (in 2000) Putin said that he expects that the biggest companies won't be used for the resolution of political tasks. And we all (I among them) declared that we support this position. Business structures have to be outside politics, because on them depends the provision of the population with critically important goods and services. It should be noted that [this] obligation YUKOS carried out to the end, although the Procuracy-General did everything to disrupt deliveries (including the arrest of operational property and accounts).

That entrepreneurs not participate in politics in a personal capacity or through lobbying was never spoken of. Indeed, until 2003 both the administration of the president and the government knew from us ourselves whom we're helping, what questions we're lobbying. Everything changed in 2003. You could make guesses as to why – either because of the elections getting close, or because of the informational policy of representatives of the siloviki wing close "to the body", or simply that the Kiplingesque "Water Truce" had ended. One way or the other, the trend changed drastically and without any preliminary discussions.

It must be said frankly that by that moment certain changes that had been accumulating during the course of 2001-2002 had also taken place in my position, The main thing is that the logic of the development of international business demanded disclosing all confidential financial information to investors, demanded maximal predictability of the business environment, that is the legislative securing of all the most important aspects of the activity of companies. In general, modern business demanded modern social relations, and we started consistently striving to achieve them. Not "in general", but as concerns our specific industry.

We succeeded in pushing through into the law on pipeline transportation – so-called "equal access to the pipe", i.e. quotas, which before had been "creatively" established quarterly by officials, obtained a clear-cut legislative securing. We were able to carry through the legislative securing of the scale of customs duties – this was yet another "mass feeding trough" – and a few other analogous anti-corruption amendments to legislation.

Moreover, the amendments were carried though not “behind the scenes”, but in open parliamentary hearings. Once at an open deliberation at prime minister Mikhail Kasyanov’s I even had to propose to four ministers to concretely disclose the mechanism of their interest in preserving the old status quo. They publicly refused, and the objections were withdrawn. That is, I want to say, this was a very real fight. Of course, the methods, compared with today’s, were vegetarian, but there were quite a few discontented people.

However, others immediately tried to take the place of the one group of corruptioneers. I understood that without political support at the very top nothing would work out. And it was decided to place the question of corruption at the president’s. The topic was supported by Voloshin and – you’ll be amazed – Medvedev, who, being then the deputy head of the administration of the president, was preparing the deliberation with the Union of Entrepreneurs and Industrialists [RSPP].

Apparently, the question had come to a head not only for the RSPP. The deliberation ended up being loud. This was 19 February 2003. Then I talked about the gigantic corruption market in the country – 30 bln dollars, that is 10% of GDP. (By the way, at the beginning of 2008 the deputy procurator-general is naming a figure of 240 bln dollars – that is 20% of GDP already.)

Soon after that, in March, the “steamroller” started up. And they threw everything they had into it. For example, at elections large companies always helped the deputies from their territories, the parties (both by obligatory allocation, and at their own discretion). I, in consequence of the process of disclosure of information in the company, decided to cease the non-public support, to make it open and personal. That is, I supported SPS and «Yabloko» not “on the sly”, but publicly, and not from the company’s money, but from my own, personal, having previously paid taxes. Moreover, some others of my colleagues just as openly supported those who to them were politically closer. This is a completely civilized practice, and at first many officials deemed it correct. However, after February of 2003 another interpretation was given – “preparation for a seizure of power”.

Grigory Chkhartishvili. Given by whom? Who personally? It is understandable that this could not have happened without the sanction of Putin, but who was the initiator? What kind of alignment of forces did they have there under the carpet?

M.KH. There was a rather large group of people in the Kremlin who considered the pursuit of YUKOS to be a mistake. They tried to do something, but ended up not being understood.

At the end of the summer, the situation became completely tense. I understood that there’s a very serious confrontation going on in the Kremlin between actually existing, and not at all imaginary, groupings for influence during the time of the second term of Putin’s presidency. The composition of these groupings was constantly changing, and they can only provisionally be called the siloviki and the liberals, but their vision of the development of the country differs strongly. One group, provisionally called the liberals, sees the goal in the building of a sufficiently democratic, open society. I would sooner call them “supporters of playing by the rules”, although this too won’t be precise. They, of course, also see themselves in power, but are ready to fight for this power with political methods. These are successful people, and that’s why they’re ready for real competition. For them money can be a means, but never – an end, the purpose of being a civil servant, because they’re convinced – and rightly so – that it’s always easy to earn more than they need.

