# Nikos Maziotis on his 4th rejection of parole

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The last board of misdemeanors of Lamia (29/9/2023) rejected my request (for the 4th time) for parole on the same grounds as the 3 previous ones, i.e. the disciplinary records for which I have been punished in the past have been deleted and should not normally count under the penal code for parole. But this time the board of misdemeanors of Lamia, in the reasoning of the rejection, went a step further than the previous boards by proving that it has the same logic that the institutions of the bribe-taking state, the post-conflict state and the junta used to have, when they asked for statements of repentance and renunciation from fighters as it also proves to have the same logic of the Inquisition.

**I am quoting the contested passage of the decision verbatim:**

*[...] "However, the repeated commission of serious misdemeanors that also constitute criminal offences demonstrates the applicant's lack of self-discipline and compliance with the basic rules of the penal system, his constant tendency to commit criminal acts and therefore his insufficient imprisonment and the his lack of moral improvement, for the purpose of his conversion and the possibility of his smooth reintegration into society in the event of his release from the detention centre. In addition, during the applicant's personal appearance at the council remotely, through technological means, the latter showed particularly aggressive behaviour towards the council, as well as complete disrespect for justice and the penal system, and stated that he considers himself a* ***political prisoner,*** *while at the same time, he did not show that he had realized particular disrespect for the criminal acts he had committed.*

*Moreover, according to his statement before the council, confinement is only a punishment and cannot serve any other purpose, such as the imprisonment of prisoners. From the above it follows that the conduct of the applicant during the serving of his sentence makes it necessary to continue his detention in order to prevent him from committing new criminal acts. In particular, the abovementioned prisoner has repeatedly committed disciplinary offences which he does not seem to recognize as wrong, which suggests that any good behaviour he has been showing lately while serving his sentence is pretentious and only apparently good, apparently awaiting his conditional release, and it testifies to his inability to comply with the rules of the prison and, by extension, social coexistence, as an element of his character, but also a constant tendency towards delinquent behaviour.With this behaviour, the applicant demonstrated that the purpose of the legislator was not fulfilled in his case by introducing him to the institution of conditional release, which is nothing more than a strong psychological motivation for the convict for his intended moral improvement , because for the time*

*of his stay in prison, he has an interest in living according to the law, expecting his conditional release, and during the time of probation, he also has an interest in living according to the law, fearing his re-incarceration in prison. This is how his moral conformity and improvement is achieved, as he becomes addicted to the philanthropic life and becomes the creator of his own honest life. All the above objectives were not fulfilled in the case of the present convict, that is to say, he proved, with his behaviour detailed above, that he has not been sufficiently punished, a fact that he himself admitted before the council, and does not present the guarantees that he will lead an honest life as a dismissed person and will not commit new criminal acts. The repeated commission of disciplinary offences during the time of his detention demonstrates a lack of penal improvement and a real desire for law-abiding living and his lack of integration, despite his many years of stay in detention facilities…",* concluding that for all these reasons the my request for parole to prevent the alleged commission of further criminal acts. What exactly does this "monument" of inquisitive argumentation say? I am not being released on parole because:

- I declare – after their own question – that I am a political prisoner.
- I do not perceive the particular iniquity of the criminal acts that I have committed, meaning of course the action of the Revolutionary Struggle, which I do not consider to be either criminal or "terrorism".
- I think as I stated to the board that imprisonment is purely a punishment and that it does not 'rehabilitate', adding something which they do not state in the reasoning of the decision, that they should be satisfied that I have served the greater part of my sentence and that I will not change character and be "imprisoned" not in a million years.

I had publicly stated in the past, when the Lamia misdemeanor board rejected my request for the 3rd time, that the disciplinary charges cited are a pretext and that the real reason is political, i.e. what I am in prison for, because I have been convicted about the action of Revolutionary Struggle and why I have not revised, renounced or repented of the action of the organization. Now comes the recent board of misdemeanors of Lamia to solemnly confirm this, when in its reasoning now, going a step further than the previous ones, it invokes prudential reasons, that I stated in the skype hearing, that I am a political prisoner, that I do not perceive "the special iniquity of the criminal acts" that I have committed, namely the action of Revolutionary Struggle and that I refuse to be "imprisoned".

It is known throughout Greece and to those who read my political positions in the courts of the Revolutionary Struggle on the internet – and the judges are aware of them – that I defended the action of the organization as a political action and that I consider myself a political prisoner regardless of whether this is recognized by the State. So what did he expect from me? That I would renounce who I am? And since I remain consistent in my political defence of Revolutionary Struggle action, what do they expect from me? To perceive "the special discredit of the criminal acts" that I am supposed to have committed, i.e. the action of the organization which I do not consider at all – and it is not, as for a large part of society – criminal action nor "terrorism" but political action?

I have never pled as a criminal, nor have I ever felt guilty about any crime. The fact that they have made such demands from me, I could say offends me, but their arguments actually expose them because they are drawn either from the time when the Greek state of dosilogs asked the

militants for statements of repentance, or from the time of the Inquisition. I had stated in my previous text that the bribe-taking Greek state has a continuity and consistency in dealing with its fighters and political opponents from the time of the Metaxas dictatorship, the occupation, the civil war and after or the junta of 1967-'74 .

What the state and its organs, e.g. the judges, have always wanted is to break the minds of the fighters, deny their political identity, their struggle itself and their ideas, of course, from which their action also stems. That is why they asked for statements of repentance and renunciation as a criterion and guarantee of "punishment" and "moral improvement" for the release of the fighters, such as the well-known statement, "I renounce communism as a destroyer of the homeland……". This was also done in Makronisos, the then new "Parthenon" where through torture they sought the "moral improvement", "revival", "reformation", "imprisonment" of the prisoners of "robber gangs" and "anti-national elements" so that they would reintegrate as sane citizens in society. There were many cases when military judges or civil judges told the prisoner "make a statement of repentance, go home, to your family"! Too many refused to make this humiliating statement and remained in prison while many others chose the firing squad for the same reason.

