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The Moussaoui Sentence; Justice was served

Editorial
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A federal jury Wednesday gave Zacarias Moussaoui exactly what he deserved: to be locked up in a maximum-security prison for the rest of his crazed days.

At the same time, Americans got a lesson they can be proud of: that justice works when we hold a fair, free and public trial, even when some may not like its outcome.

To impose the death sentence on Moussaoui, the jury would have had to agree unanimously that he had caused more than 3,000 people to die on Sept. 11, 2001, or had committed especially heinous or cruel crimes. They would have had to find no factors that mitigated against imposing the death penalty.

Jurors could not reach that unanimity. Many people, in the courtroom and around the country, felt understandable disappointment.

About 35 9/11 survivors and relatives who lost loved ones gave tearful testimony as prosecution witnesses. They urged the jury to give Moussaoui what his associates gave their victims - death.

Moussaoui's conduct during the trial made him seem even more subhuman. He showed sickening glee in recalling the 9/11 attacks and the prospect of future assaults. He hailed al-Qaeda terrorists as heroes.

As hard as it no doubt was, the jury swept aside the emotions that filled the courtroom. Jurors considered the atrocities committed on Sept. 11, but did not let that erase their duty to look at every factor.

After 41 hours of deliberations, the nine men and three women made the right decision to reject the death penalty. Federal prosecutors had not made the case that Moussaoui had played a direct role in the horror of Sept. 11, 2001.

They did not prove Moussaoui's boast that he would have been one of the terrorists on a hijacked plane had he not been sitting in jail on other charges.

Moussaoui had claimed that execution would make him a martyr. Now, that can't happen. Nor will he get the virgins that al-Qaeda tells its suicide bombers await them in heaven.

All Moussaoui will get is lots of time. By himself in solitary confinement. That is a most fitting punishment.

This trial was long and had its messy moments. But U.S. District Judge Leonie M. Brinkema steered the proceedings ably. The jury acted responsibly. They deserve our thanks.

Moussaoui got his day in court. Hundreds of other terrorism suspects picked up in Iraq and Afghanistan, and held on vague charges - or no charges at all - in Guantanamo Bay, should have their day in court as well. A nation built on a foundation of justice should either charge them and give them their day in court, or release them.