

Defending Monsters

As soon as Salah Abdeslam, the presumed leader of last November's terrorist attacks in Paris, was arrested in Molenbeek, a heavily Islamic quarter of Brussels, his lawyer became an international celebrity. Sven Mary was already well-known in Belgium for his work on several notorious cases. He represented Michel Lelièvre, a drug-addicted accomplice of a pedophile and murderer, who was sentenced to 25 years in prison. He also represented Fouad Belkacem, the founder of Sharia4Belgium, who was sentenced to 12 years for recruiting jihadists to fight in Syria and Yemen. Judged by Mary's record in such cases, Salah Abdeslam has no reason to feel particularly confident now that Mary has accepted him as a client.

The commentary on Belgian and French websites about the lawyer intrigued me. For example, several people remarked on Mary's appearance. He is shaven-headed, and looks like a thug whom one might avoid in the street. They quoted the French equivalent of the English aphorism that "birds of a feather flock together." Mary's motives in taking the case were also questioned. He was doing it for the notoriety or fame, said the commentators, or he had an ideological sympathy for violent criminals. Who was paying him? Some said it was ISIS. Others said it was drug-dealers. It was clear to many, at any rate, that a conspiracy must be afoot.

Mary was derided as morally corrupt, as well. How could he bring himself to defend a man responsible for the deaths of more than 100 people? He was typical of the race of lawyers who defended the indefensible, whose job it was to argue anything at all in favor of their clients, and thereby help them to evade justice. They were paid sophists who acted without scruple. Since we were at war, Abdeslam should be tried by military tribunal and shot.

Comparatively few pointed out that, under the rule of law, every accused has the right to a defense and that therefore someone has to be Abdeslam's lawyer. That person, whoever it was, would be vulnerable to the same slurs as those against Sven Mary. Perhaps Mary has a special fondness for hopeless cases, a liking for the public eye, an ambition to be known not as the patron saint, perhaps, but as the fighting advocate of the most hated or despised people in the country. But that doesn't affect the principle that everyone has a right to a defense. In the month following the attacks in Paris, Mary gave an interview to the best-known Brussels newspaper, *Le Soir*:

What motivates me is the fight against arbitrariness and abuse of power. You remember the press conferences given live by the federal prosecution [of Belgium] in the days, and even in the nights, that followed the Paris attacks? What sickened me was this way of using fear in order to obtain more power. If tomorrow Salah Abdeslam asked me, I would accept to be his lawyer.

I understand the revulsion against Salah Abdeslam: that this man (who, incidentally, declined to blow himself up as arranged when the time came to do it outside the Stade de France) should now benefit from all that he claimed that he wanted to destroy. I understand the dislike of his lawyer. But as the comments on the websites showed, the rule of law is a fragile construction, easily abandoned in times of crisis or high emotion. This makes defense of it all the more imperative: and whatever his motives, Sven Mary should not be decried for defending his client as best he can.

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