The other grouping – the “siloviki”, once again to be more precise – the “adepts at playing without rules”. There really are many like that in the siloviki organs, but definitely not a majority. And indeed there are many of them even in “nonsiloviki” circles. These are insecure people, compensating for their insecurity with access to violence. It is precisely because of insecurity in their prospects that power – and even more so, money – is a certain fetish for them. Insecurity about their own competitiveness gives rise also to the use of anti-democratic, silovik methods of political and business struggle. Insecurity about their own strengths, unbelief in their own people, gives rise also to the longing to “isolate oneself” from the outside world, not to allow people to truly express their will, etc.

All this was already clear in 2002, and I came up “out of the trench” with open eyes then, at the February deliberation at the president’s. In the summer it still wasn’t obvious that we would lose, but that the crisis was close at hand, and that our adversaries do not have any barriers, was understood. I don’t know if it’s worth it to name names, but “that side” – this is Sechin and a bunch of bureaucrats of the “second echelon” (i.e., supporting him not only out of conviction, but also in the hope for advancement in service or because of kompromat had against them). This is both Zaostrovsev and Biryukov, and many others. By the way, Ustinov and Patrushev maintained neutrality until the last moment. This is true. On “this” side, obviously, were Voloshin, Medvedev, Kasyanov, Chubais, Illarionov, Dvorkovich, even Gref – until a certain moment.

G.CH. No doubt there was a point at which you understood that they won’t hesitate to arrest. Were hints made to you that it would be better for you to beat it out of here? Why didn’t you leave? Was there some kind of distinct threshold, some kind of point of no return, when you decided: let them lock me up, but I’m not leaving.

M.KH. I could have left, but after Platon’s arrest I regarded this as betrayal. At the end of the summer I took a trip, said my goodbyes to my colleagues who were already beyond the border, and returned to Russia.

G.CH. And in connection with this a question I really don’t want to ask. But it worries many, so I’ll ask it anyway. Were there minutes when you regretted that you hadn’t left?

M.KH. And here – there’s schizophrenia. One half of me regretted even then, when leaving, that I would have to return, and has regrets about this every day that goes by far away from family, from home. But the other half – it answers to the sense of duty, thinks in categories of decency and betrayal and does not let [me] exist in peace. Perhaps I’ve got foolish criteria. Perhaps I should be more flexible. Even definitely [I should]. But I’m already 45, and they’re kind of formed [already]. I probably could step over myself, but then how to live, having taken this step – I don’t know. So there are two honest answers. Yes, I regret it every day. No, I don’t regret it, because, had I left, I would not be able to live.

PART 3

Grigory Chkhartishvili: Please talk about this in greater detail. This is very important. So you said your goodbyes to colleagues beyond the border. And with family? I’m intruding here on territory where outsiders have no business being, but this is a question to which half of my books are devoted.

A real man has two zones of responsibility: the Big World (the work that he does; the idea or faith which he serves; society, country, art – it doesn’t matter what it is) and the Small World (family, close ones). The heaviest conflict that can arise here is the necessity of

making a choice between the first and the second. It is unthinkable to betray the Big World, because, as you very precisely stated, it will become impossible to live. But then you sacrifice the Small World, without which life loses any kind of happiness. You're hitting out at people who are dearer to you than all the rest of humanity taken together. One acquaintance of mine said to me with regard to you: "For children it is better to be proud of an absent father than to be ashamed of one who is present". This may be true, but it still is a pretty frightening [thought]. And, most importantly, where to find the strength to make the decision?

Mikhail Khodorkovsky: My wife and I are together for more than 20 years, and have gone through a lot. I don't know how many times she said her goodbyes to me in her thoughts, but it was at least twice – during the time of the events of 1991 and 1993, I, leaving in order to protect my Big World, as I understood it, left her a rifle and bullets, so that she could protect our Small World. This is in the direct sense, not allegorically. I know she would shoot till the end. Although this is very hard to imagine today. Or maybe not hard... I asked my wife: "Maybe you'll depart from the sin?" After all, there had already been searches at the neighbors', and they had come to Nastya at school. She said "no". Parents? For them honor was always dearer than life. Their own [life] – definitely, and maybe even mine. So here I had no doubts.

Many of my colleagues decided to leave, and this too was right – why breed hostages? And so, after travelling to Israel, the USA, and England, I returned to Russia. Now some people are saying that I had put my hopes on somebody's guarantees. This is not so. All my friends and acquaintances suggested [to me] to stay there, get US citizenship, but reacted with understanding to my decision to return. I think that if I had stayed, they would of course have helped me to resolve all questions, but I'm afraid they would have lost respect for me.

I very much hope that my children too, knowing well since pre-school that "papa's in jail", will grow up understanding why I could not have done otherwise. My wife promises that she'll be able to explain this to them.

