

**Mikhail Khodorkovsky: „Jailbirds“**

Translation from *The New Times* column originally published August 29, 2011

*(This piece reverted back to the intellectual property of Khodorkovsky on October 13, 2011)*

*The New Times editor's note:*

*The most famous prisoner in the country, Mikhail Khodorkovsky, has agreed to write a column for the The New Times. Prison and labour-camp have always been part of the fate of Russia's citizens. In the 1990s the expression 'You can't prevail over sack or jail' seemed finally to have become an anachronism. For the past twelve years, however, it has come back into our lives, become once more a daily reality.*

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After so long in prison I certainly have no illusions about the people I have come across. Nonetheless, many prisoners have their principles. Are they valid ones from society's point of view? Some are, some aren't. But they are principles, all the same, for which people are prepared to suffer. Really suffer.

**1. Kolya**

It so happens that I end up accompanying a young man, Nikolai (Kolya), as he's about to be released. There's nothing particularly remarkable about Nikolai. He was doing time for a fairly straightforward crime, drug possession – he and about half the rest of the country's prison population.

It's clear that he will be back. He's already spent five of his 23 years behind barbed wire and shows little intention of changing his ways in the future. Although clearly not stupid, Kolya has grown up feeling rejected and unwanted. His life has been a constant battle with this feeling of rejection while being surrounded by similar outcasts.

Six months later I meet Kolya again, now with a grisly scar on his stomach.

'Kolya, what happened?'

'Yeah, they got me with some gear again.'

For a moment Kolya havers, but then tells me the full story, which is later corroborated by others who witnessed it. Having taken in a repeat offender, the police investigators decide to charge him with an extra crime, for good

measure. This kind of bargain goes on all the time and is usually fairly open: you'll only get an additional couple of years, they say, we'll ask the judge, you'll have to carry the can for some robbery – and you'll get extra visiting rights or choose where you end up. Generally it's nothing more than a mobile phone robbery or some such. Kolya, after not much thought, agrees. But then for the identity parade they bring in an old woman whose purse, containing about 2000 roubles, was snatched by some miscreant or other. The pensioner clearly remembers little about it and quickly 'identifies' the person indicated by the investigators.

At which point Kolya suddenly gets het up. 'I've never touched an old person in my life, only people my own age. Nicking an old woman's pension – no, I didn't sign up for that, and I won't do it. Even if you kill me!' The investigators also lose it: 'Kolya, as far as the law's concerned there's no difference. The sum of money is the same, so's the sentence. Why are you getting so steamed up? We can't go and replay what happened just because you're feeling sensitive about it.'

'I won't do it', says Kolya.

So they send him back to his cell, 'to think it over' – having first given him a bit of a beating, 'as is only right and proper'.

After a while he knocks on the cell door from inside; when they open the food hatch – his guts come flying out. Kolya has 'opened himself up', and some. Full-on hara-kiri. The scar is as wide as a finger and stretches halfway across his belly.

While the doctors are rushing across, others in the cell try to stuff his entrails back in again.

It was a miracle they saved him. Now he's an invalid, but he has no regrets. 'If they'd gone and pinned that old woman's purse on me, I'd have died anyway', says Kolya – meaning the loss of his self-respect, without which his life is unimaginable.

I look at this man who has been sent down so often and think with a certain bitterness of the number of people on the outside who hold their honour far less dearly than he, who wouldn't see anything particularly bad about robbing an old man or woman of a couple of thousand roubles. As long as the crime is clothed in clever words. They have no shame.

And, like it or not, I feel proud of Kolya.

## 2. 'That's them over there'

It's well known that prison is a place where you encounter the most unusual people. Over these past years a great swathe of humanity, with fascinating stories to tell, has crossed my path.

The feeling of wasted lives being thrown on the dust-heap is often overpowering. Human destinies destroyed, whether by themselves or by the soul-destroying system. I'm going to try to tell you about a few of these people and their situations. Names and some details I have inevitably changed, given the circumstances of those I'm writing about, but the essence of these people and the situations they find themselves in are as I heard and perceived them myself.

It so happened that prison brought me into contact with a thirty-year-old guy on trial for suspected drug dealing.

Sergei is a long-term drug addict, though you wouldn't know it from his appearance. He looks a bit younger than his years, very spry, educated. His mother is a Gypsy, his father Russian, which created an interesting situation, culturally speaking. His mother had to leave the Gypsy community, and works as a radiologist in a hospital.

Sergei speaks Roma, he knows its traditions and socializes with other Gypsies living beyond the community, but he himself doesn't feel part of it. He's been a drug-user for a long time (like most of the young people in his small town), but because he comes from a family of medical professionals and is strong willed he is meticulous about the purity of the drugs he takes; he makes sure he eats properly and regularly detoxes – abstaining for several weeks to prevent a constant build-up of his tolerance levels.

In fact he asks to be put in my cell so that he can go through one of his detox sessions, since the rest of the prison, he says, is not 'conducive to this'. For a few days he has a rough time, but then it eases up and he tells me his story, little different to dozens of others I've heard. As a user he would buy from one particular dealer; the police insisted that he grass on his supplier, he refused, so they fitted him up as a supposed dealer himself. Now he's back and forth to court where they'll likely give him between eight and twelve years even though he's never dealt. They planted some 'traced' money on him; where the drugs came from isn't clear.

I've heard so many of these stories. I nod politely, and that's the end of the conversation.

A few days later Sergei suddenly comes back from court in a state of shock. It turns out that they produced as a witness the person who set him up. This guy's about 50 years old. He too was arrested on some charge and was given a medical examination in the prison hospital, where it was discovered that he had an incurable illness. In the witness box this man recounts his situation, and declares that 'with my sentence, they say I'll die in jail. I'll be dead soon.

I've a lot of sins on my conscience and I don't want to take on another one. So I'm going to tell the truth, and I'm not afraid even if they kill me.' And then for 40 minutes he tells everything about the set-up, how he was dealing drugs on the orders of the police, how he gave them the money, how they got rid of competitors and their clients, and so on. People crowd into the courtroom from the corridor, everyone listening in deadly silence to this chilling confession. Then the witness points at the investigators sitting opposite and says, 'That's them over there'. The investigators get up and try to leave, but the court usher doesn't let them, saying 'The judge may want to take you into custody'. The judge then stops the proceedings and clears the courtroom. A few minutes later Sergei's lawyer enters the cell and says that the judge is calling them back in.

'What do you want me to ask for?' the lawyer says.

'You know what I want, my freedom.'

'That's not going to happen', the lawyer replies and goes out. An hour later he comes back in.

'They're offering you six years.'

'Not good enough.'

The lawyer leaves again and returns almost immediately.

'Three years. You've already done more than a year, you'll be out on parole.'

'Done.'

'What next?' I ask Sergei.

'Three years, I'm being sentenced tomorrow. Maybe I should have held out to the end?'

'No, Sergei, you did the right thing. The system doesn't work any other way.'

With 'tomorrow' comes the end of his 'three-year' sentence, and the granting of parole. He assures me that he will go back to his job as a railroad worker and quit the drugs. I wish him luck.

So that's the system. That's the kind of people they are. They go to the very limit, to the edge. Which one day awaits us all.