

# America's Gulag: Obama Sentences Political Prisoner Lynne Stewart to Death

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Global Research, December 10, 2013

Region: [USA](#)

Theme: [Law and Justice](#), [Police State & Civil Rights](#)

Lynne's crime was compassion. She was imprisoned for doing the right thing. She did it honestly, admirably and courageously.

She did it defending some of America's most disadvantaged for 30 years.

She's dying. She has Stage Four cancer. She was given 12 months to live. She qualifies in all respects for compassionate release.

Federal Bureau of Prisons (BOP) authorities denied her. Doing so reflects official Obama administration policy. In [Lynne's words](#), BOP "stonewall(ed) since August."

"They know (she's) fully qualified." Over 40,000 supporters "signed on to force (BOP) to do the right thing which is to let (her) go home to (her) family and receive the advanced care in New York City, (her) home."

"Yet they refuse to act. I must say it is entirely within the range of their politics and their cruelty to hold the political prisoners until we have days to live before releasing us," Lynne stressed.

Indeed so! Longtime political prisoners Herman Wallace and Marilyn Buck were treated this way. On October 1, Wallace was released. On October 3, he died. He was too ill to be saved.

Buck called prisons warehouses to "disappear the unacceptable to deprive their captives of their liberties, their human agency, and to punish (and) stigmatize prisoners through moralistic denunciations and indictment based on bad genes – skin color (ethnicity, or other characteristics) as a crime."

Many thousands of prisoners aren't incarcerated because they're criminals, she said.

They're locked in cages for their activism and beliefs, she stressed. For advocating peace, not war.

For resisting injustice. For defending freedom, equality and other democratic values. For struggling courageously for beneficial change.

On July 15, 2010, BOP authorities released Buck. On August 3, she died. She served 25 years of an 80 year sentence.

Her crime was opposing racial injustice and US imperialism. In 2009, she was diagnosed

with uterine sarcoma.

With proper timely treatment she might have lived. Obama prison authorities wanted her dead.

They kept her imprisoned long enough to kill her. They're treating Lynne the same way.

She's one of thousands of wrongfully incarcerated political prisoners. They're confined in US gulag hell.

It's bar far the world's largest. It's the shame of the nation. It reflects the worst of unconscionable ruthlessness. It's the American way.

Around 2.4 million prisoners languish in federal and state facilities, local jails, Indian, juvenile, and military ones, US territories, and separate Immigration and Customs Enforcement (ICE) detention facilities.

Many are imprisoned for supporting right over wrong. The Free Dictionary call political prisoners people "imprisoned for holding or advocating dissenting political views for holding, advocating, expressing, or acting in accord with particular political beliefs."

In the 1960s, Amnesty International (AI) coined the term "prisoner of conscience."

It denotes anyone incarcerated for their race, religion, ethnicity, language, sexual orientation, beliefs, or lifestyle.

Incarceration is an instrument of social control. Prisoners are denied all rights. They languish under cruel and inhumane conditions. Some die. Others fade slowly.

Many endure punishing years of isolation. Proper medical care is denied. Abuse is commonplace. Perfunctory parole hearings are a travesty of justice.

A November [ACLU report](#) is titled "A Living Death: Life Without Parole for Nonviolent Offenses."

"Ever wonder what could land you in prison for the rest of your life," asked ACLU?

For thousands it was "shoplifting a few cameras from Wal-Mart, stealing a \$159 jacket, or serving as a middleman in the sale of \$10 of marijuana."

Children young as 13 get life sentences without parole for nonviolent crimes, invented ones, or dissenting political beliefs.

"People convicted of their first offense will be permanently denied a second chance," said ACLU.

"Many young Black and low-income men and women will be locked up until they die. And taxpayers will spend billions to keep them behind bars."

Dissenting advocacy is considered terrorism. ACLU's report focused on extreme sentences for minor property and drug-related crimes.

America's criminal injustice system "reached absurd, tragic and costly heights," it said.

Locking nonviolent people in cages longterm reflects sentencing them to death slowly. Imprisoning children this way is unconscionable.

So is incarcerating people for their political beliefs and advocacy. ACLU calls life imprisonment without parole (LWOP) "the harshest imaginable punishment."

Any hope for freedom is denied. LWOP is "grotesquely" unconscionable. It "offends the principle that all people have the right to be treated with humanity and respect for their inherent dignity."

