

US judge throws out gag law directed against prisoner Mumia Abu-Jamal

Fred Mazelis
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A federal judge threw out the Revictimization Relief Act, the outrageous Pennsylvania law passed almost unanimously by the state legislature late last year in an effort to silence the well-known prisoner and activist Mumia Abu-Jamal.

Christopher Conner, the chief judge of the US District Court for the Middle District of Pennsylvania, said the law was “manifestly unconstitutional,” adding that “a past criminal offense does not extinguish the offender’s constitutional right to free expression.”

“The First Amendment does not evanesce at the prison gate, and its enduring guarantee of freedom of speech subsumes the right to expressive conduct that some may find offensive,” the judge wrote.

Abu-Jamal, a black nationalist and member of the Black Panther Party in his youth, later became a radio journalist. He was convicted, in a travesty of a trial, for the 1981 murder of Philadelphia police officer Daniel Faulkner. Abu-Jamal has always insisted that he was the victim of a frame-up and has attracted worldwide support, including from Amnesty International, which called his trial “manifestly unfair.”

After 30 years on Death Row and several close brushes with execution, Abu-Jamal’s death sentence was finally overturned several years ago. He is now confined for life without possibility of parole. He has, however, continued to write while in prison, and also to speak via Prison Radio.

The trigger for the Pennsylvania law, introduced by right-wing Republicans but backed by nearly every Democrat and vociferously demanded by the state’s Fraternal Order of Police, was a recorded commencement speech given by Abu-Jamal at Goddard College, a small liberal arts school in Vermont. The commencement took place on October 5, and the law was rushed through and signed by then-governor Tom

Corbett only weeks later.

The “revictimization” law claimed to bar those convicted or even in some cases accused of crimes from speaking or acting in ways that would “re-traumatize” victims. After the law was passed, Abu-Jamal was joined by several prisoners’ rights and civil liberties groups in a court challenge.

The fact that Judge Conner, an appointee of George W. Bush, was compelled to rule against the law is an indication of its extreme character and no doubt reflects fear in official circles that such a blatant violation of the US Bill of Rights could compromise the “human rights” policies of American imperialism internationally.

Conner, as reported on the *Pennlive* website, cited the motivation of the act’s sponsor, who “extolled its capacity to silence Abu-Jamal in particular.... And Gov. Corbett commended the Legislature for expeditiously passing a law that quells the ‘obscene celebrity’ of an ‘unrepentant cop killer.’ ”

The judge also found that the law, in its first months after enactment, had had a “chilling effect” on free speech and on “entities who rely on that speech,” citing the fact that Abu-Jamal’s weekly radio commentaries had been halted on one outlet.

In a related development, family and supporters of Abu-Jamal have charged blatant medical neglect of the prisoner. He was rushed to a hospital in late March with severe complications of diabetes. Abu-Jamal said he was unaware he had the ailment, even though he had recently been in the prison infirmary and had several blood tests that should have led to its detection.

According to reports, Abu-Jamal’s blood sugar level had reached the potentially fatal figure of 779 when he was admitted to the hospital on March 30. Such a life-threatening level for someone with access to medical

care is almost inconceivable, and points to neglect, and perhaps conscious mistreatment. Back in the prison infirmary for the past month, Abu-Jamal has continued to lose weight and suffer other serious symptoms that are not being adequately treated, according to supporters.

At the same time, the state Department of Corrections had denied a request by Abu-Jamal that he be seen by medical specialists of his choice. Supporters have called the current situation “a death sentence by medical neglect.” In the last week, the prisoner was finally allowed to consult with doctors of his choice via telephone.

Mumia Abu-Jamal’s case has become widely known in connection with mass opposition to capital punishment as well as mass incarceration, and the daily abuse facing the more than 2 million behind bars in the US. According to the latest statistics, the US currently imprisons 2,267,000 people, with another 4,814,000 on probation or parole. The prisoner total is the largest in the world, and the second largest per capita, trailing only the tiny island nation of Seychelles.



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