Towards October of the year 2003. [sic] it became clear – we had lost this round. The scales and the forms of the vengeance of the adversaries, of course, had been underestimated by us. Nobody thought that the company would be destroyed, that they would completely strangle the judicial system, that they would plug up the independent mass information media. All this was rather hard to imagine. But that I would be in jail, that they would take the company away from me – this I understood even then.

And here, inasmuch as the decision not to leave had already been adopted, I decided for the first time in my life to travel to the regions with a lecture that I had given before on numerous occasions at «Open Russia» events. A lecture about democracy. I managed to travel to seven or eight regions with five-six appearances in each. I called [on people] to vote for SPS and «Yabloko». In the main, the appearances took place before large student audiences of 500-700 people each. You will no doubt be surprised, but they were a success. And, what is most interesting, they invited me to speak to a military unit, there was a [military] college there. I thought they'd carry me out [in a body bag]. But no, I spoke for around three hours, answered questions. They responded well. Perhaps the appearance in the military college became the last straw. Right after this a summons for questioning came to the office. Then there was a forum of human rights advocates and a flight to Irkutsk for the next appearance. The flight from which I returned on a special FSB plane under convoy.

I don't enjoy tearing on the nerves and dramatizing the situation. My wife and my parents, of course, were watching television, but we had not discussed "what might happen". No reason to. Everybody understood everything and did what they should have. This was the latest battle [of many] from which I might not return. And from which I have yet to return.

My family understood that it would be hard, but of course in practice it turned out to be even harder. Slander every day on all the television channels. The whole social circle destroyed. The first meeting through the wire grille...

In general, the whole of the year 2004 I simply prayed that they would endure. If [something] had broken within the family too, it would have been really horrible. In general, I did not understand this to the end before jail, but now I've understood. If something had happened with my family, I would have done something foolish. But they did not break. Maybe also because of the huge support of good people, because of the attitude that was manifested towards the children both at school and in the pre-school, because of the letters, because of total strangers on the street. You know, I really do love my country, my Moscow. It seems like one huge apathetic and indifferent anthill, but it's got so much soul... You know, inside I was sure about the people, and they turned out to be even better than I'd thought.

As to the family... Of course, nothing's simple, but I am very happy that they exist. Remember the song: "It was enough for me that a small mark was left from the nail". Well, I don't have a mark from the nail. Mine is always with me.

And another thing. More than 20 years ago I parted with my first wife. Our son is already grown, finished university, is working. And he, and she, and her mother have been writing all these years, supporting me, my parents. I seem to be lucky with good people [in my life].

G.CH. In December of 2004 you wrote: "And I have already realized that property, and especially big property, in and of itself does not make a person free at all. Being a co-owner of YUKOS, I had to spend enormous efforts on the protection of this property. And I had to constrain myself in everything that could have harmed this property. And here I have crossed into a new quality. I am becoming an ordinary person (from the economic point of view – a representative of the well-off part of the middle class), for whom the main thing is – not possession, but existence. A struggle not for property, but for myself, for the right to be me". You know, from your answers I'm getting a feeling that sitting in jail, you feel yourself much more free than the "prisoners" of the Kremlin and the White House, who are tied hand and foot, are afraid of everything, hide their incomes from the public. You're a unique person: first you earned more than anyone else, then you lost more than anyone else, and seem not to have regrets about this. Is this so?

M.KH. Ever since I was a child, I wanted to become the director of a plant. Not a cosmonaut, not a military man, but a director. And this dream stayed with me all through school, college, with this dream I entered the "big world". Very little time passed by and the dream was realized. The Center for the Scientific-Technical Creativity of Youth, the bank, brief work in the government, and then – privatization. Privatization for me signified not money, but the opportunity to fulfill a dream. A childhood dream. «Avisma», «Apatit», and then – there was YUKOS. A gigantic enterprise, for the encounter with which I had been preparing all my life until that point. It demanded all my education, all the experience [I had] accumulated. I worked like a madman, 14 hours a day, I was perpetually on the go, I went around the labor collectives on a gigantic territory of hundreds of thousands of square

kilometers. Money... what's that? When I worked in the bank in 1993, I had more than in 1999 in YUKOS, and way more than I needed for personal needs. You can't imagine the elation when projects move from paper to metal, into thousands of purposefully moving machines, into gigantic structures, into a dream come alive...

And then comes the fatigue, and you feel the whole weight of the responsibility that has fallen on you – responsibility for someone's hopes, for hundreds of thousands of destinies, for the inevitable misfortunes that you couldn't prevent. And here you understand: this is already no longer you bringing your dream to life, but the dream come to life snatching your fate into its own hands. You're saying what you're supposed to say, your time is planned out for months and years, you're interacting with those who are needed by the "dream come to life". You are its slave. You look around and see: the dream has acquired a life of its own, but [real] life is going on in parallel, and what had seemed important to you is not simply unimportant, it even gets in the way of something far more important that you could have been – no, not could have been – should have been doing!