The same logic existed during the time of the Inquisition, which either burned "heretics" after first trying to get them to confess with torture about the error of their opinions, or asked others to die at the stake *(* e.g. Galileo), to admit the errors of their opinions. In the more recent past, in past decades, the state asked prisoners of the Western European guerrilla city to renounce not their ideological beliefs but the organization they belonged to and the practice of armed struggle in exchange for various benefits (e.g. less prison, better conditions of detention). In Italy there was even a special law for the deceased. There were also similar cases in Greece. But both in Western Europe and Latin America many of those who took part in the guerrilla movements and were imprisoned remained unrepentant of their choices and of these the most heavily sentenced, mainly lifers, served dozens of years in prison ranging from 15 to 30 years while several others died in prison unrepentant. Today Georges Ibrahim Abdullah, the longest-serving political prisoner in Europe, is still in prison from that time, having been imprisoned in France for 39 years, since 1984 and while he could have been released many years ago – after the 20 years' detention – he remains in prison because he is unrepentant.

Today, the members of the judicial councils of Lamia are asking me, in order to be released on parole, to admit that I committed crimes and accept their worthlessness, that I am not a political prisoner, that I admit that the disciplinary actions were wrong, etc., etc. Obviously this is the criterion of "punishment": revision, repentance, forgiveness. But something like this is NEVER going to happen.

But the fact that not long ago comrade Pola Roupa was released on parole proves that not all judicial councils have the same inquisitive perspective as those of Lamia who judge my case. Comrade Roupa was paroled on her first application when she served the statutory limit of 12 years gross, i.e. 8.5 years net in prison plus 4 years of beneficial work credit and having the exact same sentence as me, 20 years by merger. And although she had 2 disciplinary inactives – as are mine – she had a positive recommendation from the competent prosecutor, he did not even pass a skype hearing by the judicial council of Thebes and there were not even issues of a prudential nature such as those invoked by the judicial council of Lamia in my case, about 'imprisonment', 'change of character' and the political nature of the acts for which I am in prison.

Comrade Roupa's attitude was no different from mine. Together we took political responsibility for our participation in Revolutionary Struggle, together we defended the organization's

action as political action in and out of court, and we remained consistent throughout our detention. Neither can it be intellectually claimed that Comrade Roupa "transformed" her character in prison, nor did she change her political beliefs and views and was released unrepentant with her head held high. This is actually our own political victory against the state. In the case of the comrade the judicial council of Thebes, adopting the positive recommendation of the prosecutor, decided not with criteria of a prudential-political nature but exclusively with the criterion set by the law, that on the one hand, with the formal conditions, she has served most of her sentence the 3/5, and on the other hand with the essential conditions, that the disciplinary offences for which she has been punished have been deleted as non-existent, they do not count for the granting of parole and she has not committed any other disciplinary offences in recent years. In fact, the public prosecutor, in her positive recommendation for the conditional release of the comrade, makes special reference to the problematic use and interpretation of the term "apparently good behaviour" used by the judicial councils to reject – as in my case – the applications for parole, stressing that drawing a conclusion on the conduct of the convict *"must not be a process of ascertaining the innermost thoughts and opinions of the convict [...], for the judge to dive into the so-called "abyss" of their convict soul in order to diagnose whether their behaviour was actually or apparently good [...] and that it is possible to slip in the formulation of judicial judgments which will be governed by personal-prudential criteria while in addition the prisoner will be required to demonstrate moral values each time complying with the judge's personal scale of values...".*

That is, exactly what the judicial councils of Lamia, who have the ambition and delusion to change my mind, my character and my ideas, are asking of me. Contrary to the argument of "apparent good behaviour" being invoked in my case, I have never made any pretence about my political positions in court in disregard of the criminal consequences nor have I done the same now to get out of prison, nor have I pretended to be anything other than that which I have been throughout my sentence. I have never "played it" to the beliefs of the members of the judicial councils, which are light years away from my own beliefs nor have I shown any "flexibility" in my principles and attitude. On the contrary, all my attitude, my political positions in the tribunals of Revolutionary Struggle, my political consequence, and what I have heretofore stated in the suspension boards, have only been to my detriment with full awareness. Because I have learned to pay the price of my political choices and have the right to be parsimonious about discounting. In fact based on their intellectual-political criteria and arbitrary invocation of "apparent good behaviour" despite the fact that I have taken 10 regular leaves and the 11$^{th}$ has been approved, and have served 14 out of 20 years of my sentence with labour, the judicial councils of Lamia are excluding me from the institution of parole. Even if I had no past disciplinary infractions, they would still reject my request for parole based on intellectual-political criteria.

I should point out that in the draft law revising the criminal code that will be passed shortly, it is foreseen that conditional suspension will not be given only on the basis of the alleged behaviour of the prisoner during the serving of the sentence but also on the basis of the acts for which he was convicted , "…. the dangerousness of the crime for society as a whole…", while such a criterion for conditional dismissal has not been applied until now. What they have been doing to me informally so far, they are now legislating officially from now on, even though changes to the criminal code are not supposed to be applied retroactively. However, based on the spirit of the new law, it is confirmed once again that the main reason they are rejecting my request for parole is the actions for which I was convicted, the action of Revolutionary Struggle.

Probably their purpose is to serve the entire sentence, 5/5, i.e. 20 years, which in my case will be completed in almost 3 years together with work. But as I have already made clear, my position is not changing, not at the next suspension board, not in 1, 2 or 3 years, not in 1 million years!

**NO REVISION**

**NO REGRETS**

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