

The great American prison

At the end of another millennium, one of the things the U.S. can boast of is its lead in per capita incarceration. The increase in incarceration occurs, however, as the crime rate in the country declines.

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*"Brick by brick, Wall by Wall
We're gonna free Mumia Abu-Jamal!"*

ON April 24, 1999, between 10,000 and 30,000 people marched in Philadelphia, Pennsylvania, United States, for the freedom of Mumia Abu-Jamal, an African-American political prisoner. Simultaneously, thousands marched for Mumia across the U.S. and in Europe. In the past decade, Mumia has emerged as an international symbol of opposition to the death penalty and the prison industrial complex in the U.S. He has been in jail

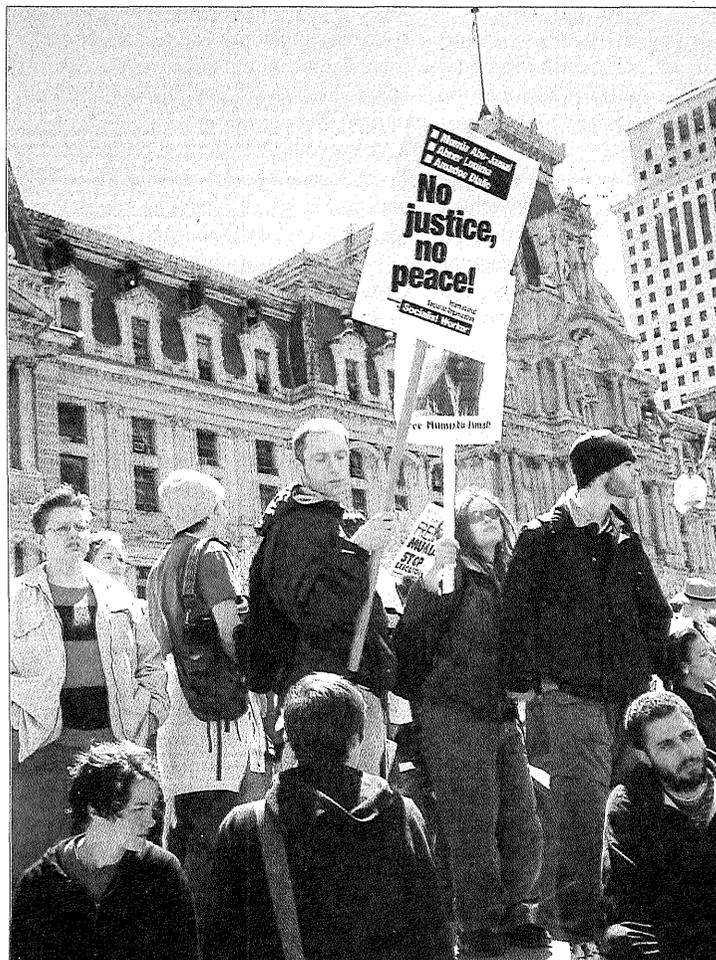
since 1982 for the murder of a policeman. However, the evidence put forward in convicting him and the dubious nature of his trial have left many convinced that he has been unjustly imprisoned. The protest, therefore, was to demand a fresh and fair trial for Mumia. It was also to serve notice on the U.S. Government for its assault on minorities and the working class within and without its international boundaries:

The streets of central Philadelphia thronged with radicals from across the U.S. Communists and black nationalists and activists of Queers for Mumia and South Asians Against Racism and Police Brutality, Puerto Ricans of ProLIBERTAD and Native Americans of

the League of Indigenous Sovereign Nations and peace committees and religious organisations joined together in this latest round of protests in support of Mumia.

Kathleen Cleaver, a former Black Panther leader, opened the main rally with the cry of "All Power to the People" – a slogan of the 1960s. "Mumia is not only struggling for his own life," said Jean-Pierre Page of the French General Confederation of Workers (CGT), "he is struggling for the respect of human rights here and all around the world." The banners that were held up at the protests demonstrated a high level of solidarity for the struggles of oppressed people everywhere (notably in Yugoslavia and Iraq).

While the rally was not just about Mumia, it also focussed on his uncertain status. Mumia, whose appeals continue to be rejected, is only a signature away from death. The Fraternal Order of



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At a protest march in Philadelphia on April 24 to demand the release of Mumia Abu-Jamal, an African-American political prisoner who has been in jail since 1982.



Police has continued to agitate for his death; it was reported that on the evening before the rally, 800 people attended a \$100-per-plate fund-raising dinner to expedite Mumia's execution. In the face of such dire threats, protesters had every reason to be concerned about his survival, as with the fates of the over 3,000 people awaiting execution across the country.

Death row

Speaking at the American Bar Association in 1990, the late Justice Thurgood Marshall said: "When in *Gregg v. Georgia* the Supreme Court gave its seal of approval to capital punishment, this endorsement was premised on the promise that capital punishment would be administered with fairness and justice. Instead, the promise has become a cruel and empty mockery. We cannot let it continue."

