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The Third News Conference

After a one hour break, the journalists and press correspondents as well as the media and TV representatives gathered for a Third news conference with the prosecution and defense teams. As usual, the hall was crowded with journalists and correspondents.

The defense representative entered while accompanied by two members of his defense team. Everyone was anxious as this was the first time that the defense attend a news conference after excusing themselves twice before. Some expected that they would also excuse themselves this time, but to everyone's surprise the defense representative attended and the questions started trickling in.

Defense: Please...please...silence please so that we can answer your questions. Yes, go ahead (and he points to one of the correspondents).

Correspondent: How do you evaluate the court proceedings so far? And do you think that you are heading towards loosing the case?

Defense: Generally-speaking good, however I want to express our frustration due to the rejection of the Chief Justice to many of our motions and objections, with all due respect to his professionalism and expertise and his handling of the court proceedings.

I do think that the prosecution is given the opportunity to use some of the unauthentic events and statements to emotionally influence the judges and jurors in order to gain their sympathy and support. It was necessary for the judge not to allow him that. We have attempted numerous times to direct the attention of the Chief Justice to that by objecting again and again, but unfortunately these objections were overruled.

As for the claim that we are on our way to loose, I do not think that at all and I believe that the truth will impose itself at the end, and the judges and jurors will become convinced and will realize that the whole trial has no meaning or necessity.

Another correspondent: Do you really believe that the defendants are innocent? And do you think that the Chief Justice is biased against you?

Defense: Yes, we believe that the defendants are innocent from intentionally committing what happened. All of the events which took place was a result of the circumstances, confrontation, stubborn minds, and military mistakes in the battlefield. As for your question regarding the Chief Justice being biased, I don't think that at all and he enjoys a high level of professionalism which we highly respect.

Another correspondent: The media is in consensus that the prosecution represented by the personality of the Prosecutor takes the focus and attention of the jurors. Do you agree with that? And if true, how will that affect your efforts in persuading the jurors to declare a "not guilty" verdict?

Defense Rep: No, I do not agree with that. I have full confidence that the respected judges and jurors are listening very well to both prosecution and defense teams. In the end, they'll judge using their minds and conscience in evaluating what each team presents from reasonable evidences, away from any emotional issues or attempts to move their feelings. We will continue to focus only on the materialistic evidence in front of the respected judges and jurors. The burden is on the prosecution to prove the charges against the defendants without reasonable doubts.

Correspondent: Sir, the evidence presented so far proves and incriminates the five defendants without any doubt and proves their participation and involvement in committing war crimes, mass murder, and crimes against humanity. So how will you face all these evidences in the courtroom?

Defense reply: I totally disagree because all of these evidences are not authenticated and are just historical narrations that are conflicting with each other. At least 50% of doubt is present and that is enough for a "not guilty" verdict! Even if that doubt reached only 1%, the jurors should still issue a "not guilty" verdict. We will try to clarify and prove this point in front of the jurors to convince them about the innocence of the defendants from the crimes and the grave charges which they are facing.

Correspondent: So far, how do you evaluate the idea of past historical trials, being that this trial is considered to be the first of these types of trials?

Defense: I regret to say that this experience is not encouraging as the job of prosecution and defense in these cases are very difficult. The further away in history the case is from the present time, the more challenging the mission due to lack of availability of evidence to incriminate or vindicate, and also due to the many doubts which accompany these evidences.

However, the idea that justice does not disintegrate with time is valid, and we support it 100%. Verily, supporting the oppressed is from the foundations of our religion. However, we believe that the Just God alone is the one who establishes justice since He is knowledgeable of the whole truth. There will be a day of Judgment in the Hereafter where Allah (SWT) will take the rights of every oppressed, and every oppressor will pay the price for his oppression and transgression. I will stop here…thank you.

(The defense team quickly leaves the hall and after about 10 min, the Prosecutor entered, accompanied by two of his team members and they were surrounded by journalists. He requested from them all to be

seated and he took his place at the podium and said):

Prosecutor: Due to shortage of time, I'll only take three questions and I apologize to all of you for that. Go ahead (and he points to one of the correspondents).

Correspondent: How do you respond to the accusation of the defense against you that you attempt to influence the jurors emotionally by presenting some of the details which are not authenticated, and that the Chief Justice allows you to do so?

