

**IN OUR  
OPINION**

Editorial

## **LET MUMIA ROT IN DARKNESS**

### **RATHER THAN UNDER THE EGO- ENHANCING SPOTLIGHT OF THE DEATH PENALTY**

IN PRACTICAL TERMS, the best possible outcome in the case of convicted cop-killer Mumia Abu-Jamal would be to relocate the world's most famous death row inmate from the center of attention to the general prison population. . .for life.

So we applaud the decision yesterday by U.S District Judge William Yohn to refuse a new murder trial for Abu-Jamal - but to overturn Mumia's death penalty and order a new sentencing hearing. Yohn said that the trial jury had been improperly instructed on how to treat mitigating circumstances when it deliberated over the fate of Abu-Jamal after he was convicted in the slaying of Police Officer Daniel Faulkner 20 years ago.

Yohn has ordered the state to conduct a new sentencing hearing before a jury within 180 days or Abu-Jamal's sentence will be reduced to life in prison. A defense lawyer says the Yohn decision reflects the fact that Pennsylvania death penalty procedures were seriously flawed a generation ago.

District Attorney Lynne Abraham will appeal, so

we won't know for a long time whether yesterday's decision will hold up, but the judge's ruling allows us to point out once again that much of the international celebre of the Mumia cause came from the urgency imposed by a death warrant.

The Mumia case always has been more about the death penalty than about the articulate former journalist. After all, "Live from Death Row," the name of Mumia's book, has ever so much cache than "Live from Cell Number . . ."

Without lethal injection looming, the dilettantes and naifs, the crazies and the confused who have turned the Mumia case into an international sensation might have taken an objective look at the evidence. It points to Abu-Jamal and no one else in the execution of the Faulkner at 13th and Locust.

If he were rotting in a jail, the inflation of Abu-Jamal's resume from a small-time radio reporter to an "award-winning" journalist might have been limited. Those who actually were around Philadelphia in 1981 - which includes almost none of his supporters - know that Abu-Jamal was driving a cab at the time of the killing, and hardly someone the police feared so much they were willing to let the real killer of their comrade go free in order to frame him.

Without the death penalty, Mumia might have turned into just another prison poet, not the center of a surreal campaign of distortion by Internet. Over the years, the demonstrations grew, the city of Paris declared him an honorary citizen, and no liberal arts college freshman could feel properly matriculated until solicited to demonstrate for the cause.

Yet, despite the support of the masses, Mumia, being guilty, was a seriously flawed poster child for the elimination of the death penalty. DNA-based revelations of true innocents on death row are much more effective.

Faulkner's widow, Maureen, is angered, understandably, but her characterization of the judge as "twisted" is unfair. Yohn found no reason to undo the guilty verdict, no reason to believe any of Abu-Jamal's ludicrous conspiracy theories. If the distorting lens of the death penalty is removed,

others also may be able to see the facts clearly. \*

<http://www.danielfaulkner.com/original/newsarticles/dailynews/letmumiarot/letmumiarot.html>