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A Text of Nikos Maziotis convicted for the action of the Revolutionary Struggle for the 4th rejection of parole

Pola Roupa:They want to put me back in prison

December 2023

Pola Roupa: November 17, 2023. 50 years from the Polytechnic and my release from prison

"After 7 years of consecutive imprisonment (from the arrest of 5th January, 2017), 8.5 years together with pre-trial detention (arrested on 10/4/2010) and 13 years and 6 months in total, sentence I served for my participation in Revolutionary Struggle, I have been released. The symbolism of the day was strong as this year's November 17th marks the 50th anniversary of the Polytechnic uprising of 1973. On that day, everyone remembers the dead of the Polytechnic but also all those who have fallen in the struggle for freedom.

For me, this day was dominated by the memory of our comrade killed in the activity of Revolutionary Struggle, Lambros Fountas. But in my thoughts is also the comrade Nikos Maziotis who, despite the fact that he has served 11 years' "closed" prison and 14 years in a mixed prison – a very long period for a 20-year sentence -, the judicial councils of Lamia are refusing to release him. It is now clear that a unique status of exception has been imposed on Nikos Maziotis, as no prisoner in a similar situation (with charges based on 187A) and with a similar sentence (i.e. not a life sentence) has remained in prison for such a long period of time. This exceptional regime based on political criteria and motives and which in practice nullifies the institution of parole – which according to the law is mandatory and not "gratuitous", given that it is not left to the personal will of the respective judge – this exemption regime must come to an end. In addition to the flagrant violation of his rights, this special regime of exception is reminiscent of a junta-style treatment of a political prisoner.

After spending many years in prison, it would be a lie to say that I am not thinking about the many dozens of female prisoners I have lived together with. On the occasion of the – by mistake I believe – publication that they "discovered" that I was released from prison

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

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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 11th has been approved, and have served 14 out of 20 years of my sentence with labour, the judicial councils of Lamia are

because I am the mother of an underage child, I have to say that in addition to the fact that I have already served the years of detention required for parole, there is no provision by any penal code for discharge of a prisoner on parole because she is the mother of a minor child. Only article 105 of the Criminal Code of 2019 provides for house arrest for mothers with children under the age of 8, a measure that is not particularly applied.

Having lived with women for many years, I know that most of them have a central role in caring for people such as young children, the elderly, the sick, the disabled, and their prolonged detention has a terrible impact on the lives of those who have remained alone, without their help. Conditional release for mothers of minors and for women who take care of categories of people such as those I mentioned above, is a provision whose absence from the criminal code demonstrates that the legislators do not take into account the pivotal position of women-carers in social life. It is a lack that often costs human lives.”

19/11/2023

Pola Roupa:They want to put me back in prison

On December 13th, almost one month after my release, I have been notified of an appeal by the deputy prosecutor of the court of Appeal of Euboea against the decision to suspend me, asking me to return to prison. In their appeal, they are asking for the “disappearance” of the verdict of the district court of Thebes that released me from prison. This is a political move, dictated by the evident political discontent that my liberation has aroused in some power centres.

Based on the logic of this appeal, the arguments and the “evidence”

it cites, it goes without saying that no prosecutor would have dealt with it if it had concerned any other prisoner. For example, in his appeal the deputy prosecutor of the court of Appeal of Euboea "criticises" the "methodology" followed by the council of the district court of Thebes, namely the fact that I was not personally summoned to the council when it was considering my request for a conditional acquittal, while thousands of women have been released from Eleonas prison before me using exactly the same methodology and no prosecutor has ever dealt with any of them.

Because according to the – apparently correct – approach to the matter by the Thebes district court councils, the prosecutor who proposes the temporary release of a prisoner is the one who is also in prison, knows the prisoners and, in collaboration with the service that has more "friction" with women has an opinion of particular weight that cannot be objectively reversed by a few minutes' presence of the detainee via skype in the council, which is composed of people who will see her for the first time. The presence of a detainee in the Council for her temporary release takes place only if the public prosecutor's proposal is negative and this in order to check again whether the extension of her proposed detention is justified.

It is impossible for me to believe that the prosecutors of Eubeias are now learning for the first time the methodology that has been followed for decades for the prisoners of Eleonas prison by countless judicial councils in Thebes (and Athens, since the same method is applied in Korydallos prison). Only in my case an appeal was filed, obviously because… I am me and because there is a background and a political reason.

Another point of the appeal is the prosecutor's plea for acquittals for disciplinary reports related to the protests in Korydallos prison in 2017. Apart from the fact that these are acquittals – and that even convictions for disciplinary offences, as required by the criminal code, are not enough to prevent the temporary licence of a prisoner

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

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

– the prosecutor does not seem to be concerned that these reports and acquittals concerned dozens of detainees who had participated in the mobilizations. But none of these women had any problems during the conditional release process on these issues. The very fact that they are cited as arguments for my reincarceration in prison is indicative of the type of ground on which the argument is based and the degree of arbitrariness that they are trying to exercise on me.

