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Camilo Mejia Goes to Prison for His Stance Against the War in Iraq, While a Campaign to Free Camilo Begins

by Medea Benjamin

"Where is the justice?" cried Maritza Castillo, whose 28-year-old son Camilo Mejia was found guilty of desertion on May 21 for refusing to return to Iraq. "The American soldier who tortured Iraqi prisoners was sentenced to one year in prison and my son, who denounced these abuses and followed his conscience, was also sentenced to one year in prison. Is that fair? Is that just?"

At a court martial trial in Ft. Stewart, Georgia on May 19-21, Staff Sergeant Camilo Mejia Castillo, known by friends and supporters simply as Camilo, was sentenced to the maximum penalty of one year in prison, reduction in rank to private, and a bad-conduct discharge for refusing to return to Iraq.

"What an incredible irony that we're prosecuting soldiers in Iraq for violations of international law and we're prosecuting a soldier here because he refused to do the same things," said former Attorney General Ramsey Clark, a member of Camilo's defense team.

Camilo's stellar team of lawyers and experts, including West Point graduate and Vietnam conscientious objector Louis Font and international law professors Francis Boyle and Jules Lobel, threatened to make the trial an explosive indictment of the entire war. And given the global outrage against the torture of Iraqi prisoners, the defense planned to show that months before the abuses became public, Camilo had already spoken out against the cruel treatment of prisoners, as well as the slaughter of civilians and the needless deaths of American GIs.

But military judge Col. Gary Smith quickly squelched those plans, ruling out issues related to the legality of the war, the abuse of prisoners, and Camilo's conscientious objector claim. By denying all the defense motions, the judge denied Camilo the possibility of a fair trial. The defense was forced to argue the case on the narrow technical grounds that Camilo thought he was not under military jurisdiction because he had already fulfilled his 8-year commitment and because as a Costa Rican citizen, he could not be forced to involuntarily remain in the US military. The 8-person military jury saw no merit to these claims and ruled that Camilo had illegally abandoned his platoon.

The military was determined to make an example of Camilo to stop other soldiers from refusing to fight. His commander in Iraq, Capt. Tad Warfel, a man Camilo accused of unnecessarily endangering the lives of his soldiers to further his career, gloated after the trial. He said the guilty verdict would send a message that "deserters are punished, regardless of their excuses."

Camilo Mejia's journey from obedient soldier to fierce opponent of the war was an 8-year ordeal. He spent three years in the Army before joining the Florida National Guard, and was deployed to Iraq in April 2003. During his six-month deployment, Camilo received a promotion to squad leader and commendations for his courage and commitment. He was, according to his commanding officers and the men under him who testified at his trial, an exemplary and popular soldier.

But unbeknownst to the other soldiers, Camilo was changing as he experienced the horror of war—the firefights, the ambushes, the excessive use of force, commanders who put glory over good strategy, soldiers who were untrained and under-equipped. He watched the Iraqis quickly turn from welcoming to hostile, "At first they were happy to see us. Then we started setting up roadblocks, raiding their homes, killing civilians, and their attitude changed," he recalled. "The people didn't want us there any more, and we didn't want to be there."

He was also deeply disturbed by the abuse of Iraqi prisoners he witnessed. In fact, months before the appearance of the Abu Graib photos, Camilo complained to his superiors about conditions at a makeshift detention camp near the Baghdad airport where Iraqis were arbitrarily arrested and detained, and where he and his men were directed by three unidentified interrogators to "soften up" prisoners for questioning. They were taught to stage mock executions, clicking pistols near the ears of hooded prisoners, or to bang on metal walls with sledgehammers to keep prisoners awake for up to 48 hours.

In October 2003 Camilo went home on a two-week leave to deal with his immigration status. It was during that leave that he had a chance to reflect on all he had seen and done in Iraq. He realized that the war was based on lies about weapons of mass destruction and ties with Al Qaeda, and that the subsequent claims of saving Iraqis from a brutal dictator were a cover up for the real aim of this war: controlling the country's oil and other resources, and gaining a permanent military foothold in a strategic part of the world. He decided he could not, in good conscience, continue to participate in an "immoral, oil-driven war".

On March 15, 2004, surrounded by his family and supporters from the anti-war movement, Camilo surrendered to military authorities and filed for discharge as a conscientious objector. He became the first veteran from Iraq to publicly challenge the morality of the war and refuse to fight. "Acting upon my principles became incompatible with my role in the military," Camilo declared as he turned himself in. "By putting my weapon down I chose to reassert myself as a human being,"

Camilo maintained that stance of courageous resistance throughout his court martial trial. Both his testimony and his statement before sentencing were riveting. Poised, articulate and charismatic, he talked about how innocent Iraqis were killed "as if they had no names, no family, no feelings." He spoke about the unacceptable loss of US lives by commanders who put their troops at risk for medals and promotions. He claimed that he was responding to a higher authority, his conscience. "I will sit behind bars a free man, knowing that I did the right thing," he declared. "I have no regrets."

In the coming weeks, Camilo will get a hearing on his application for conscientious objector. The outcome of that hearing, however, does not directly affect his prison sentence, although an approval might enhance his appeal prospects.

While Camilo's case did not get the kind of press attention it deserved, he has put a public face on the widespread disillusionment among the soldiers in Iraq and among many in the military leadership. According to the Pentagon's own survey, morale among the troops in Iraq is perilously low, and some 600 troops have failed to return from their furloughs. Since the start of the war, thousands of soldiers have called the GI hot-line that gives soldiers legal advice about military discharges and conscientious objector status.

"Camilo will be remembered in the history books as the first in a long line of soldiers who rose up and helped bring an end to the occupation of Iraq. He will not be remembered as a deserter, but as a hero," said Gael Murphy of Code Pink, a women's peace group that has been supporting Camilo and his family. Code Pink held vigils outside the base during the trial, and even protested on the base itself when the guilty verdict was delivered.

Daniel Ellsberg of Pentagon Papers' fame agreed that Camilo is a hero. "Sergeant Mejia served his country bravely and well in Iraq; but he is serving his country better, and just as bravely, in his refusal to participate further in what he correctly identifies as an illegal war using illegal means."

Meanwhile, Martiza Castillo-a woman of tremendous strength and resolve despite the fact that she barely speaks English and is desperately short of funds-is spearheading a campaign on her son's behalf. She is asking Amnesty International to consider him a Prisoner of Conscience, she is raising money for his appeal, she is pushing the Costa Rican government to advocate for his release, and she plans to speak out to the press and the public. "I will not rest until my son is free and the US troops are out of the Iraq," said Maritza defiantly. "This is not the end of my son's case; this is just the first battle."

Medea Benjamin is co-founder of [Code Pink](#) and the human rights group [Global Exchange](#).

To help the Free Camilo Campaign (needs include putting up a website, raising funds, translating to and from Spanish, contacting the press, and doing public outreach), contact Code Pink at info@codepinkalert.org or call 415-575-5555.

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