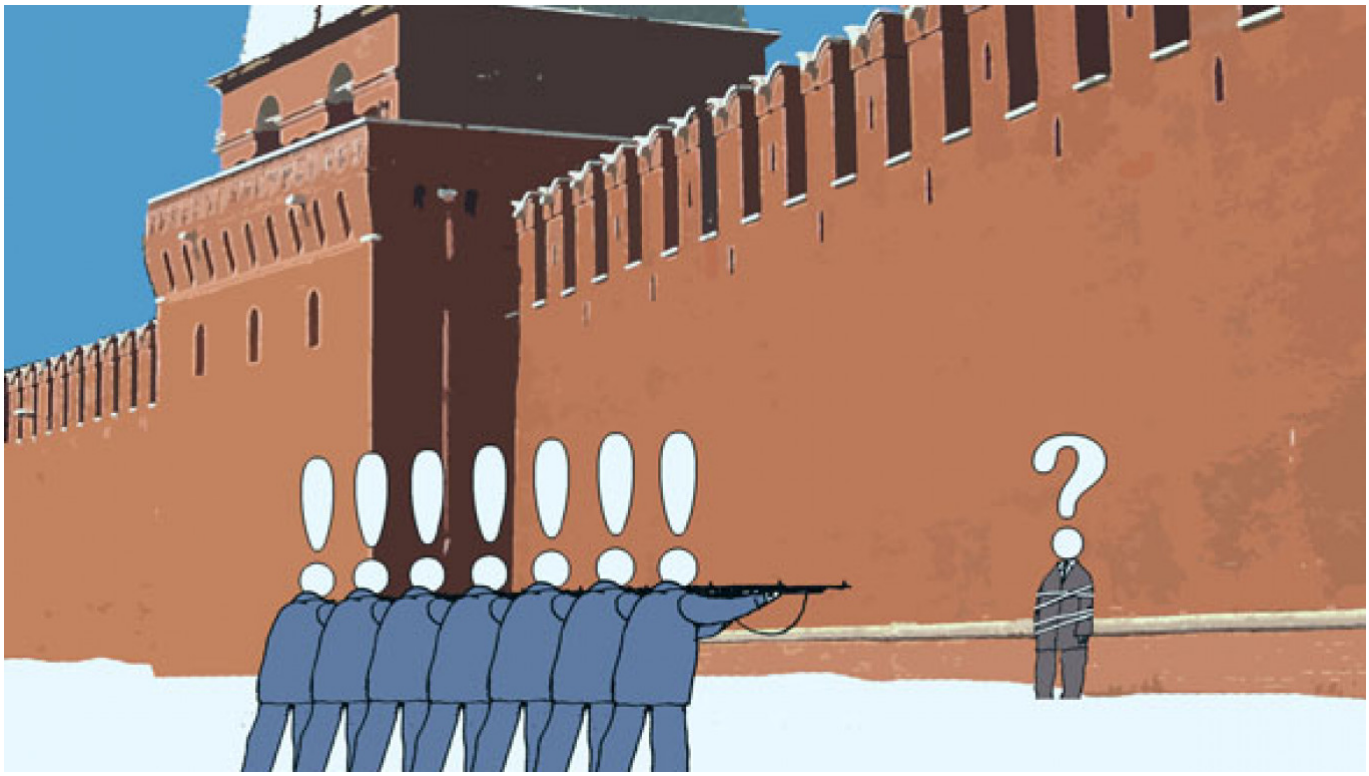
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Lenin's Law Applied to Dozhd TV

By Victor Davidoff

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On Jan. 27, Dozhd TV set off a bomb that exploded in the Russian mass media and blogosphere.

The sensation was online coverage about events that took place 70 years ago: The siege of Leningrad during World War II. Dozhd TV asked their viewers to answer a question: "Should Leningrad have surrendered to the Nazis to save thousands of lives?" The survey was not even over before all hell broke loose. Through Twitter, Culture Minister Vladimir Medinsky wrote, "They are not human," referring to the Dozhd journalists who thought up the poll.

The incident was discussed by the St. Petersburg Legislative Assembly, where the infamous opponent of liberalism and tolerance, deputy Vitaly Milonov, demonstrated his own intolerance. "I am astonished that 54 percent of the cretins who watch Dozhd TV said, 'Yes, Leningrad should have surrendered.' A pack of hyenas!" Milonov said.