The first time I was "jolted" after the default, when I understood: I'm building on sand. The main thing isn't steel, but people – moreover, not our collective, though it number many thousands, but the entire country. But then there was no time to really stop and think, I had to save the situation, to fight for the survival of the company. You know, I got a lot of help from people, colleagues. You can imagine: the exchange rate had fallen, the ruble had lost value, but there's a problem with sales and marketing too – the new prices for gasoline, nobody's paying yet. What to do?

I appear before representatives of labor collectives (several hundred people) and ask that they vote for a reduction in wages. And the people vote, they go among their collectives to convince [them] that this is right. I go too – to the remote-site work camps, where it was supposed to be the most complex of all. And the workers agree. They understand! Maybe this became that extra drop that helped the company survive. And then, in 2000, when everything became good, the uncomfortable thoughts returned once again. Thus began «Open Russia» – an organization founded in order to help those who are in need of help.

In 2002 I announced at the board of directors that I would leave the company by 2008. Before – [it would be] hard, but longer than this period I will not remain the slave of the dream I had brought to life. Money, status – all this is important when what you're doing doesn't diverge from your internal understanding of what is right. When it does diverge – there arises a sense of unfreedom. But the force of habit gets in the way of breaking free. And so you become a slave of things, of the system, of the situation, of property. I am convinced: the only right conduct – to drop all this and to get far away.

My wife and I, when we felt that we were "drowning in things", simply took the most necessary [things] and moved. We didn't have our own apartment, a permanent home, but we were happy because we were independent. And I hope we managed to raise the children in the same way. I believe: a person carries what is most important and most necessary in the soul. Five years of jail – also constant moves, a multitude of constraints. You can't take much with you. It's sad to leave behind accumulated books, to lose notes. But they're with me, in the head. Everything else – worthless trifles. In this sense jail makes a person free.

G.CH. Now I'd like to touch upon another thing you've said that raised a lot of questions. "Now only Faith", you wrote, discussing the topic of morality and justice. "The problem of today's Russian liberal society is that the main argument for liberal values lies on the plane of Faith: "a person is born with a striving for freedom and happiness", while Russian liberals

– nonbelievers for historical reasons, do not take the argument of Faith seriously”. What did you mean by that? This is to substantial a declaration to remain insufficiently intelligible.

M.KH. Why is democracy better than dictatorship? Because freedom is better than un-freedom? Why is it bad to lie and to do bad things? Because you need to love thy neighbor? Why do you have to defend the Motherland, save another person, sacrificing your own life? After all, there won't be anything “afterwards”! Or, maybe, there will?

What is morality? Where does it come from? There's no logic in it. You can think up a logic to fit this kind of morality, or one to fit another kind. Scoundrels are often more successful than decent people, but are they happier? – that's the question. If they were happier, then we'd be living among nothing but scoundrels. In the world would triumph strength and meanness. But it's not at all like that, after all. Strength loses out to courage, meanness – to honesty, hatred – to love. Not at first, but always in the end.

And the world becomes a better place. Why?

We – our civilization – are 2 thousand years old; humanity – millions [of years old]. We are what we are. A society that's closer to what man really is will be happier and more successful. Science is gradually discovering man, but is man knowable, or is he, like the world, infinite? I don't know. What I do know is that for now – we are a mystery for logic and science. But at the end of the textbook there's an answer. From where? I don't know. Experience shows – the answer is correct.

I believe – man internally strives for freedom, for love, for truth, and only on this path can he be happy. Where's the evidence? I don't have it. That is, I could give a discourse on the subject, but that would be demagogy. There are a hundred “fors” and a hundred “against”.

So what will this man liberated from outside pressure be like? An avaricious beast or the lord of creation? If a beast, then we need to build cage-states, in order to keep people from destroying themselves. If a lord of creation, then nothing created by man (the state, a corporation, society) will be able to be higher than mancreated- by-God.

I believe in man. That's what Faith with a capital F is. Forgive me for a certain unclarity of thoughts. The topic is such that I decided simply to lay out my emotions.

G.CH. Faith with a capital F? And also you wrote in one of the articles: “I am grateful to God that, unlike my persecutors, I have understood that the earning of big money – is far from the only (and, perhaps, far from the most important) point of human labours”. Does this signify that in jail you've turned to religion?

