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Selling Your Soul for Nothing

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In an interview with Gazeta.ru, Natalya Vasilyeva, assistant to Judge Viktor Danilkin in the second criminal case against former Yukos CEO Mikhail Khodorkovsky, said Danilkin had to obtain approval from the Moscow City Court — and higher — for each of his actions, and that the city court wrote the verdict that Danilkin read at the trial.

There were two surprising things about the interview with Vasilyeva. The first is her claim that Danilkin considered the process unjust and was out of sorts as a result. If that is true, it is unexpected because people tend to rationalize their actions. I find it hard to believe that the average NKVD officer really considered himself an inhumane executioner, despite the historical record showing him to be exactly that.

The second is that, if Vasilyeva spoke the truth, it is amazing how easily Danilkin buckled under pressure and sold out his ideals. After all, what would have happened to him if he had acquitted Khodorkovsky?

Former Bolshoi Theater ballerina Anastasia Volochkova left the United Russia party, and what happened? A program on state-controlled television about her controversial decision was pulled before it could air. Opposition leader Boris Nemtsov went to court against Gennady

Timchenko, co-owner of the Geneva-based oil trader Gunvor, and what was the result? Nemtsov got 15 days behind bars.

The paradox is that Danilkin would have been set for life if he had mustered the courage to acquit Khodorkovsky. The judge would have become an international hero. Washington would have given him a visa — if not a passport — and he would have become the country's top expert on the Russian judiciary. And if Danilkin desired anything else — a car, a house or a lifetime subscription to the Harvard Law Review — Khodorkovsky's friends and former business partners would have surely been happy to oblige.

Fate handed Danilkin the chance to defy this insipid, almost toothless regime and enjoy the good life in the West. But for what worthless baubles did he trade in his winning hand?

There are two great motivators capable of making people deliberately lie or violate their own principles: fear and greed. We're talking about animal-like fear, the type that makes you fear for your life. Would any of Stalin's notorious "troika" judges have dared to acquit someone after they had been charged? Of course not. That type of bestial fear makes you lie not only to others, but to yourself.

But where is the animal fear in Prime Minister Vladimir Putin's Russia? Is the threat of 15 days behind bars like Nemtsov got really so terrifying?

The second motivator is greed. Promise the judge $3 million, and he'll quickly find arguments to prove whatever he's told to prove. It is a rare judge in Russia who won't sell out for $3 million — but if one is found, he's easily replaced. The irony is that Danilkin probably wasn't offered any money at all. He delivered the pre-determined and perhaps even pre-written verdict as if it were just part of the job, and absolutely free of charge.

And this ability to elicit the desired behavior from officials by applying a little pressure even while refraining from any promise of reward is an amazing feature of the Putin regime. But any regime whose guiding principle is "only sticks and no carrots" could totter to its foundations from the slightest shove — and collapse even faster than Mubarak's regime fell in Egypt.

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