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We firmly believe that the time has come. Mumia Abu-Jamal must be set free: Irvin Jim writes to U.S. judge

written by Struggle - La Lucha
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(From February 16 to March 16, trade unions and people's movements across the world are organizing a campaign to demand the release of U.S. political prisoner, militant, and journalist Mumia Abu-Jamal, who has been in prison for over 41 years. The global action comes at a time when his defense is mounting a fresh attempt to

ensure his release, as the evidence against him has been time and again exposed as flawed. As part of this action, Irvin Jim, General Secretary of the National Union of Metalworkers of South Africa, has written a letter to Judge Lucretia Clemons of the Court of Common Pleas of Philadelphia County. NUMSA has been a key pillar of the international campaign to free Mumia for years.)

TO: Court of Common Pleas of Philadelphia County
1220 Criminal Justice Center
1301 Filbert Street
Philadelphia, PA 19107

Dear Honorable Judge Lucretia Clemons
RE: The Release of Mumia Abu-Jamal

The National Union of Metalworkers of South Africa (NUMSA) has a history of struggle in our country, where we had to face and fight historical injustice, which was committed by the Apartheid regime for decades where Black people, Africans in particular, were discriminated against, and where the system of racism which we regard as a crime against humanity, was put in the statute books in order to oppress and exploit on the basis of color. This oppression affected all aspects of life for Blacks and Africans. They were victims of the Colour Bar Act, and they were victims of inferior education (Bantu education). As Black people, we were condemned for the rest of our lives to super oppression and exploitation as a result of the Union of South Africa of 1910, between the English and Afrikaner capital, where black people were not allowed to be part of the ownership and control of the South African economy. It is this brutal oppression that kept Nelson Mandela in prison for 27 years, and it is this brutal oppression that killed Steve Biko for fighting for equality between Black and white people, for fighting for genuine democracy, and for the liberation of the Black child. It took decades to fight against this unjust, racist system, and many sung and unsung heroes, old and young, died in the trenches

fighting for freedom. They were very resolute that freedom is love, freedom is peace, and they were committed that whilst many were to die, they were determined to fight for the freedom of future generations to come.

We are writing to you out of our honest and humble reflection and the firm belief we hold that without international solidarity, without the people of the world separated by rivers and forests standing in solidarity with the people of South Africa and our struggle for freedom, we would not have been liberated. Without the anti-Apartheid movement in the U.S., which was triggered by the racist laws of the Nationalist Party regime, which took power in 1948, our country and our people would not have been liberated. Without the solidarity, which we received from many formations and the solidarity we received across the world and within our own African continent in the frontline states, the South African people would not have realized democracy and freedom. Our activism in the labor movement, which is to advance the struggle for liberation, taught us revolutionary quality values, that we have a duty and responsibility to defend democracy and freedom in our land, and anywhere else above all for humanity and peace and freedom in the world. We must *“always be capable of feeling deeply any injustice committed against anyone, anywhere in the world. This is the most beautiful quality in a revolutionary.”*

We want to sincerely be upfront that whilst we are believers of separation of powers in any democratic dispensation, the sustained injustice that has consistently visited Mumia Abu-Jamal who has been kept in jail in what we believe and regard as unjustifiable reasons, compelled us as the National Union of Metalworkers of South Africa for years now, to be part of the international justice campaign in support of freedom of political prisoners in the world who have been victims of various political systems at whose center stands injustice. We firmly believe that the time has come that justice must prevail and Mumia Abu-Jamal must be set free. We humbly submit to you that you happen to be in a historical moment and our clarion call to the U.S.

and its institution of justice, and the judiciary which must further the aims of justice and humanity, is that we are of the view that as an honorable judge, you must be on the right side of history, as this very history has afforded you the opportunity to correct this injustice [faced by] Mumia Abu-Jamal. We firmly believe it is about time to **set him free** and he has served his sentence and justice must prevail.

We are making this point out of our long-term belief that when it comes to any imprisonment of any human being, the following principles must apply, namely:

"No-one shall be imprisoned, deported or restricted without a fair trial; No-one shall be condemned by the order of any Government official; the courts shall be representative of all the people; Imprisonment shall be only for serious crimes against the people, and shall aim at re-education, not vengeance".

We are making this solidarity appeal to you Honorable Judge because what sustains us and what sustains humanity in these painful historical moments is to have hope, faith and belief that another world is possible. And given the many years that Mumia has served, he has been punished and served his sentence, and we are of the view that you would be considering this case under conditions where today, things surrounding his case should have a less dramatic tone as time heals. Your role, honorable Judge as a member of the Archdiocese of Philadelphia's Commission of Racial Healing has been widely reported on, and this is why we believe that your conscience can be swayed to respond with compassion.

It is against such a backdrop that we are of the view that continuing to keep Mumia Abu-Jamal imprisoned shall serve absolutely no purpose, except to advance inhuman retribution and on behalf of 350 000 Metalworkers who believe in freedom, democracy and justice, we join other people of the world who are making the clarion call in appealing and demanding justice for Mumia Abu-Jamal. We call on you as an honorable judge, to intervene by advancing humanity and justice and set Mumia

Abu-Jamal free.

It is our take that Mumia Abu-Jamal is a political prisoner whose basic human right to justice has been violated by the American judicial system. Mumia is an African-American journalist and former member of the Black Panther Party. He has been languishing in prison for the last 42 years for the crime of allegedly killing a white police officer, Daniel Faulkner in 1981. He was initially sentenced to death, but that was later commuted to life. He has spent the bulk of his sentence in solitary confinement, locked in a cell for 23 hours a day.