M.KH. In general, I wasn't exactly an atheist even before jail. God, doom, fate, destiny – nearly everybody believes in something that's higher than us. And indeed it would be strange not to believe, living in a huge unknown world, not really even knowing ourselves; to consider that everything around us – is the product of a random confluence of circumstances.

One can believe that there is no God, one can believe he exists. Faith does not demand evidence, as is known. But if there is no God, and all of our life –is but an instant on the way from dust to dust, then what's the point of everything? What's the point of our dreams, our aspirations, our sufferings? What's the point of knowing? What's the point of loving? When it comes right down to it, what's the point of living?

I can't believe that everything just is and that's all there is to it. I can't and I don't want to. It does make a difference to me what will be after me, because I too will be. Because someone was before me, and someone will be after me. And this is not senseless. This is not simply "that's the way it is". We do not live simply to pollute the water and the air. We all exist for something greater. For what – I don't know, and I will never know. Each of us individually – for happiness. But all together? I believe that there is a Great Goal for humanity, which it has not been given unto me to behold. People have called this goal God. When we serve it – we're happy, when we stray aside – we're met by Emptiness. An Emptiness that nothing material can fill. It makes life empty, and death terrifying.

PART 4

Grigory Chkhartishvili: Being found in confinement, you published several articles, some of which evoked a kind of alarm among people who considered you to be a like-minded person. Before switching over to this topic, here's what I'd like to ask about. You have already explained why you so rarely give interviews. But articles – this is different? Are they written due to the lack of someone to talk with or is the monologue mode of interaction nevertheless closer to you than the dialogue mode?

Mikhail Khodorkovsky: You know, I never was much into writing. I loved to read, but writing... More often girlfriends would produce compositions for me in school. Talking to people, public speaking – yes, this was a part of my usual work as the head of a large organization. Interaction with the press, appearances before labor collectives, before investors. There were not dozens, but hundreds of those in a year. When I started engaging in civic activity – even more was added. It needs to be said that before any audience I always felt myself absolutely comfortable. I lie – I never liked rallies. I need to see the eyes in the last row – otherwise I lose contact with the audience.

And now there's jail, interaction with cellmates and lawyers. No problems, but they're interested only in specific questions, which personally concern me little, as funny as this may be. With these people I am forced to talk not about what is interesting to me, but about what they need. In the case of the lawyers – okay, I need this, but [only] from a narrow legal point of view. So that's why I started to write. Gradually I learned how to express my thoughts on paper. This is not as good as appearing live before an audience. But it's better than nothing.

Now I've already accumulated many texts, but I'm compelled to think about "how my word will be received". It is understandable that it will be received in the political and cultural elite, but not in the "broad strata", who still aren't reading such things. After all, from a purely technical standpoint I won't be able to clarify my position, to argue with adversaries who won't understand me correctly. Consequently, what I have written could be adversely interpreted and used goodness knows how. When I start to write, I don't know what will come out – the text just flows out on its own. Not having someone to talk with, I talk with myself, I argue with myself, I clarify [things] to myself. A sort of "creative schizophrenia".

G.CH. Well, then let's argue about your articles. If not for the prison bars, which for a decent person rules out harshness of polemics, you would probably have really gotten slammed by various worthy people. I too categorically don't agree with you on a series of points. Shall we talk without any allowance for jail? The damn thing hasn't gone anywhere, but after all, ideas can't be stopped by bars.

M.KH. Hooray, thank you! There's nothing better than a good adversary.

G.CH. First of all, about the notorious crisis of liberalism. It is bitter to me that you have joined the chorus of those who disparage this direction of thought. Today's Russia's already got more than enough gravediggers of liberalism as it is without you. You're absolutely correct when you write that the liberals of perestroika vintage turned out unable to deliver – "they accumulated way too many mercedeses, dachas, villas, night clubs, gold credit cards". But why make pejorative generalizations on this basis, saying that intrinsic to domestic liberalism is "servility encoded at the genetic level. A readiness to forget about the constitution for the sake of one more portion of sevruga with horseradish. Such was the Russian liberal, such he has remained", you write. Is this said about Chaadayev? About Herten and Korolenko? About Sakharov, who for me is the absolute pure image of a liberal? Liberalism – this isn't the domination of "bucks over evil". It's "not about money" at all, it's about a sense of one's own worth.

I'm already sick and tired of hearing abuse to the address of the "damned nineties". Where would we all be today without the nineties? There's no need to reject liberalism just because a part of the liberals (not the best, just the most nimble) talks the talk but isn't able to walk the walk. All this means is that democracy will come to us not from above, but the natural way – that is, the hard way – "from the roots", from below. The "old rightists" need to leave and quickly; they have been irreversibly discredited. They will be replaced by "new rightists", and they're the ones who will have to build a civil society from the bottom up, and not from the top down. To build with those same well-known liberal templates: respect for individual rights, tolerance, quiet courage, patriotism without xenophobia. To use the language of our own dear alleyways, all of this boils down to the formula "don't bend before the strong and don't squeeze the weak". You don't agree? Object.