Authorities

admitted that
Dozhd TV did not
break any laws
by running
a controversial
poll on the
Leningrad
blockade. But
at the same time,
they argue
the station
violated moral
and ethical laws.

At the initiative of the Legislative Assembly, the St. Petersburg prosecutor's office began to investigate whether the television station had demonstrated "extremism," a crime that is punishable by a five-year jail term. In light of this serious threat, Dozhd TV managers sent out memos to the staff on how to behave during a search.

The siege of Leningrad is certainly one of the most painful events of World War II — and one with many unanswered questions to be sure. More civilians died during the siege — at least 630,000 — than British and French soldiers together died over the entire course of the war. Historians have also tried to understand why food supply lines to the city were organized so poorly, especially in comparison with the blockade of West Berlin from 1948 to 1949. The history of the siege cannot be told without the stories of heroism by the city's defenders — or without horrible stories of vile human behavior, like the sumptuous feasts enjoyed by city party leadership.

Despite all of the noise around the Dozhd TV scandal, none of this is news. Even grade school textbooks ask children to discuss almost the exact same question posed by Dozhd TV. Satirist Viktor Shenderovich was right when he said in an interview on Ekho Moskvy: "The survey was just a pretext, of course. It was just a despicable pretext," noting that the real reason for the scandal lies in Dozhd TV's independent editorial policy.

Dozhd TV is unique in Russia. It is not broadcast over the air but is only available on the Internet or via satellite or cable providers. It is unique in another way. It is the only television station in Russia today without censorship and without a blacklist of people who cannot be invited into the studio. There are no forbidden topics either. The station gives much airtime to Russia's human rights violations, provides balanced reporting on protests in Kiev and has not been afraid to report on corruption at the highest echelons of power.

Dozhd TV's general manager, Natalya Sindeyeva, thinks the campaign against the channel was motivated by their report about the dachas owned by Vyacheslav Volodin, the Kremlin's first deputy chief of staff and other highly placed officials. The report was based on an investigation by whistleblower Alexei Navalny and the Foundation Against Corruption.

Even before the prosecutor's office investigation was completed, Internet and cable television providers began to take Dozhd TV off the air. The largest cable providers — NTV+

and Beeline — were the first to take the channel off the air. In Bashkortostan and some other regions, Dozhd TV was taken off all cable networks.

In Moscow, Dozhd TV is still available to cable subscribers of Trikolor TV, Rinet.net and 2kom.ru. On its site, 2kom.ru gave clear support to the channel: "We aren't taking off everyone's favorite channel Dozhd TV no matter what. ... Dozhd TV is forever." Nonetheless, Sindeyeva estimates that about 20 percent of their subscribers lost access to the channel.

The networks that stopped transmitting Dozhd TV are not even hiding that they violated the law. At the very least, their unilateral decision to shut down a channel that was already paid for is a gross contract violation. The NTV+ announcement admits that the decision to stop transmitting Dozhd TV was not based on the channel's "violation of a law or rule. Public opinion is no less significant a factor than the legislation regulating the mass media."

But citing "public opinion" is deceitful. The NTV+ comments were just a paraphrase of the words of President Vladimir Putin's spokesman Dmitry Peskov, who explained his position in an interview on Dozhd TV: "I do not know of any laws that these actions violated. But I think that there is something more serious from the point of view of morality and ethics."

The existence of "something more serious" than the law is not a new phenomenon in Russia. Vladimir Lenin told judges to rule not on the basis of the law but "guided by revolutionary expediency." This curious understanding of the rule of law existed up until the end of the Soviet Union. The crackdown on Dozhd TV shows that this understanding of the law apparently still exists in the minds of some officials. What also still exists in Russia is the notion that there are topics that should not be spoken about in the media — and questions that journalists must not ask their audiences.

In Talmudic discourse, the answer to the question of why Moses led the Jews freed of slavery into the desert for 40 years is so that no one who lived as a slave will enter the Promised Land. Only 22 years have passed since the breakup of the Soviet Union. It looks like Russia needs another 18 before it will have a free media and laws that take precedence over officials' opinions.

Victor Davidoff is a Moscow-based writer and journalist who follows the Russian blogosphere in his biweekly column.

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