

## A b s t r a c t s

Otto Luchterhandt  
Legal Nihilism in Action  
The Yukos-Khodorovskii Trial in Moscow

The conviction of Mikhail Khodorovskii and Platon Lebedev as villainous figures guilty of white collar crime will go down in history as a spectacular scandal of justice in the history of Russia in the 21st century. By serving as the henchmen for Russia's executive branch, which has long since grown all but omnipotent, the general prosecutor and the courts have fabricated a criminal case by systematically and cynically violating basic principles of rule of law. A defeat for Russia at the European Court of Human Rights in Strasbourg has been pre-programmed.

Lev Gudkov, Boris Dubin  
The Oligarch as Enemy of the People  
The Use of the Khodorovskii Case for the Putin Regime

The Yukos trial is a yardstick for the state of politics and society in Russia. Analysis of public reaction to Mikhail Khodorovskii's arrest, the mass media campaign against him and his trial reveal how the proceedings unfolded to form a seamless transition to the authoritarian subjugation of politics, economics and society that Putin and his following of spooks are pursuing. The uninformed masses provide the state with reliable support. Phenomena thought to have been overcome – friend-foe logic, a militarized defence mindset and Orwellian double-think – are returning. The term "oligarch" has been transformed into an appellative figure that fulfils a function similar to that of the earlier formulation "enemy of the people". At the same time, the population is reacting to developments with growing cynicism. This cynicism is undermining the basis of Putin's regime and destabilizing his concept of "managed democracy".

Angelika Nussberger, Dmitrii Marenkov

Quo vadis iustitia?

## The Khodorovskii Case in Light of Jurisprudence Concerning European Convention on Human Rights

Initial reactions to the judgement against entrepreneur Mikhail Khodorovskii on 31 May 2005 focused on criticising violations against basic precepts of rule of law. Since it is impossible to appeal to the Russian Constitutional Court to review such violations of basic rights by the executive and the judiciary, the European Court of Human Rights in Strasbourg remains the only instance of control. The court in the past three years has issued a series of decisions against the Russian Federation in which a number of violations of the European Convention on Human Rights were criticised. Based on these precedents, it appears that a condemnation of the Russian Federation can be expected in the Khodorovskii case as well. Whether it will come to this is unclear given current developments in relations between the Russian Federation and the Council of Europe.

Julia Kuszniir

The State Strikes Back

## Economic Policy Consequences of the Yukos Affair

On 31 May 2005, a key chapter of the Yukos affair, which began in the summer of 2003, came to an end. Mikhail Khodorovskii, the former chief executive and main shareholder of the oil conglomerate Yukos, was sentenced to nine years in prison. Simultaneously, state tax investigators have brought what was once the largest oil company in Russia to the brink of bankruptcy. The Yukos affair is an indicator for the quality of Russia's legal system, the government's orientation in economic policy and the relationship between President Vladimir Putin and influential large businesses.

Reinhold Vetter

Who Are the Real Europeans?

## East Central Europe in the Face of the EU Crisis

For the new members of the European Union, the looming failure of the EU constitution ratification process and the EU's current crisis mean both a caesura and a new challenge. Decision makers in Warsaw, Prague, Bratislava and Budapest feel that also sense that things cannot go back to the way they were. The debate on Europe is not just about who is for and against the constitutional treaty, but about the future shape of the EU. Will there be additional rounds of enlargement? Which integrating steps are preconditions for further enlargement? And who will be the future motor of integration? There is much to suggest that East Central Europe will serve as a centre of European reform in the future.

Oleh Rybachuk

## The European Idea Unites the Ukrainians

The year 2004 will enter European history books as an important milestone in “the era of the great integration”. The European Union’s eastern expansion and the “Orange Revolution” in Ukraine are closely linked. With its peaceful revolution, Ukraine showed that it is an organic component of democratic Europe. The EU is called on not to make promises that it can’t fulfil but to offer Ukraine a clear perspective for EU accession so that the country can see through the tasks of Europeanization at home. Ukraine will reject no form of co-operation so long as it serves the strategic goal of full EU membership.

Ivo Bock

“Not Suitable for Publication”

## Czech Censorship in Literature 1948–1968

Between 1948 and 1968, Czech literary censorship went through several phases that differed according to the censorship criteria in force and the competence and assertiveness of certain censorship agencies. While the management of publishing houses and editorial boards saw to the suppression of undesirable information during the Stalin era, the censorship office, which was established in 1953, saw itself as the central control agency during the thaw. Starting in 1963, however, this office was increasingly forced to water-down criteria and to accept objections to its decisions.