



POLITICAL PRISONERS U.S.

Mumia Abu-Jamal may get new day in court

LOIS DANKS JUNE 2011

Finally, there is some good news in the long-running case of Mumia Abu-Jamal. On April 27, the Third U.S. Circuit Court of Appeals unanimously declared his death sentence unconstitutional — for the second time! Abu-Jamal, an acclaimed radical journalist and former member of the Black Panther Party, has spent 29 years on death row after being framed up for the murder of a Philadelphia police officer.

The Court of Appeals found that improper instructions led the jury to think they must be unanimous in deciding mitigating circumstances to spare Abu-Jamal's life. In reality, only a single vote was needed. The Supreme Court directed the Court of Appeals to reconsider its original ruling, implying that it should be overturned. The Philadelphia District Attorney says he will appeal the new decision to the Supreme Court again. This is ominous, because of the reactionary cast of the current high court.

So this decision is a bittersweet victory. The Supreme Court already refused to follow its own legal precedent to throw out the case entirely because of blatant racism in excluding African Americans from the jury.

Federal courts also refuse to even consider Abu-Jamal's innocence, in spite of several witnesses admitting they lied under police intimidation, the judge's incriminating racist statement of intent to obtain the death penalty, and his exclusion of crucial witnesses and evidence in Abu-Jamal's favor.

There is also new evidence, including photos showing the police lied and the confession of another man to the crime. But the 1996 "Effective Death Penalty Act" signed into law by Democrat Bill Clinton mandates that state court judgements stand, regardless of whether a party is innocent!

A new trial, even though limited to considering the sentence, might expose the truth of Abu-Jamal's innocence. He has attracted vast international support. Yet in the U.S., his case needs more publicity and active organizing.

Through it all, Abu-Jamal continues his courageous work as a radical journalist, author and radio commentator, eloquently speaking out against police brutality, the profit system, and injustice everywhere.

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