

A TALE of 2 INJUSTICES

By Maurice L. Harris

California

On October 3, 2011, everyone in the U.S. awoke to wall-to-wall Mainstream Media's (MSM) broadcasting of the impending Amanda Knox appellate ruling. At issue, whether she received a fair trial, or not. At stake: freedom, or a possible life in an Italian prison.

This was the culmination to over a week of coverage detailing every aspect of the miscarriage perpetrated during Ms. Knox's prosecution. We were inculcated in each misuse of contaminated evidence used to secure her conviction.[1] Also, they highlighted how the prosecutor's psychosis played a crucial role in her unfair indictment.

Ideology is an often overlooked component in unjust convictions. Ms. Knox's prosecutor was fascinated with the medieval belief in the presence of sacrificial murderers amongst us. To their credit, MSM proficiently demonstrated, that decades earlier, this same prosecutor falsely accused 2 men of satanic murders. (With not one piece of evidence pointing to Satanism.) Now, decades later, once again, this very same prosecutor is accusing people, Knox & her boyfriend, with an unsupported theory, of a satanic orgy gone awry.

On the other hand, we have the case of Troy Davis. Mr. Davis had similar grievances as Ms. Knox, but, with more at stake: **Right to life, or death.** His death sentence was obtained solely by way of eyewitness testimony. Nevertheless, substantially before his final

hearing, 7 of the 9 witnesses against him recanted their testimonies, insisting they were intimidated by either the police, or the person many believed to be the actual killer[2], to falsely identify Mr. Davis. The unreliability of eyewitnesses, & police corruption, is by no way a new phenomena in wrongful convictions. They were instrumental factors in then Governor of Illinois, George Ryan's shuttering of his death row. Because of these iniquities, Gov. Ryan found himself, "exonerating more men than we had executed, 13 men found innocent, 12 executed." [3]

Despite Mr. Davis having a compelling case for his freedom, MSM did not feel obliged to educate the masses to the dubious circumstances surrounding his conviction. His case did have some nice media-worthy elements that MSM usually loves. Here was a guy facing supreme injustice with the utmost dignity, conjoined with a multitude of buzz-worthy supporters. Some of his staunchest advocates included, such Eminences from, Desmond Tutu, & the Pope, to President Jimmy Carter. Most people, the world over, that heard of the circumstances of his conviction expressed NO CONFIDENCE in the verdict. In the days leading up to his final hearing, over 750,000 people signed petitions supporting his exoneration, & participated in the "I AM TROY DAVIS," campaign (in the spirit of 'I am Spartacus'). Students, led by those from HBCUs (Historically Black Colleges & Universities), protested in front of the White House, & the prison. Some were eventually arrested. No doubt, there was a huge story to be had here.

'Winter always turns to spring.'

Just as the storms of winter lead to the fruitful harvest of spring, Troy Davis' plight transcended into a humanistic movement that, subsequently, survived his unwarranted murder.[4] Some examples:

Documenter/author Michael Moore's decision to dedicate a portion of the proceeds from his latest book towards the removal of the all the officials that refused to rectify this miscarriage of justice; The "I AM TROY DAVIS," exclamation of an Occupy Wall St. (OWS) protester, as she was being escorted to jail; & more profoundly, that one of the dictums included in OWS' Declaration of N.Y.C., is that they, the 99%, are fed up with America's continuation of executing its citizens (also, of the 99%) based upon flimsy evidence.

The fact that Troy Davis' legal fiasco had such an ability to touch, & move, a vast number of people from the depths of their consciousness, belies MSM's lack of interest in this story.

Martin Luther King, Jr., once said, "A time comes when silence is betrayal." Perhaps due to King's prescient nature, he gave this speech in N.Y., home to the present-day OWS movement. He clairvoyantly continued:

I am convinced that if we are to get on the right side of the world revolution, we as a nation must undergo a radical revolution of values....When machines & computers, profit motives & property rights, are considered more important than people, the giant

triples of racism, extreme materialism, & militarism are incapable of being conquered.

A true revolution of values will soon look uneasily on the **glaring contrast of poverty & wealth**. The Western arrogance of feeling that it has everything to teach others & nothing to learn from them is not just.

- April 4, 1967, Riverside Church, New York.

The above excerpt is in perfect harmony with the following one Gov. Ryan gave during his speech explaining why he was shuttering Illinois' death row:

'In fact the most glaring weakness is that no matter how efficiently & fair the death penalty may seem in theory, in actual practice it is primarily inflicted upon the weak, the poor, the ignorant & against racial minorities.'

