

American Fiction and Russian Realism: ‘The Magnitsky Act. Behind the Scenes’

Review of Andrei Nekrasov's Film

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I live in France where from the avenue of the Champs Elysées to the tractors covered with flags in the alfalfa fields of Normandy, the French celebrated their victory at the World Cup held in Russia. The world event gave Russia the opportunity to show its good side and to my happy surprise, even English journalists stressed how well organized the Cup was and everyone reported on how open and welcoming the Russian people were. How much the Russians seem to long for recognition and sympathy; visitors praised the food, the lodgings, the cleanliness and the good timing of everything. The two problems seemed to be the huge distances to cover and the Russian language. The world seemed to discover that Russia is a real country full of ordinary likeable people, not the evil empire full of clones.

I also live in my own little corner of internet. Through this small window, I try to find the truth because the mainstream media, while vociferously denouncing fake news, always tells the same story and the only difference between journalists at best is a slight change in wording - like so many actors giving their own take on the same script. I look for truth through debate and contradicting views. So, in the usual way of this alternative media, an email sends me a link: look at this before it is taken down! The link is a 2-hour long documentary entitled: *The Magnitsky Act, Behind the scenes*. It is like being handed a Russian novel. You have to be brave enough to delve into a long, involved, intricate storyline full of unexpected twists and especially full of ambiguous characters none of whom, unlike American fiction, entirely fit the categories of good and bad - although some seem definitely much worse than others.

Andrei Nekrasov, the film-maker, is a Russian who is very critical of his own government and of Putin. He set out to make a Hollywood style movie with Magnitsky in the role of the super good guy alone against the evil corrupt system based on violent repression. His script was Bill Browder's story: once upon a time there was himself, the American businessman who made millions in profits in Russia, but whose companies were stolen from him by the Russian police. The main officer in this "theft" of his assets, goes by the mercifully simple name of Karpov (I used to read Tolstoi with a notecard to write names down). Browder calls on "the best lawyer in Russia", Magnitsky to investigate and Magnitsky tells Browder that his companies have been stolen by the Russian police in order to take the tax money his companies owed the Russian State. Magnitsky becomes a whistleblower against this terribly corrupt system and is therefore thrown in prison where he dies after months of horrific conditions - torture, beatings (7 men with rubber batons ultimately beat him to death).

Nekrasov, the film-maker, begins by making a very dark film - literally all the scenes take

place in dingy poorly lit prison cells, rooms and corridors – the only sunny bright place seems to be the business offices of Browder’s companies, raided by policemen with black hood masks and machine guns. The light of truth is very dim and small at first and squeezes its way into the narrative through the smallest of cracks. Two of those cracks I recall here: when Nekrasov tries to film the beating of Magnitsky in his cell, he realizes that 7 + 1 men just cannot fit into a small Russian prison cell, much less wave their arms about hitting the same target. So he looks up the autopsy – in Russian. His props woman wants the text of Magnitsky’s denunciation of Karpov’s corrupt police theft (for that authentic look), so the crew get ahold of the original text – in Russian.

Slowly but surely, before our eyes, the truth in its much more convoluted nature is revealed. Artistically, from a very poor imitation of an American style action film, the film becomes a very good documentary. There is a bit of genius in the way Nekrasov films himself as the film-maker who becomes the actor of a fiction that is mistaken. There is a scene where, having discovered that Browder and many of his associates are con men of the highest class, Nekrasov has himself filmed as the nervous wannabe film-maker of the enormous, outrageous lie that binds them all together, and that they are celebrating at yet another cocktail party. It is the film version of some of the best scenes from Dostoyevsky. The-truth-is-all-a-huge-lie paradox is the Russian version of the guy alone against the system; the realization is all there in his head as he looks powerless at the duplicitous crowd.

A word about Russian fatalism. Whistleblowing isn’t really a Russian thing, most Russians seem incapable of being indignant, appalled or horrified by injustice or outright lies. Though they understand those concepts quite well (this is a nation of scientists, award winning mathematicians, champion chess players, great composers...), they don’t believe any principles will prevail among those who hold power. When Russians do appeal for change and justice, they tend to turn to foreign public opinion or institutions or historical models. The Russian population at large seems to most Westerners freakishly fatalistic.

Magnitsky’s mother whispers about the fatal neglect her son was the victim of, and then she just seems to go along with Browder’s heroic story about her son with little passion and possibly mitigated belief. Nekrasov himself does not seem to embrace passionate indignation as he discovers the truth, but rather sticks to intelligent analysis and soft-spoken dissent. Reality is imperfect, and something about the Slavic soul leads Russians to analyze reality correctly and then shrug their shoulders. It is like a long cold winter: what are you supposed to do about it? Strangely, Karpov, the villain of Browder’s story, the real-life investigator of Browder’s companies – not only for tax fraud but for illegal business dealings – rather than run some kind of public campaign to denounce the shenanigans of the businessman he was investigating for fraud, sells his house to go to London to bring a court case to a British judge to defend his own personal honor (how old regime is that?!).

The whole Browder scam is like a slight of hand, it counts on people not looking closely enough and believing in the great evils of Russia. So the film-maker slows everything down – a slow motion replay of the scam to reveal it for what it was. You still can’t see everything – but the lie is as big as life. You can tell Browder is lying, from his total lack of emotion and the way he recites his lie very coldly – there are no hesitations, no reformulations... when you talk about a real thing that happened, you – anyone – will hesitate occasionally when looking for the words to correspond to the reality. Browder rattles out his fabricated lie because it was all worded in advance. One of the most astutely filmed scenes is the last interview Browder accepts to give Nekrasov: as he realizes that the Russian is on to him,

this brazen American con artist dares stand up and threaten the film-maker. When the scam is over, Browder doesn't feel he has to "know" anything anymore, he has pulled the whole thing off and just acts dumb. His American testimony contradicts what his company was saying in Russia and he is unable to tell the story of his own best-selling book. His whole fraud was based on everyone else's prejudice and reluctance to investigate anything. The film-maker himself investigated things by accident... and because being Russian, despite his own critical position against his government, he needed the facts to be right.