His trial has been rife with police, prosecutorial and judicial misconduct. The worst example of this for us which constitutes an injustice in the hands of the judiciary, which, in our view should consistently further the aims of justice regardless of any person's color or creed, was when a former court stenographer, Terri-Maurer Carter said in a sworn affidavit that she witnessed Judge Albert Sabo, the Judge who was presiding over Mumia's case, say that he "would help them fry the nigger." At the same time, newly discovered evidence documented that key witnesses received promises of money for their testimony, and evidence emerged that these witnesses would receive favorable treatment in pending criminal cases. It is a disgrace that the U.S. judicial system has not corrected this appalling miscarriage of justice!

Mumia Abu-Jamal's situation has long struck a chord in light of the history of our own freedom struggles in South Africa. We have been defending him for many years and now the possibility of a way forward finally appears to be at hand. We understand the continued dehumanization of Mumia Abu-Jamal and other political prisoners within the context of the long struggle for Black liberation in America, a struggle that goes back to the days of slavery. It is a damning indictment of U.S. freedom and all people of the world who are fighting for justice that today members of the Black Panther Party are still in jail for life, for fighting for the rights of Black people. We must never forget that the U.S. became a global superpower through the

genocide of Indigenous people and the labor of enslaved African people.

The struggle of the civil rights movement in the 1960s captured the imagination of the world. Figures like Nelson Mandala, Martin Luther King Jr and Malcolm X became global icons. They fought and died for human justice. One would have thought that today, the brutal system of oppression would have withered away, and that the struggle for justice and humanity would prevail and win the day.

To our disappointment as peace-loving people of the global South and the rest of the world, we continue to witness the fact that in the U.S., a Black man is always already guilty in the eyes of the police. So many innocent people have been murdered by the police - people like George Floyd and Breonna Taylor. And more recently, the murder of Tyre Nichols by Memphis police. Despite the huge mobilizations against racism and racist police violence, since 2014, these attacks have worsened and the killings continue, day after day.

In 2016, as part of this international solidarity campaign to free Mumia Abu-Jamal, I penned, on behalf of NUMSA, a letter of our sincere solidarity to him, and addressed it to the former Pennsylvania Governor, Tom Wolf, requesting that the state make the expensive life-saving medication Harvoni available to Mumia to treat his deadly hepatitis C disease. I explained that here in South Africa, during the apartheid years when our freedom fighters became seriously ill, the government did not give them the necessary medical attention.

Britain, and Doro-Chiba, the Japanese Rail Union, also pleaded with the governor to provide that medication. Had the state of Pennsylvania continued to disregard his fatal disease, it surely would have been following the pattern of inhumane treatment by the racist Apartheid regime. Thank goodness Governor Wolf changed course and Mr. Abu-Jamal was given proper medical treatment. We believe that it was international solidarity, notably from the labor movement that saved his life.

Again, to go back further, to April 1999, when Mr. Abu-Jamal was still on death row, the International Longshore and Warehouse Union (ILWU), whose jurisdiction covers all U.S. West Coast ports, protested to demand his release. It shut down the ports and led a march of 20,000 protesters in San Francisco calling for his freedom, coordinating this with teachers in Brazil who went on strike for this same cause. While that massive protest didn't free him, we have no doubt that it played a role in the court's 2001 decision to overturn his death sentence.

In 1984, two years after Mr. Abu-Jamal's incarceration began, the ILWU organized a strike against a ship from Apartheid South Africa to protest against that racially repressive regime. Upon his release from Robben Island Prison, Nelson Mandela did a world tour to thank all those who actively opposed apartheid. At the Oakland Coliseum, he began his speech by acknowledging that it was the ILWU's action which spurred forward the anti-Apartheid movement in California.

On behalf of hundreds of thousands of Metalworkers in South Africa, who know both the bitter taste of injustice and the undying hope for freedom, we call on you Judge Lucretia Clemons to do the right thing and free comrade Mumia Abu-Jamal. The whole world is waiting with a mixture of joy and sorrow firmly believing for a just ruling that will do justice and free Mumia Abu-Jamal. Mumia's freedom has been defended and pursued by both Archbishop Tutu and President Nelson Mandela. It is in your hands today to open the way for truth and freedom for America's most well-known political prisoner. We eagerly await your response in the hope that you will be persuaded and do what is just in the interest of humanity, and undo this grave injustice that has visited Abu-Jamal for more than four decades.

Our commitment to humanity and justice compels us to call on you to consider that in the recent past Abu-Jamal, whose prison conditions have taken a toll on his overall well-being, also taking consideration the fact that he has lost his life partner and wife Wadiya Jamal passed on in December of 2022 while furthering the aims of his

release. In the course of history, our international solidarity campaign to release Abu-Jamal which makes a humble clarion call to you Honorable Judge to ensure that justice prevails, is that we have resolved to continue to be strengthened by our belief that it is humanity that believes in justice that has always changed the course of history. That humanity that advances the struggle for justice changes the world not in conditions of its own choosing. But it is the forces of justice and humanity that make the world a better place against the forces that are fueled by greed.

We hope our campaign and our genuine appeal to you Honorable Judge will not only stimulate debate and discussion in the halls of justice in order to ensure that justice is served in this case, we also think that it will position Abu-Jamal under these difficult conditions to continue to live in the purest of hope and to never lose faith in humanity. To continue to believe that victory is certain and that in life there is always tomorrow and that with every sunset there is certainty of a sunrise.

Yours faithfully,

Irvin Jim
NUMSA General Secretary



<https://www.struggle-la-lucha.org/2023/02/18/we-firmly-believe-that-the-time-has-come-mumia-abu-jamal-must-be-set-free-irvin-jim-writes-to-u-s-judge/>