- Quoting former California Gov. Pat Brown[5]

Clearly, the time has come for MSM to end its jingoistic tactics of 'silence' on injustices at home, while emphasizing identical injustices abroad.[6] Plus, for the American Judicial system 'to learn from' others (esp., Italy) on how to better insure its citizens are provided fair trials, in which they are actually "presumed innocent until proved guilty according to law...at which he has had all the guarantees necessary for his defense."[7]

An excellent beginning would be to repeal legislation passed during the Clinton years, like AEDPA (Antiterrorism & Effective Death Penalty Act), that circumvents constitutional rights to appeal unjust sentences, as with Troy Davis, & others[6], which is in contrast to the opportunity given to Ms. Knox. The late-great activist/historian, Howard Zinn, accurately forewarned about the true objectives of these types of nefarious bills:

The response of the government to such signs of desperation, anger, & alienation [f/poverty, unemployment, foreclosures, etc.,]...: Build more jails, lock up more people, **execute more prisoners.**

&

The result [of the legislation], according to Bob Herbert, writing in the NY Times, was that a man **facing the death penalty in Georgia had to appear at a habeas corpus proceeding without a lawyer.**[8,9]

How eerily on point were these two excerpts? Just look at which state Troy Davis lost his constitutional rights in, &, thus his life? Yes, Georgia! Perhaps if Mr. Davis went through the Italian judicial system he would still be with us today.

R.I.P. Troy Davis.

POWER TO THE 99! I.A.T.D.!

facebook/maurice harris

email: free maurice harris@yahoo.co.uk

Major Sources: INDEPENDENT MEDIA, esp., PACIFICA RADIO, & RTnews.

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NOTES

1. The Italian Appellate Court subsequently overturned the convictions stating, in part: Prosecution couldn't prove motive; The dubiousness of prosecution's star witness, Rudy Guede, the only person proven to have committed the murder (for his cooperation, Guede received 16yrs., while Knox's boyfriend, for his non-cooperation, received 25yrs., Knox, 26yrs.); & unreliable evidence (The 'incriminating' DNA found on the alleged murder weapon turned out to be from rye bread). - See ABC Special: "A Murder. A Mystery. Amanda Knox Speaks" (With Diane Sawyer). Aired-4/30/13.
2. One of the 2 non-recanting witnesses is suspected to be the actual perpetrator. Its been reported that more evidence pointed towards him, than Troy Davis. However, as with Rudy Guede, he cooperated with the authorities to frame another. A common pattern found in wrongful convictions.
3. "Company of Giants," by Paul J. Ciolino,p.154.
4. Immediately following the legal lynching of Davis, NAACP Chairman, Ben Jealous, vowed to continue fighting until the death penalty is nationally abolished. In May 2013, at Maryland's Signing Ceremony ending its capital punishment, one can find Mr. Jealous living up

to this promise.

5. "Giants," supra, pp.153-4.
6. Despite the common claim, this appears to go beyond media racial preference. For MSM was also 'silent' when, at least, 2 white men were executed when the pendulum swung heavily towards their innocence. One, Thomas Martin Thompson (CA), I addressed in an essay, "Capital Trial Errors: 'Harmless or Not.'" The other, Todd Willingham (aka, Cameron Todd Willingham), was executed in Texas based on evidence leading forensic experts eventually declared was erroneous. (See, "Trial By Fire," by David Grann, @ www.newyorker.com/reporting/2009/09/07/090907fa_fact_grann?p.) Therefore, when Gov. Rick Perry claimed, during a Republican Debate, that his death machine has never gobbled up an innocent person, we find MSM IN SILENCE without questioning Mr. Perry once on this apparently false statement.
7. Article 11; see, also, Art. 10.
8. "A People's History of the United States," pp.665, & 646-7, respectively.
9. Over 150 years ago, a 'distinguished Gentleman' made a comparable plea: "We ask that the Fugitive Slave Law of 1850, that legislative monster of modern times by whose atrocious provisions the Writ of 'Habeas Corpus' [and] the 'RIGHT OF TRIAL BY JURY' have been VIRTUALLY ABOLISHED, SHALL BE REPEALED." - Fredrick Douglass, 1853 C.E. (from, "There is a River," by Vincent Harding, pp.180-1.