

Pussy Riot's Crime and Unfair Punishment

By [The Moscow Times](#)

August 19, 2012

The  Moscow Times

No one disputes that the Pussy Riot musicians deserved to be punished for their "punk prayer" in Christ the Savior Cathedral in February. The young women purposely flaunted Orthodox traditions with their clothing, language and decision to perform in an area of the church regarded as sacred.

But the punishment does not fit the crime. At the very most, the women, who have been in jail since March, should have been fined and released with credit for the five months they already served in pretrial detention, not imprisoned for two years on charges of hooliganism motivated by religious hatred.

If Judge Marina Syrova was acting independently, as the Kremlin and its surrogates say, the trial and subsequent ruling raise serious questions about the fairness and transparency of the judicial system.

But suspicions are strong that President Vladimir Putin, enraged by Pussy Riot's singing of "Mother of God, Cast Putin Out," personally ordered the verdict. Putin's spokesman, Dmitry Peskov, tried to distance the president from the court ruling, saying Putin could not intervene in the judicial process. Yet after seeing years of Putin's "manual control" system of ruling the country, Peskov's words are hardly convincing.

In Russia, the verdict promises to harden the resolve of the political opposition but is unlikely to anger the general public, which appears to have accepted the steady stream of news reports on state television that the sentence was in line with Western norms.

Similar acts are not unheard of in the West, but they are usually classified as misdemeanors. For example, in 2002 a New York couple was detained for having simulated sex in front of worshippers at St. Patrick's Cathedral as part of a dare by a radio station. The 36-year-old woman was sentenced to five days' community service on disorderly conduct charges, while the 38-year-old man died of a heart attack a week before the start of the trial.

It makes little difference whether the Russian judge acted independently or on orders from Putin. Either way, the verdict sends a grim reminder that investors cannot count on the judicial branch of government to act fairly and transparently. It also serves as a warning that investors should do all in their power to avoid allowing a dispute to escalate to the point that it enters the court system. Just ask companies like BP and Telenor.

The state prosecutor insisted that the Pussy Riot trial was not about Putin and only about religious hatred. If so, it's perplexing that the state seems to be so concerned about the well-being of the Russian Orthodox Church. The Constitution is supposed to separate the church and the state. Furthermore, it wasn't so long ago that the state — and its puppet courts — was actively engaged in more despicable acts than those committed by the Pussy Riot musicians, including the 1931 demolition of the original Christ the Savior Cathedral.

Yes, the Pussy Riot musicians offended believers, but they caused no irreparable harm. The state prosecutor's argument that the performance threatened the foundations of Russia's traditions and insulted worldwide Christianity is nonsense.

Other acts of hooliganism carry much more potential for damage. Take, for example, the more than 50 instances of people beaming lasers into the cockpits of passenger airplanes over the past 18 months. The lives of hundreds of passengers have been put at risk. But law enforcement agencies have done little to act against the culprits and have, at most, fined them several hundred rubles.

One wonders whether the authorities would act differently if one of the airplanes belonged to Putin.

The views expressed in opinion pieces do not necessarily reflect the position of The Moscow Times.

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