Prosecutor: This is a totally false accusation; rather, the defense ignores the nature of the case which is 100% humanitarian and tragic! For that reason, we are in this trial and we place the defendants on trial for committing crimes against humanity and war crimes against civilians and children, as well as mass murder. In all of these crimes, you cannot separate the humanitarian aspect from the criminal aspect, for they are both two sides of one coin.

As for the claim that what we present is not confirmed or authenticated evidence, that is left for the respected judges and jurors to decide and thank God that this decision is not left for the defense. The jurors and judges are the ones who will finally deliberate and decide if the events and evidences which we presented are enough to convict the defendants or not.

As for the Chief Justice of the court, he is surely distinguished by his great expertise and respected personality. Many times, he restricts us from saying what we want in front of the jurors. I believe that the defense also testified to the high proficiency, caliber, and impartiality of the Chief Justice.

News correspondent: How do you explain or justify the overturn of the people of Al-Kufa against the household of their prophet, even though the Kufans themselves were their supporters and followers? How did the matter change in that way while we have seen later their regret after they witnessed the captives and the women of the

Prophet's household confined in chains, and they realized the evil that they have committed?

Prosecutor: There are many reasons for that; the most important are the following:

The high level of oppression and persecution which the authority of Ibn Ziyad practiced on the people of Al-Kufa. He targeted the leaders of the true (Shias) supporters of Al-Husayn (as). This was particularly true after his success in putting down the revolt of Muslim ibn 'Aqeel and killing him. The people feared a lot from his tyranny and were forced to go out and fight against Al-Husayn (as) although most of them were reluctant.

The presence of hypocrites among the Kufans was a factor. They took part in the mischief against the government of Ameer Al Momineen 'Ali ibn Abi Talib (as) and were the direct reason behind the widespread of the rebellion of Muawiya ibn Abi Sufyan against the legitimate leader and later, the tragic assignation of that legitimate leader (caliph), Imam 'Ali (as). These hypocrites assisted Ibn Ziyad in

getting rid of the true Shias / supporters of Al-Husayn (as), and they were the ones who directly coordinated and led the fighting and killing of Imam Al-Husayn (as).

The presence of Al-Khawarij (The Outlawed) in Al-Kufa as well as in the tribes surrounding it was another major factor. Those people harbored extreme animosity to the household of the Prophet (S) and the progeny of 'Ali ibn Abi Talib (as) whom they considered to be the cause of their defeat in the Battle of Al-Nahrawan.

So they took this opportunity and saw in Karbala the place to take the revenge from the Alawi family, as it was the custom of the Arabs to take vengeance of previous losses. Shimr ibn Dhi Al Jawshan, the Fourth defendant, was among those Khawarij as well as Shebth ibn Reb'ey and Muhammad ibn Al Ash'ath and many others who directly participated in the killing of Al-Husayn (as) and his companions.

The widespread of extreme religious ignorance in the tribes and clans played a major role too.

The hostile propaganda against AhlulBayt (the household of the Prophet) which became widespread in the state all throughout the era of the caliphate of Muawiya ibn Abi Sufyan, which continued for about 20 years. This led to the appearance of a new generation of youth who has been raised on the hatred and animosity towards the family of the Prophet.

They were led to believe at a young age that the Prophet's household were a source of mischief and so one must get rid of them in order to stabilize the state, and that this is a religious duty.

The presence of grudges and animosities in many of the tribes in Al-Kufa and its surrounding area towards Imam 'Ali ibn Abi Talib (as) who killed many of their leaders, chiefs, and known warriors in the battles of Jamal, Siffeen, and Nahrawan in addition to the battles he fought beside the Prophet (S).

These tribes would seek vengeance and wait for the right opportunity to take revenge from the Household of Imam 'Ali (as). The Caliph Yazid ibn Muawiya, the First defendant used to take pride in his poetry after Karbala that he took revenge for his infidels chiefs and ancestors who were killed by Muhammad (S) and 'Ali (as) on the day of Badr.

Then we can very well imagine the feelings of these tribal members as many of their nobles and sons were killed by the hands of 'Ali too. In fact, they were also Muslims who participated in Siffeen, Jamal, and Nahrawan against Imam 'Ali (as)!

Correspondent: Do you have more incriminating evidence to present and when do you expect to conclude your case?!

Prosecutor: We are quickly approaching the end, but I cannot

give you an exact time because that depends on many factors which are not in our hands. For example, the defense response, the legal proceeding, and official holidays, etc. But I assure you that the end of

the prosecution case is very near. Thank you all and see you next time God-willing. Salam to everyone. (He exits the hall and the audience begins to depart).

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