

Crime as a Medal

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Let me first recount what I had witnessed in an Ethiopian courtroom a long time ago. A person had sued another for a thousand birr. The defendant denied the claim saying he owed nothing. The evidence that the plaintiff and his attorney presented was a letter that the plaintiff himself had written to a friend. The defendant, in amazement, quipped that the plaintiff must have decided to sue him for one thousand birr only out of his kindness considering that, with such evidence, nothing could have stopped him from suing for a million instead. I was expecting the judge to fine the plaintiff and dismiss the case when in fact; the judge adjourned the trial allowing the plaintiff to present some other evidence.

In this case, the legal process was violated primarily by the plaintiff and his lawyer. Subsequently, rather than rectifying the error, the court committed a further violation of due process through an unnecessary adjournment. With this in mind, let us consider the case against the leaders and members of the Coalition for Unity and Democracy, the journalists and leaders of civic society and examine the charges and the judicial process.

I am not going to list the charges since they are known to all. The plaintiff's intention is to absolutely crush and subdue all of the accused. Lest we forget, such total crushing and repression has been carried out with naked brutality, particularly against young people. Those in prison are more fortunate. The ones who died have been massacred in per the dictates of the law of the jungle. The plaintiff had publicly announced the nature of the charges along with the penalty they carry from the very outset. The attorneys for the plaintiff – known as prosecutors – have simply accepted the plaintiff's orders and presented a heap of charges. They have been just as unable to sift through the list of accused as they have been to duly investigate the litany of accusations in accordance with the law. Therefore, they have piled names upon names of people indiscriminately from as far away as Europe and America swelling the list of names of the accused. For the plaintiff's lawyers, the important thing is to heap up the accusation and the list of accused. America chastised, and the heap crumbled. A small part was also shaved off one of the charges.

Even I have been embarrassed by the behavior and conduct of the plaintiff's lawyers in the courtroom. They would walk in with pomp after the court had been seated. Having already assumed guilt, they have been referring to the accused as “conspirators” and “criminals”. The attorneys of three of the accused objected to this and the court took the time to correct the plaintiff's lawyers. They displayed pride when they talked to elderly citizens, who have children as old as they, in a manner that was disrespectful and lacked common decency. They swell up [with pride] not knowing that they were demeaning themselves and not the people they have targeted. When their own witness exposed their conduct, they dismissed his account saying he had mental illness. Such are the plaintiff's lawyers.

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The most nauseating and disgusting of all the accusations is the one that refers to genocide against Tigrayans. All the other charges will fade with the ruling, but this one could be poisonous and enduring. The particular charge is completely unnecessary even if it is for the purpose of keeping the accused in prison for years or killing them.

The purpose is to instill fear in the people of Tigray so that they may support Woyanne simply in search of protection. This cynical charge is designed to present the accused as monsters for purposes of political gain.

The plaintiff's lawyer's evidence concerning the conspiracy charges consists of video footages of electoral campaigns, debates broadcast on Ethiopian Television, and articles published in newspapers. Even a layperson, let alone a lawyer, would know that criminal conspiracies are not carried out publicly in such a way. Moreover, the alleged conspirators are people living in Ethiopia, Europe and America, and most of them do not even know each other.

There is a reason for charging the accused with conspiracy. Plaintiff's lawyers would be hard pressed to find evidence and argue against each individual. Legal experts tell us that crime is individual. Yet, it was much easier for the plaintiff's lawyers to put individuals who have no acquaintance or connection to each other in the same bag, and collectively call them conspirators.

The accused had initially retained the counsel of well known legal scholars. Their plea for the respect of the right to bail on the basis of the Constitution and international laws has been ignored. It began to appear as if everything that the plaintiff's lawyers demanded would be granted. There was, thus, no choice but to end the effort with the following prayer from King David.

Vindicate me, O God, and defend my cause against an ungodly people; from those who are deceitful and unjust deliver me!

So, we, the accused, left everything to the court and became the spectators and audience. Although the poor conduct of the plaintiff's lawyers and the presence of masses of armed soldiers all around us inside the court diminished the dignity of the courtroom, I personally have great respect for the courts. The courts are the basis for the peaceful and unified coexistence of a people of a given country. In addition, my respect for the court comports with the following vision of mine.

1. High above the judges, God watches each and every one of our minds and hearts and will ultimately judge all accordingly.
2. The Ethiopian people hold high the books of law and cry out for the rule of law.

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3. When King Sertse Dinghil's army marched from Southern Ethiopia to fight against the Turkish invaders, whose ancestors' blood was shed, and whose ancestors' bones became dust in a mutual embrace? I can hear those Ethiopians who have become dust call out to us and tell us that they are still within us. Whose blood was shed at Adwa, at Maichew, and at Badme?
4. Aksum Tsion, Debre Damo and Debre Bizen are all praying for us, in Yared's hymns.