The most serious injustice of the judicial system is its disproportionate use of the death penalty against racial minorities. A recent study conducted by a Professor of Law, David Baldus, and a statistician, George Woodworth, revealed that in Philadelphia, where Mumia was convicted, the odds of receiving a death sentence are 3.9 times higher if the defendant happens to be an African-American. Over 20 such studies from around the country show remarkably similar conclusions. Professor Jeffrey Pokorak and his co-researchers from St. Mary's University Law School, Texas, have proved that the key decision-makers in the judicial system are almost exclusively white men. In States

where the death penalty exists, almost 98 per cent of the District Attorneys are white; less than 5 per cent are African-Americans and Latinos.

The courts, however, do not take into account these studies of widespread racist discrimination. In a landmark case (*McCleskey v. Kemp*), the US Supreme Court held that the defendant had to prove that he or she had been personally discriminated against during the course of prosecution. "Merely" to demonstrate a pattern of racist disparity over a period of time is

not now seen as sufficient proof of bias. A movement against the death penalty seems to be in formation in the U.S., backed by evidence of racism in the judicial system. In 1997, the generally liberal state of Massachusetts almost reintroduced the death penalty under pressure from rightwing politicians. On the heels of the Louise Woodward case, demonstrations by the public prevented the death penalty from being brought back in the State by one vote.

One could be more sanguine about this if the ultimate punishment were not death. In April 1999, the U.S. opposed the United Nations Human Rights Commission's moratorium on executions (India abstained from voting). State-sanctioned racist murder, it seems, will not cease.

The slavery of prison

Marginally luckier than the people on death row are the millions of Americans whose lives are squandered in the prison industrial complex. "Imprisonment has become the response of first resort to far too many of the social problems that burden people who are ensconced in poverty," says Angela Davis, Professor at the University of California, a former political prisoner and founder of Critical Resistance, a group committed to the abolition of prisons. Social problems, she says, "are veiled by being conveniently grouped together under the category of 'crime' and by the automatic attribution of criminal behaviour to people of colour. Homelessness, unemployment, drug addiction, mental illness and illiteracy are only a few of the problems that disappear from public view when the human beings contending with them are relegated to cages."

CALLED the 'Voice of the Voiceless', Mumia spent his early years to expose these complex social problems, first as a Black Panther and later as a member of a radical Black organisation called MOVE. When the police bombarded MOVE headquarters on August 8, 1978 (an event that motivated John Edgar Wideman to write the beautiful novel *Philadelphia Fire*), Mumia strongly condemned the police. A few years later he was arrested at the scene of a gunfight in which a policeman died. Despite his plea of innocence and the paucity of evidence, Mumia was convicted by Judge Albert Sabo, who has the distinction of having awarded the highest number of death sentences in the U.S.

At the end of another millennium, the U.S. can boast of many things. One of them is its lead in per capita incarceration. With nearly two million people behind bars and with an additional three million under the surveillance of the criminal justice system, the U.S. far surpasses the rates of incarceration elsewhere. In 1994, the rate was 569 per 100,000 – 40 times the rate in South Africa and 15 times the rate in Japan. Since then the difference has only grown. In the 1960s, the imprisoned population was but an eighth of its current size. Sociologist Elliot Currie notes that "short of major wars, mass incarceration has been the most thoroughly implemented government social programme of our time."

The increase in incarceration occurs, however, as the crime rate in the U.S. declines. Indeed, in recent years almost 70 per cent of those in prison were convicted of non-violent crimes. Many of them have been arrested as part of the "war on drugs" that has been going on since the late 1980s. The class bias of this "war" is obvious when one notes that the state targets cheap drugs such as crack whereas offences involving expensive drugs such as cocaine are largely ignored.

One in every 25 males in the U.S. is under the direct supervision of the prison industrial complex; for African-American males, the percentage is one in every three. Native Americans are ten times more likely than whites to be imprisoned. Latinos constitute the fastest-growing group behind bars. "Coloured bodies constitute the main human raw material in this vast experiment to disappear the major social problems of our time," says Angela Davis. "Once the aura of magic is stripped away from the imprisonment solution, what is revealed is racism, class bias and the parasitic seduction of capitalist profit."

Enchained labour

Prisons make for good business. Between 1971 and 1992 in the U.S., public spending on prisons alone jumped from \$2.3 billion to \$31.2 billion. In 1995, expenditure on prison construction increased by \$926 million, while outlay for university construction dropped by \$954 million. The prison industry generates an estimated \$40 billion a year. Among the beneficiaries of the system are large corporations such as IBM, Motorola, Boeing and Microsoft who hire prisoners to manufacture goods and services behind bars at a wage of



M.V. RAMANA

A letter, in anguish

The following is the text of a recent letter from Subcomandante Marcos of the Zapatista movement (EZLN) in Chiapas to Mumia Abu-Jamal:

Seqor Mumia,

I am writing to you in the name of the men, women, children and elderly of the Zapatista Army of National Liberation in order to congratulate you on April 24, which is your birthday.