M.KH. First, let's not talk about the multitude of genuinely very good people with liberal or not at all liberal views. You throw Herten at me, and I'll come right back at you with Pushkin and his "agreement" with Benckendorff and Nicholas, with his glorifying of the tsar. You give me Chaadayev – I'll give you the Decembrists (well, maybe without Lunin). You give me Korolenko, I'll give you Korolev: not a liberal, but a very not-bad person. Therefore, let's talk about the mass of people who adhere to liberal views, moreover not so much in economics (which is another topic altogether), but in politics.

A liberal – is a person who maintains that the individual has precedence over society, the state, and all the other things humanity has invented. Human rights – here, to my view, is the main liberal idea.

Judging by the quantity of applications to the Strasbourg court, half our country are liberals (just kidding). But all kidding aside, there are quite a few now, and there have always been quite a few. But here's what's funny: coming to power, to financial success, very many liberals forget about their liberal past. Not all [of them], of course, but... What is even more unpleasant for me personally – Russian liberals both before and after the revolution did not want or did not know how to quash personal ambitions for the sake of the common goal. This seriously disparages the liberal idea and, what is most important, reduces its success rate in our country. It is imperative to note that the Western liberal community is much more effective in this regard. There they consciously sacrifice a part of their personal freedom for the attainment of common goals. And they attain them. But we're either "I'm on my own and I'm the smartest and all who don't agree with me – are practically enemies", or "I'm a liberal, for now not successful, but if success has come, well then 'down' [to everybody beneath me] – no liberalism". Second (if you still remember, everything that has come before was all "first"), when I wrote this article in March 2004, I was seriously upset by the results of the parliamentary elections and allowed several excessive

generalizations, to which, as a rule, I'm not inclined. And when I was talking about liberals, I was really to a large degree talking about myself.

But in general, I personally am not especially a liberal, in that sense which is usually injected into this concept. I'm for a strong state in Russia, and I have a whole series of arguments. I'm for an active industrial policy, a social state. In general – the Scandinavian model.

Russia – is a huge country with heavy climatic conditions, with very not-simple geopolitical surroundings. A weak state simply will not be able to capably deal with all the extraordinary situations. About the significance of climatic conditions: the USA have a more liberal economy than Canada, where nature is much more harsh.

Another matter – a strong state, so as not to degenerate into yet another totalitarian mess, must not only be balanced by a strong civil society, but must also possess an irreproachably working system of checks and balances: separation of powers, public control, a strong opposition. In other words, a strong state must be beyond the rule of law, if one can express oneself thus.

New liberals – or, more precisely, democrats – will no doubt come (I don't like the term "new rightists", "right-left" – that's from another opera). Our children will be them. Only what will we tell them? Kids, we've left you this mess because we chickened out? We were saving up for a car that's got rust on the bottom? For an apartment from which a bureaucrat is kicking us out? Or we didn't chicken out, but simply couldn't agree with one another because of elevated "aesthetic requirements"?

If we need democracy, we all need to fight for it together – both the leftists and the rightists, both the liberals and the statist.

Together, for the sake of ourselves and children, against authoritarianism and corruption, for a rule-of-law state and democratic institutions. And then, in a real parliament, on the screens of independent television, in an independent court, we will see what kind of taxes there should be, whether to nationalize or to privatize the raw-materials industries, should there be fee-based medicine, etc. An absolutely normal quarrel. Where should we begin? By building a civil society from below? Not harmful, but very slow. Now there exists another opportunity, harsh, but one that does not transfer responsibility onto future generations. I have in mind the struggle with corruption, and, as a key link in this struggle, – an independent judiciary.

I am convinced that the struggle with corruption in Russia – this is a struggle for democracy. It is precisely for this reason that an independent, uncorrupted judiciary – is the question of questions for modern-day Russia. This is the task of today. Having combined the efforts of the entire left-right-liberal-statist intelligentsia, we could attain joint success. I am absolutely not in agreement with the calls for liberal, democratic society not to work together with the power. This – is the way of the weak. The way of the strong – in any place to stand up for democratic values, human rights, to struggle with corruption, which is defined by the euphemism "the administrative resource", and not to yield to temptations. Let the power, as long as it is the power, choose itself with whom to go, knowing in so doing that we will bring into power not only our knowledge, but also our ideals.