ACLU documented thousands of ruined lives. Families suffer with loved ones behind bars. Wives are separated from husbands, husbands from wives, children from fathers or mothers, extended families from one of their cherished members.

America spends billions of dollars annually keeping people locked in cages. Decades ago, historian Arnold Toynbee said:

"America is today the leader of a world-wide anti-revolutionary movement in the defence of vested interests."

"She now stands for what Rome stood for: Rome consistently supported the rich against the poor...and since the poor, so far, have always and everywhere been far more numerous than the rich, Rome's policy made for inequality, for injustice, and for the least happiness of the greatest number."

Criminal injustice defines US policy. It's morally and ethically reprehensible.

America spends more on prisons than education. In the last two decades, prison spending increased around 570%. Education funding grew only one-third.

One year in prison costs more than Harvard's annual tuition. America has 5% of the world's population. It incarcerates 25% of world prisoners.

Many thousands are held for their political beliefs and advocacy. HL Menchen once said:

"The most dangerous man to any government (is someone) who is able to think things out for himself, without regard to the prevailing superstitions and taboos."

"Almost inevitably he comes to the conclusion that the government he lives under is dishonest, insane, and intolerable."

Attorney/activist Stan Willis said earlier:

"The United States is very, very concerned when its citizens begin to raise (uncomfortable) questions."

America "prefers to posture itself, including the Obama administration, as the leader of the free world and that they don't have any human rights violations, and they certainly don't have any political prisoners, and we have to dispel that notion in the international community."

US officials want this issue hidden from public view. It preaches democracy at home and abroad.

It practices injustice writ large. It locks thousands in cages unconscionably. It does so for political reasons.

It sentences them to slow death. It violates constitutional law doing so. The Eighth Amendment prohibits “cruel and unusual punishments.”

The First Amendment guarantees free speech. Democratic principles include equal justice under law.

In *Griffin v. Illinois* (1956), the Supreme Court said “there can be no equal justice where the kind of trial a man gets depends on the amount of money he has.” Nor when core constitutional rights are denied.

Everyone is entitled to constitutional protections. Too few get it. Thousands are denied it for their political beliefs and advocacy. They’re imprisoned for doing the right thing.

Judicial unfairness is US official policy. Guilty by accusation is standard practice. Constitutional scholar Thomas Emerson (1908 – 1981) once said:

The FBI is an instrument of repression. It “jeopardizes the whole system of free expression which is the cornerstone of our society (raising) the specter of a police state.”

“In essence, the FBI conceives of itself as an instrument to prevent radical social change in America. The Bureau’s view of its function leads it beyond data collection into political warfare.”

It protects privilege from beneficial social, political and economic change. Criminal injustice in America denies fundamental constitutional rights.

Society’s most vulnerable are harmed most. So is anyone for dissenting political views and advocacy.

Howard Zinn called dissent “the highest form of patriotism. (It) means being true to the principles for which your country is supposed to stand,” he said.

“(T)he right to dissent is one of those principles. And if we’re exercising that right, (it’s) patriotic.”

“One of the greatest mistakes (about) patriotism (is thinking it) means support(ing) your (government right or wrong).”

“(W)hen governments become destructive (of life, liberty and equality), it is the right of the people to alter or abolish (it).”

Michael Tigar is Washington College of Law Professor Emeritus. He’s a constitutional law expert. He’s one of America’s most respected defense attorneys.

He’s written extensively on litigation, trial practice, criminal law, capital punishment, and the role of criminal defense attorneys. He represented Lynne. He did so at the district court level.

He called it a “great honor” to do it. He represented her struggle for freedom and justice. “The entire legal profession ought to be standing up and shouting about (her) case,” he said.

He called charges against her “an attack on the First Amendment right of free speech, free press and petition.”

Lynne was targeted for “speaking and helping others to speak.” Doing so was fundamentally unconstitutional.

So-called evidence against her “was gathered by wholesale invasion of private conversations, private attorney-client meetings, and private faxes, letters and emails. I have never seen such an abusive use of government power,” said Tigar.

Convicting Lynne was chilling. It warned other defense attorneys. It intimidated them. Representing clients prosecutors want convicted is dangerous. Doing so leaves them vulnerable going forward.

US police state laws are menacing. Anyone can be targeted for supporting right over wrong. America is unfit to live in.

Thousands of political prisoners reflect its harshness. Justice is a four-letter word. It’s systematically denied.

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