Perhaps you have heard of us. We are Mexican, mostly Indigenous, and we took up arms on January 1, 1994, demanding a voice, face and name for the forgotten of the earth. Since then, the Mexican government has made war on us and pursues us and harasses us, seeking our death, our disappearance and our definitive silence. The reason? These lands are rich with oil, uranium and precious lumber. The government wants them for the great transnational companies. We want them for all the Mexicans...

Perhaps you wonder how we know of you, about your birthday, and why it is that we extend this long bridge which goes from the mountains of the Mexican southeast to the prison of Pennsylvania which has imprisoned you unjustly.

Many good people from many parts of the world have spoken of you. Through them we have learned how you were ambushed by the North American police in December 1981, of the lies which they constructed in the procedures against you, and of the death sentence in 1982. We learned about your birthday through the international mobilisations which, under

the name of 'Millions for Mumia', are being prepared this April 24.

It is harder to explain this bridge which this letter extends; it is more complicated. I could tell you that for the powerful of Mexico and the government, to be Indigenous or to look Indigenous, is reason for disdain, abhorrence, distrust and hatred. The racism which now floods the palaces of Power in Mexico goes to the extreme of carrying out a war of extermination – genocide – against millions of Indigenous.

I am sure that you will find similarities with what the Power in the United States does with the so-called "people of colour" (African-Americans, Chicanos, Puerto Ricans, Asians, North American Indians and any other peoples who do not have the insipid colour of money). We are also 'people of colour' (the same colour of our brothers who have Mexican blood and live and struggle in the American Union). We are of the colour 'brown', the colour of the earth, the colour from which we take our history, our strength, our wisdom and our hope. But in order to struggle, we add another colour to the brown: black. We use black ski-masks to 'show' our faces. Only in this way can we be seen and heard...

We have nothing big to give you as a gift for your birthday; it is poor and little, but all of us send you an embrace...

We salute you; and may justice and truth find their place.

From the mountains of the Mexican Southeast, Subcomandante Insurgente Marcos, April of 1999. ■

\$0.25 an hour (a fraction of the mandated minimum wage). "For private business, prison labor is like a pot of gold," write Eve Goldberg and Linda Evans, a prisoner in Dublin, California. "Prisoners do data entry for Chevron, make telephone reservations for TWA, raise hogs, shovel manure, make circuit boards, limousines, waterbeds, and lingerie for Victoria's Secret – all at a fraction of the cost of 'free labour'."

Since these penal workers cannot strike work or form unions, the businesses are able to enjoy a labour force disciplined

by state-paid guards and unable to protest. As more and more work enters the prisons, there is less incentive for firms to hire 'free labour'. This exacerbates social problems and leads to more people landing in jails. The cycle is vicious and reveals the other side of 'globalisation' wherein increasingly the only manufacturing jobs that remain within U.S. boundaries are those involving either illegal immigrants or incarcerated workers. In 1995, 45 per cent of prison inmates were unemployed at the time of their arrest; the rest reported an income of less

than \$10,000 a year.

The state of prisons should be reason enough for mass demonstrations. However, there is one more issue that is on the table – a problem that drew many immigrants to the April 24 march. In February, 22-year-old Amadou Diallo, a West African migrant who ran a roadside store, was shot to death by New York City police officers. While Diallo stood in the doorway to his home, the four white officers fired 41 shots at him (19 bullets struck his body). Later, the police, who Mumia called "state-paid killers" in his April 15 statement on the incident, claimed that they were pursuing a suspect who "resembled" Diallo and that they thought that the cellular phone in his hand was a weapon. The Diallo incident comes a year after Abner Louima, a Haitian migrant, was brutally assaulted inside a police station.

New York has been a hotbed of protest over the Diallo case, with civil disobedience actions from marches to courting mass arrests daily. New York City's Mayor, Rudy Giuliani, tried in vain to play down the success of the protests by saying: "Maybe the rhetoric has gotten to such a hateful level that people just want to associate with that." The city's Police Commissioner, Howard Safir, argued that the issue was not so much about police brutality as it was about brusqueness. The administration announced a new civility campaign that included tips for the police on how to be courteous. However, few people seem to be buying the rhetoric from City Hall.

For immigrants, the Diallo case demonstrated their precarious status in the U.S. and brought to light the racialised climate in which one has to live. Diallo certainly felt racism in each of the bullets that punctured his young body. West Indians, Africans, Latin Americans and South Asians joined the demonstrations and extended their solidarity. This set the ground for the Philadelphia march, and perhaps for a movement to follow.

In 1995, with only ten days left before Mumia's scheduled execution, worldwide protests kept the state from carrying it out. Once again, it is efforts like the marches of April 24 that are putting pressure on the state to stay the execution. The protesters, with their myriad banners and slogans, chanted for Mumia in Philadelphia, but they form part of a wider political struggle for social and economic justice within the U.S. and elsewhere. ■