

If We Must Die

Before I speak my piece, let me make one thing perfectly clear: I don't want to die. I want to live and breathe and strive to do something righteous with my life. Truly. For the past sixteen years, however, I 've been in solitary confinement, confined to a cell 23 hours a day for something I didn't do, and, speaking honestly, I have gone as far as I'm willing to go. Am I giving up? No. This is a protest, the only non-violent way I can think of to express the deep disdain I have for the unjust situation that I am in. Make no mistake: my physical and mental strength is intact. However, to continue on in this way would be to lend legitimacy to a process that is both fraudulent and vindictive; this I am no longer willing to do.

I realize that for some of you the thought that an innocent man could be sent to prison and ultimately executed is inconceivable. But it happens. In a system that's based more on competition than the equitable treatment of others, the football field is not the only place where participants are encouraged to win at all cost. Hence, in order to be victorious, some prosecutors hide evidence, lie in open court, and even pay for the perjured testimony of their witnesses. And this is exactly what happened in my case (and in the majority of the cases stemming from the 1993 prison uprising at the Southern Ohio Correctional Facility in Lucasville, Ohio); and there are a few people among you who have reviewed the file and know this to be the truth.

But let us for the moment put aside the question of my guilt or innocence, because that, believe it or not, is not what this is about. On that score, we have written several books, produced a play, and are putting the finishing touches on a full-scale documentary to illustrate the travesty of justice that has taken place here; and these things are available to you if you are interested. For now, I want to talk about dying. . .

In all that is presently unclear, one thing is certain: I have been sentenced to death, which, as you know, is the severest penalty known to man. Typically, when one has been given the death penalty, one is placed alongside other similarly-sentenced prisoners and they, together, are housed in an area that has been designated as Death Row. As living situations go, this is a very bleak and miserable place: men are sent here to die, to be killed by the state. No one in their right mind would ask to be sent here; and yet, this is precisely what I am asking, which should give you an indication of just how insufferable the situation

I am living under is. And I am not alone. . .

When the uprising was over, and all was said and done, five of us were singled out as leaders and sentenced to death. Jason Robb, James Were (or "Nimir," as he prefers to be called), Siddique Abdula Hasan, George Skatzes, and myself. With the exception of George Skatzes, whom for the past ten years has been in a less pressurized--though by no means acceptable--situation, we have undergone penalty on top of penalty, kept from fully participating in our appeals, from touching our friends and families, denied adequate medical treatment, and so many other things that are too numerous to name. In a word, we have been tortured. And, yes, I'm aware that the word "tortured" is a strong word to use, but I know of no other word that more adequately describes what we have been through. We have been put through hell.

A few months ago, a Federal judge recommended that my case be dismissed, which effectively moved me one step closer to being executed. It's hard to explain how this made me feel; but upon hearing the news I immediately thought that a mistake had been made and that my attorneys had somehow misunderstood the judge's ruling. As it turns out, I was the one who misunderstood. Indeed, I have been "misunderstanding" things all along. When I was first named as a suspect in riot-related crimes, I was certain that my name would eventually be cleared. Instead, I received a nine-count murder indictment with death-penalty specifications. I was shocked. And then they offered me a deal: "Cop out to murder and we'll forget the whole thing," they told me. "But I'm innocent," I said, thinking to myself that the truth of this would somehow set me free. And so, with the trust and faith of a fool, I went to trial, thinking and believing that I would receive a fair one (I didn't) and that I would ultimately be exonerated (I wasn't). And then, when I was sentenced to death, it was my understanding that I would be placed on Death Row and allowed to pursue my appeals alongside other similarly-sentenced prisoners; but, again, I misunderstood. . . "Just wait until you get to Federal Court," I was told, "and you'll definitely get some relief there." So I waited. . . I waited for sixteen years!

If justice as a concept is real, then I could with some justification say, "justice delayed is justice denied." But this has never been about justice, and I finally, finally, finally understand that. For the past sixteen years, I (we) have been nothing more than a scapegoat for the state, a convenient excuse that they can point to whenever they need to raise the specter of fear among the public or justify the expenditure of inordinate amounts of money for more locks and chains. And not only that, but the main reason behind the double penalty that we have been undergoing is so that we can serve as an example of what happens to those who challenge the power and authority of the state. And like good little pawns we're supposed to sit here and wait until they take us to their death chamber, strap us down to a gurney, and pump poison through our veins. Fuck that! I refuse to go out like that: used as a tool by the state to put fear into the heart's of others while legitimizing a system that is bogus and sold to those with money. That's not my destiny.

At the beginning of this I wanted to make it perfectly clear that I didn't want to die, and I don't.

Life is a beautiful thing, especially when one is conscious and aware of the value of one's life. Sadly, it took going through this process for me to wake up and finally understand the value of my life. I say "wake up" because, unbeknownst to me, I had been asleep all this time, oblivious to the reality of my situation and unaware that the only way for one to stop dreaming (and gain some control over things) is for one to open one's eyes. My eyes are open now.

Is it too late? I don't know. As I said, the books have been written, the play has been performed, and, pretty soon, the documentary will be completed. But what good are these things if they never enter into the stream of public opinion and force the governor (who answers to the public) to issue a general amnesty? Admittedly, convincing the governor to bend in our favor will be a difficult undertaking, one in which will require huge amounts of energy and effort on our behalf. But it can be done; at the very least, it can be attempted. In the meantime, we who have been sentenced to death must be granted the exact same privileges as other death-sentenced prisoners. If we must die, we should be allowed to do so with dignity, which is all we're asking: the opportunity to pursue our appeals unimpeded, to be able to touch our friends and family, and to no longer be treated as playthings but as human beings who are facing the ultimate penalty.

Again, I stress the fact that I do not want to die, but, in the words of Claude McKay, I share the following as my parting sentiments:

If we must die, let it not be like hogs
Hunted and penned in an inglorious spot,
While round us bark the mad and hungry dogs,
Making their mock at our accursed lot.
If we must die, O, let us nobly die,
So that our precious blood may not be shed
In vain; then even the monsters we defy
Shall be constrained to honor us though dead!
O kinsmen! we must meet the common foe!
Though far outnumbered let us show us brave,
And for their thousand blows deal one death-blow!
What though before us lies the open grave?
Like men we'll face the murderous, cowardly pack,
Pressed to the wall, dying, but fighting back!