What undoubtedly permeates this particular appeal is that what it wants (or, to be more precise what they want) from me are statements of political legitimacy and declarations of repentance. This can be inferred, among other things, from the reference to the reasons for the first two decisions of the prison management which rejected my first requests for annual leave, the arguments of which were of a political nature, since the first decision concerned political positions that I had occasionally expressed in public and in court (basically, it was my defensive “line”) and the second was my book “State versus State”. The total of seven regular leaves that I had taken is considered an unsatisfactory reason to grant me conditional dismissal, while the political justification for the rejection of my first two applications for regular leave, subsequently annulled, is considered more important. Nor is it significant that the only prison prosecutor cited by the appellate prosecutor in his appeal is the one who finally granted me five regular permits and two 48-hour emergency permits for serious family reasons, one of which was without police escort, while it was you who made the positive proposal to the district court of Thebes for my temporary release from prison. In short, the prosecutor “accuses” of not having considered… themself, an old opinion expressed a year and a half ago. I will not elaborate further on the grounds for appeal in this article, but these elements are indicative of my assertion that this is a politically motivated and intentional move, since an appeal against a decision of a committee for the temporary release of a prisoner is not based on… doubts, which, apart from everything, are also unproven, but on strong and concrete evidence. Moreover, the institution of conditional release has never been and is not a “pardon”, but a provision

that is compulsorily granted, there not being sufficient “doubt” for the unconditional extension of detention. Otherwise the existence of this institution makes no sense and in my case – if the appeals council eventually imposes a new incarceration in prison – the right to temporary dismissal is circumvented and practically abolished (first for me, then for others).

The magistral court of Lamia has reached such a condition of substantial abolition of the right to be on licence for a certain period of time, and the magistral court of Lamia insists on refusing for the umpteenth time to release my comrade Nikos Maziotis from the prison of Domokos, even though he has served much longer than the time prescribed in prison.

My release was decided by the college of magistrates in Thebes, who considered that I could not be exempted from the right to be released on probation, since no prisoner was granted an exemption for any reason. The proposal by the Thebes district court prosecutor to accept my release is permeated by the idea that I am not exempt from the right to temporary licence for political reasons. Against this point of view and in favour of my being sent back to prison for reasons of creed, position, convictions and political values is the appeal by the European public prosecutor, who is asking for me to be placed in an exceptional state for political reasons.

I believe that the dominant element of this move and this method is that the fact that I was released from prison is perceived as a “political defeat” for some system environments and that the indefinite extension of my detention is a “correction”. Because if the council of appeal of Euboea agrees to put me back in prison by adopting the logic of recourse, that is, without evidence and facts but only with political speculation, then it means that they want to keep me in prison indefinitely. This cannot happen for any other reason than the political nature of the case for which I was imprisoned for 8.5 years (thirteen years “mixed”), the action of Revolutionary Struggle, but above all for my political attitude towards persecution and t

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

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

rials. This historical journey of mine is judged "effectively addressed". This is a purely political revenge move.

P.S. : Some journalists, in the days of my release, tried to create a political climate of discontent for my release – and it seems that they succeeded – focusing on an old life sentence imposed on me by a first instance court for Revolutionary Struggle's attack on the building of the Bank of Greece and of the FMI in 2014, without any knowledge of the subject matter, the charge and its nature, the law and the political motivations of this court that wanted, for purely political reasons, to impose this condemnation in response to the dynamic resistance against the "memoranda" (this action was directed against the then troika). The power that some people have in their hands, combined with semi-illiteracy or even complete ignorance, is becoming dangerous. I would like to inform you that the law by which both I and my comrade Nikos Maziotis have been sentenced for that action of revolutionary Struggle was a law, the 270 PC, imposed by presidential decree by the Papadopoulos government in 1969 to cope with the dynamic actions (bomb attacks) that were taking place at that time against the junta of the colonels. We raised in various times in the courts and asked for non application (there are many audio and text documents of our courts that we have elaborated on the issue and that anyone can easily find) ,since, in addition to the heavy political history of this law, the deeply reactionary background that links the era of that time with the years of the "memoranda" and the resistance against them, it was a law whose risk of becoming a springboard for arbitrary actions in the courts had been highlighted by recognized legal analysts (e.g. Manoledakis Ioannis, General Theory of Criminal Law p. 271, 276, 338; D. Spyrakou, Abstract Endangerment. Chron.1993) who have lashed out against the laws of "abstract danger" such as this. With such a law it is possible to condemn someone (even with the maximum penalty) not for the result of the act, but for what the act can potentially cause, which is called intentional punishment and is judged by the degree of malice that the judge will attribute to the

defendant to cause an effect. In our case, both courts resorted to a multitude of arbitrariness, since even in its current version the law required many mental acrobatics to support that sentence. And the key element in their argument was our political positions in the trials. Eventually, this law was amended by the P.C. 2019 along with other laws on "abstract risk" to finally become specific and cease to be a tool for arbitrary actions in courts. If some people have a real interest in these issues and do not want to be reduced to reactionary parrots of dark power circles, let them stop referring to things they do not know and read. Otherwise, those who insist on criticizing my liberation using this argument will have to accept that they are overestimating the resurrection of a junta law with a rich history of political and prudential arbitrariness.

Pola Roupa

22.12.2023

Text of N. Maziotis convicted for the action of the Revolutionary Struggle for the 4th rejection of parole

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 above-mentioned 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