The bigger the lie, the more people fall for it and then the harder it is to reveal the truth because of the huge embarrassment caused to all those who didn't do their job.

The one person who investigated, a German member of the European institutions, *didn't read the Russian* original documents because he didn't know Russian, so he just trusted the English transcripts provided by... Browder. A multi-million dollar scam based on the fact that no-one will bother reading Russian! The Russian film-maker on the other hand speaks English, German... and of course reads the Russian originals. It is these simple, readily available documents that reveal that Magnitsky was not a lawyer called upon after the "theft", but an accountant working for Browder since the companies began doing business. That is just one of the many basic facts easily verified that no-one bothered to check because Russian is just too difficult a language. The European institutions were so incompetent compared to how well they are payed, that I can only hail British Brexit conservatives who want their money back.

However, the main widespread flaw that Browder's big-time sting relied on to succeed, was the hatred and suspicion for Russia abroad, and the active complicity of critical Russians at home such as Nekrasov himself. The scam counts on those prejudices and they served him colossally.

It is rather surprising how much Nekrasov not only goes along with Browder's story but even makes things worse in his film at first. Even Browder tells the film-maker that the police raid was not carried out by masked men with guns but simply dozens of plain clothed men and women - and Nekrasov thinks that this exaggeration doesn't matter for "a good cause". Here we witness the ideological mechanics of a lie: the Russian State is inherently oppressive, therefore you can distort the facts... because they're true anyway! In my opinion, this is a common mechanism of propaganda : the people distorting the facts know that they are exaggerating, but they think that is fair to make their point clear, that it is for a good cause. The fact is, gross exaggeration is the most common form of lie. You have to admit, the real Browder lie - a complete opposite of the truth - is much more rare.

The white-collar crime of the century (or the biggest global embezzlement scam to date) also relied on the very nebulous concept of Human Rights. Why nebulous? because they are principles. Like all principles, they need context. Example: as the film-maker points out, no-one should die in prison and Russian prisons are pretty terrible - how and why a prisoner dies is relevant however. Someone dies in an American prison, that's bad. The culprits are the local cops, or other inmates, or bad doctors. Someone dies in a Russian prison and suddenly it's "the Russian Sate" - almost Putin personally. A Human Rights issue in Russia becomes a diplomatic affair between States immediately, because this Nation State has been targeted by other Nation States as bad, oppressive, untrustworthy - disqualified in any case for international cooperation. The whole reason for the "human rights campaign" that Browder ran, was to prevent the Russian government from working with Interpol against his tax evasion (and suspected ill-gotten gains). It is flabbergasting that this American

businessman's crime has led to economic sanctions against Russia. An act of war based on a completely uninvestigated fraud! The US decides major diplomatic policies based on a fraud that counted specifically on the fact that no-one will bother to read Russian.

Would the real Magnitsky please stand up? I can only speculate as to the real motives and character of Magnitsky based on the bits of information given in the documentary, but the hypothesis serves as an analogy to what Russia really is. Magnitsky worked for an American company as an accountant to make money because that's what Americans are good at. He cooperated with a tax evasion scheme and was questioned by the police (evidence in the documentary points to a meeting between Magnitsky and three Russian mafia members who at some point become the "owners" of Browder's companies allowing the embezzlement/tax fraud to take place - all three of the mafiosi are also murdered around the time of Magnitsky's death). When he was brought in for questioning, Magnitsky refused to answer which is a legal right in Russia - yes like the American Fifth Amendment.

He was nevertheless put in prison, probably in the hope that he would break down and testify against Browder which he never did in the 9 months of his incarceration before his death. Browder must have been very grateful to him (after all another one of his employees, a woman, had previously denounced the fraud) and used Magnitsky's death in prison as a starting point for his heroic fictional version of what happened. Magnitsky probably wanted to protect his wife and children and let them keep his ill-gotten gains which, as the Russian accountant in the scam, he must have benefitted from. To speculate even further, the neglect he died from in prison could have been motivated by a resentful doctor deciding to let him rot for helping a foreigner embezzle hundreds of millions of dollars of Russian tax money. Not ethical in the least, especially for a doctor (Magnitsky's mother specifically accuses a doctor of neglect as he did of a heart condition) but the death rate of ordinary criminals, of which there are plenty in Russian prisons, is very high (alcoholism, violence) and the white-collar criminal can be seen as the scapegoat for all this misery. Interestingly, from his prison cell, Magnitsky wrote innumerable complaints about the treatment he and his cell mates were submitted to, as though he believed that some authority somewhere (Who? Where?) would act upon those complaints that his riff raff cell mates didn't even bother to write. A very imperfect incarceration system to be sure, but not a Gulag for masses of political opponents.

Why not be as fatalistic as the Russians and just accept the fact that the Russian novel will not triumph over the mass media facile American fiction? Well as I've said, I live in France. That is one Old World country within what would definitely be the nuclear fallout zone of a major conflict between the US and Russia. Centuries of love, hate and wars shouldn't make us fatalistic about principles but definitely skeptical about just wars. The mass hysteria in the US right now against Russia is a powder keg and it seems plausible that the US could end up going to war against Russia on the basis of some cockamamie story that no-one will bother to check... at all.

So I thank Global Research for keeping information flowing, upholding contradiction to help reach the truth and trying to contribute to flicker the light of reason in a whirlwind of obscure passions.

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