The Father, The Son and The Holy Ghost, You who can chase away the demons please distance from us, those who hate us (Ethiopians) and our being, from our right, our left, and from our house.

5. History, holding the record of the truth with the left hand and the pen of liberty on the right, will record everything.

The intentions of the plaintiff and plaintiffs' lawyer, the web of lies, the suffering of the prisoners and their families, the judges' anguish and ruling, the sorrow and the prayers of the Ethiopian people, the international outrage and protest, will all be recorded in history. Each and every one of us will either be vindicated or judged by history, will receive or be denied the respect of our grandchildren, based on the fruit of our deeds.

The respect that I have for the courts, thus, takes all of the above factors into account. It is undeniable that the lack of appropriate moral and professional conduct on the part of the plaintiff's lawyer, the display of the plaintiff's armed guards are all things that test my respect for the court. In addition it is sad that the court had denied the right to bail for the accused on the basis of trumped-up accusations. For this reason, each of the accused has been out of work for a year and a half. The fallout of that hurts not just the families, but the entire country. If a thousand people are out of work for a year and a half, this country would have lost one thousand five hundred work-years.

Had it not been sad, it would be laughable for a poor country to lose one thousand five hundred work-years, while preparing for lavish celebrations in anticipation of the second millennium.

The egregiousness of our incarceration in relation to the elections of 2005 is insignificant when compared to that of other prisoners. There are plenty of very young and very old people who have been languishing without verdict. This kind of injustice is committed against thousands of people. Worse is the fact that many of those acquitted and those who have served their time continue to languish for weeks and months.

Crime as a Medal

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Qaliti Prison

I have observed in our trips from prison to court and back for a year and a half, the amount of authority that the plaintiff's lawyer has to mess with the law. He presents a pile of videos as evidence. Had there been an ounce of truth in them, he would have had a lot less to present. Moreover, plaintiff's lawyer would persistently badger the court with boring lies saying "don't believe what you see, you have to accept what I tell you". There was no benefit to this other than waste of time. The so called evidence and what the plaintiff's lawyer was saying differed as night would from day. The number of videos and witnesses is amazing. Since none were meaningful and became laughing stock, he was forced to reduce the numbers. Most of the so called documentary evidence was amusing. I personally had read neither the charges nor the evidence entirely.

I was stunned when the plaintiff's lawyer read the charges. I am concluding with the particular charge that nauseates me. It is easy to glean from the charges that there is a monster out against the Tigrayan tribe. I have yet to understand whether the Tigrayan tribe includes Eritreans. However, I am certain that that monster cannot be found among the prisoners. There is no one who can be suspected of, let alone carrying out genocide against Tigrayans, of even thinking it. I know that if it were otherwise, I would stand with the accusers.

I did not stand by and watch as Eritreans were described first as alien and then banished as enemy. Had we then stood not just for our common heritage, but for human dignity and human rights, there would have been no charge of genocide against Tigrayans today. Complacency breeds further crime.

Woyanne's leaders persistently talk of the big gap between the Eritrean people and the EPLF. Yet, they do not believe that there is such a gap or difference between the Woyanne and the people of Tigray. There is this faulty assumption that all Tigrayans are Woyanne and all Woyanne are Tigrayans. It is like saying all horses are animals and, therefore, all animals are horses.

It would have been just as nauseating a crime if in fact we had been charged with genocide against the Woyanne, rather than against Tigrayans. However, it would have at least excluded those Tigrayans amongst the accused, and failed to expose the poisonous intention behind the charge of "genocide against Tigrayans".

The Tigrayan tribe (includes Eritreans) is the basis of Ethiopia. The Tigrayan tribe is the bearer of Ethiopian history. To even think about destroying the Tigrayans who have seceded, let alone those who are Ethiopian is a crime that would be unforgivable on this earth, and in the hereafter. This is why I vehemently opposed the war against Eritrea. It was senseless and not useful to anybody to have instantaneously reduced

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our Northern brothers and sisters to aliens and enemies, and to then only turn against ourselves as killer and victims.

As I have faith in the decency of the Ethiopian people, I don't think that it would accept this kind of destructive poison. It is sickening that it was even conceived.

Political differences should not translate to enmity. I had political differences with the two previous regimes, although it cannot be said that there was any politics in those days. Yet, both had sought to award me a medal of honor though had I declined to accept. Today, under this third regime, I have been – we have been - awarded with a medal of crime without evidence. It is only a matter of time before this medal of crime is transferred without vengeance to the killers of the martyrs of June 8, 2005 and November 1, 2005.

Woe to those who call evil good, and good evil, who change darkness into light, and light into darkness, who change bitter into sweet, and sweet into bitter!

Isaiah 5:20