Grigory Chkhartishvili: In two of your articles with respect to the inevitability of a turn to the left much, of course, is fair, but the general idea seems to me to be erroneous and superficial. Or maybe I (and very many together with me) understood it incorrectly. [One gets] such a feeling that you have mixed up the name and the essence. Those who among us call themselves communists and socialists are not that at all. Zyuganov and company are no leftists, this is worthless good-for-nothing and powerless fragments of the ancien régime. How can you seriously count on these worthless obkomovists [former functionaries of oblast party committees—Trans.] (the smart ones all long ago passed the initiation rites and joined business) being able to fight for social justice? In exactly the same way as we must have “new rightists”, we also need “new leftists”. They will certainly appear, moreover soon. From the strike movement, from real trade unions, not Potemkin-village ones. They’re the ones with whom it will be necessary to draw up a normal balance of fields of strength, to seek a golden mean between “right” and “left”. Surely you don’t still believe that the CPRF has a future?

Mikhail Khodorkovsky: If you perceive the CPRF as “divide everything up” and comrade Zyuganov personally, then, without a doubt, these two symbols do not have much of a future.

But we’re not outside observers, though. If we look deep inside – what other people there are in that party, what values do they confess, what goals are they planning to achieve and with what methods, then it’s easy to notice: in actuality, the CPRF is for a long time already no longer the ACP(b) nor the CPSU.

The CPRF, in essence, today is a normal social-democratic party, which, on the strength of absolutely understandable reasons manifests no more than symbolic homage in relation to the shadows of the past. Not to work together with decent people only because they retain loyalty to symbols that have besmirched themselves? Foolish and not the way humans should act. This party has taken responsibility for the social adaptation of millions of old people upon itself. Old people, the best part of whose life passed under communist slogans, in which these people believed and believe. To take away their memories, though they be erroneous, though they not correspond to the historical truth – this is to take away the lives they lived. I’ll say it again: foolish and cruel. They’ve not got it easy as it is. After all, in actuality, they understand everything.

And not to work together with people who share democratic convictions, but who have different views (not all that different really) about running the economy, about the size and quality of social services in the current situation, when the main question is the establishment of democratic institutions – is a political mistake, about which I spoke in my “Turn to the Left” The “left-right” division is imposed on us right now, this is an erroneous division. More precisely, the old division of “leftists” – “rightists” doesn’t work any more already. Both leftists and rightists do exist, but the dividing line between them doesn’t pass through the same place where it did 100, 50, or even 20 years ago. Today it isn’t antagonistic.

The link “communist” in the name of the CPRF is misleading. Many of today’s members of this party, and indeed the party as a whole, are for democracy, for human rights, against authoritarianism and a corrupt bureaucracy. In this struggle – we’re allies. Does the leftist movement in Russia have prospects? No doubt whatsoever.

Will the new leftist movement grow out of the CPRF or out of the “strike committees”? That depends to a large extent on the power. Either way is possible. What’s important is not to

refuse to work together with those people who adhere to values acceptable to us. Today many of them are – in the CPRF.

Now, as concerns the possibilities for joint work at elections – this is a very situation-dependent question, and it ought to be discussed with sociologists. My article did not contain recommendations of this sort, while what it did contain was a statement of fact about the increasing “left interest” among the population and a wish that the liberal forces react to this interest. How? I’m no political scientist, nor a sociologist. One could assume that for the SPS a “tilt to the left” is impossible, at the same time for «Yabloko» it is absolutely organic. But these are my conjectures about a question in which I do not feel myself to be a specialist. I am absolutely confident of only one thing.

When democratic institutions gain a foothold, the main task will become the optimal correlation between the interests of industrial growth and social interests. I have no doubt that in Russia the shift in the direction of “social redistribution funds” must be significant. This is why I speak of the Scandinavian model.

G.CH. Here’s another one of your assertions, which appears to me to be untrue in essence, although it is very widespread among us and is being advanced every which way by pro-Kremlin theoreticians. You write in the article “Property and freedom”: “The Russian people is used to regarding the state as a higher force that gives hope and faith. This force can not be hired for work – for starters you’ve got to stop regarding it as a higher power.

But as Russian history teaches us, the loss of a special, beyond-rational respect for the state inevitably and invariably leads our country to chaos, insurrection, revolution”. In my opinion, this is absolutely not so. (Here you and I are in some measure continuing and parodying Belinsky’s dispute with Gogol about the people, but, apparently, this dispute is eternal). Our people does not regard the state with hope and faith. Exactly the opposite: with suspicion and distrust. The normal response to state compulsion – artifice, subterfuge, circumvention of the law. Precisely because the state is not perceived of as something that is ours.

Here’s where you’ve got the biggest misfortune and problem of Russian statehood. People know by genetic memory and personal experience that the state – is the enemy, which is all the time attempting to concoct inconvenient laws, to deceive, to rob, to maim and mutilate [their] sons in the army. That’s how it was under the tsars, under the general secretaries. That’s how it’s remained. In democratic countries the state is perceived of as a somewhat dull and boring, but benevolent force, providing protection and support.

The attitude towards police there is more or less the same. Their motto “To serve and protect” sounds like something a dog does, but it’s a good motto. The motto of our state, and especially of the police (which is perceived of as the state in the mass consciousness): “To squeeze and rob”. What the hell “higher force” are you talking about?

M.KH. A very interesting problem! I already wrote once that the Russian state since the times of the Tatar-Mongol invasion – or, more precisely, even earlier, from the moment of the start of the “eastward march” – appears in relation to the population as an occupier to a conquered people. Not feeling responsibility, not needing a social contract, collecting not taxes but tribute, which it does not consider it necessary to account for. In general, it reigns instead of serving. For this there is a series of historical causes.

Those localities where there were fewer of these causes are more "internally democratic". In the main what is being spoken of is North-Western Rus' (the Lithuanian-Russian principality). In the rest of the regions – alas. And only now, to the extent of the expansion of the processes of global integration, is the situation starting to change slowly.

Of course, not sensing the power as "their own", people tried every which way to circumvent the oppression and the exaction. And the power, from its end, consistently restricted the opportunities of the population with respect to self-organization.

The result – outwardly the people became docile, they got accustomed – [while] demonstrating submissiveness – to keeping a hand making an obscene gesture in the pocket. And here you and I understand the situation identically. However, being found in extremely heavy natural-and-climatic conditions, under the pressure of outside forces (aggressors), not having forms of self-organization, the Russian people have become accustomed to turn for help to that same power which it does not consider "its own"! A certain kind of "Stockholm syndrome" has arisen between the captor and the hostage.

There is no doubt that in the modern world a transition from an "occupied" type of mutual relations to a normal one, based on a social contract, is necessary and possible. But the "collective unconscious" is very inertial. If we destroy the attitude towards the state as a "higher force", not having managed to create and secure in people's consciousness a faith in democratic institutions, we will get a Russian insurrection, "senseless and merciless". Maybe not in its extreme forms, but, maybe, in the extreme [forms] after all. That is why I'm convinced: the task standing before today's power and democratic community is extremely complex: to nurture democratic institutions and faith in them, [while] not destroying initially the faith in the state as a "higher force". Because of this [there's] a whole bunch of problems and a constant rolling backwards. One could just go ahead and "dive in head first", but here there is a big risk of the country collapsing.

However, a paradox truly does exist: each bureaucrat individually does not evoke confidence, but the state as a whole – is a sacral symbol.

G.CH. Thank you for the responses. There are things to think about here, and things to continue arguing about. In our country there is got no small number of writers and cultural figures who want to support you and for whom it is important to know what you think. I am confident that they will continue this dialogue and will maintain it until all of us – civil society – have attained your release. Endurance to you and health.

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Mikhail Khodorkovsky Punished with Solitary Confinement for Esquire Interview

London, October 9, 2008 - In stark contrast to the Russian government's recent declarations of its commitment toward law and justice, lawyers for Mikhail Khodorkovsky report that the country's most well known political prisoner has been placed in solitary confinement as a result of a candid and courageous interview he granted to the Russian edition of Esquire magazine.

"A country's system of justice is judged by the facts on the ground, not only the stated aspirations of its leadership," said Robert Amsterdam, Khodorkovsky's international defense counsel. "This sorry chapter of Russian history needs to take a different turn, and the era of Russian legal nihilism must be brought to a close."

Khodorkovsky will be held in solitary confinement in his Siberian detention facility for a period of twelve days from October 8. This period of solitary confinement overlaps with Khodorkovsky's parole appeal scheduled for mid-October.

Esquire conducted its interview with Khodorkovsky in writing, through an extensive exchange of detailed questions and answers between the prisoner and the famous novelist, Boris Akunin. In conducting the Esquire interview, Khodorkovsky and his lawyers have always complied fully with all rules regarding their communications.

Today a statement was also circulated by Khodorkovsky's counsel in Russia, asserting that there is no legal basis to justify the prison authorities' rationale for again placing Khodorkovsky in solitary confinement. Russian counsel express their hope that this incident will be reviewed by the judicial and administrative authorities and that the ongoing violations of Khodorkovsky's rights will cease.

The Esquire interview is available translated into English on Robert Amsterdam's blog at www.robertamsterdam.com. The latest legal developments in the case can be read at www.khodorkovsky.info.