

PHILADELPHIA DAILY
NEWS
THE PEOPLE PAPER

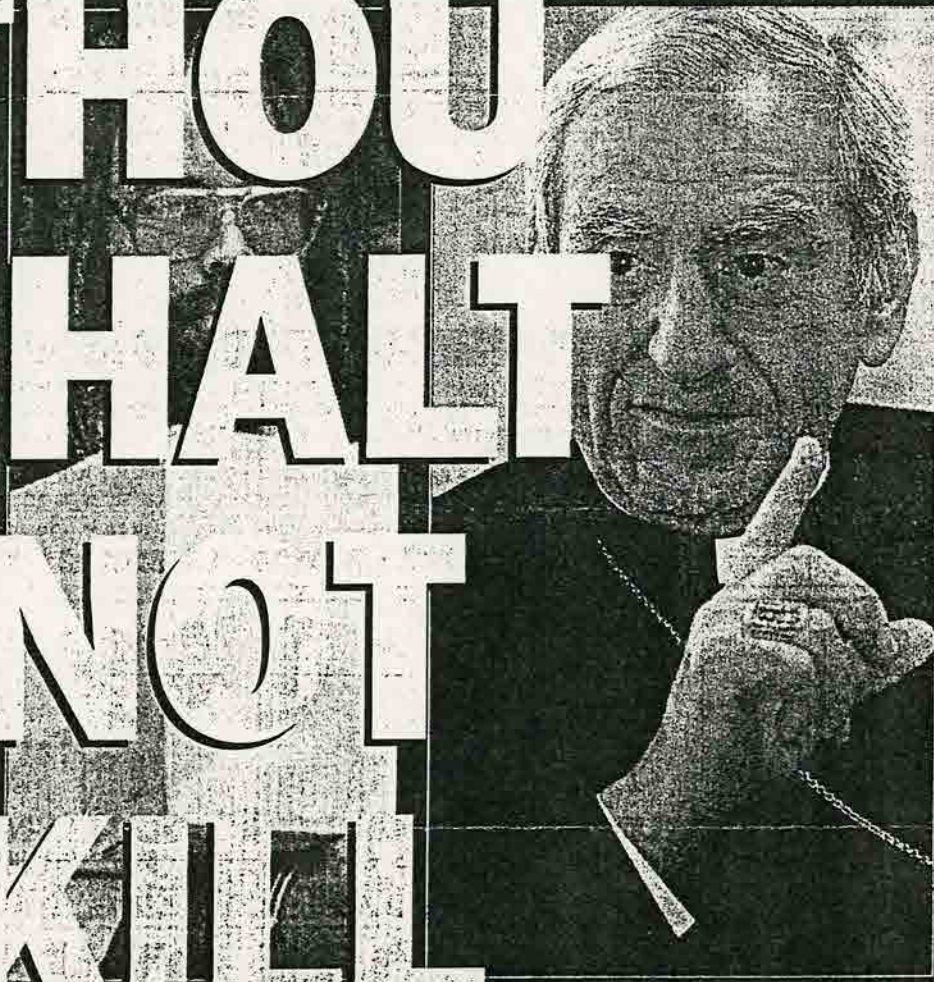
PM

CARDINAL TO GOVERNOR:

**THOU
SHALT
NOT
KILL**



Gov. Ridge



Cardinal Bevilacqua

Abu-Jamal: Fate weighed

*Ridge's response as Mumia, 3 others face death:
I believe capital punishment is just*

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SUSAN WINTERS / DAILY NEWS

Cardinal: Nix death penalty

Ridge at odds with church

by John M. Baer
and Valerie M. Russ

Daily News Staff Writers

HARRISBURG — As death dates loom next month for four Pennsylvania condemned criminals, Cardinal Anthony J. Bevilacqua has stepped in to try to stop the executions.

In a statement issued yesterday, he urged Gov. Ridge to end capital punishment.

"I must make my voice and the voice of the whole church — including that of Pope John Paul II — heard concerning the imposition of the death penalty," the cardinal said.

The statement cited the pope's recent encyclical, "The Gospel of Life," which reaffirmed the church's opposition to the death penalty. Catholic scholars call the encyclical the church's most precise and far-reaching comment ever on capital punishment.

Bevilacqua, head of the Philadelphia Roman Catholic Archdiocese, quoted the encyclical, saying there are "many other modern methods" of punishment besides death, a reference to life in prison.

"I strongly encourage Gov. Ridge, as well as our judicial, legislative and penal systems, not to allow the imposition of the death penalty," the statement said.

Ridge, a Catholic elected last year in part because he vowed to use capital punishment, said through a spokesman that he won't change his views.

"The governor determined very early in his adult life that in extraordinary circumstances the death penalty was a just punishment," Ridge press secretary Tim Reeves said.

"It pains him to be in conflict with his church, but he nonetheless still believes that to be true," Reeves said.

The cardinal's request isn't really new, but its timing is interesting.

It comes as the high-profile case of Mumia Abu-Jamal, convicted of killing Philadelphia Police Officer Daniel Faulkner in 1981, seeks a new trial amid worldwide public protests that he does not deserve to die.

Abu-Jamal, 41, a former Philadelphia radio journalist, is slated to be executed by lethal injection Aug. 17. Three other convicted killers are to be executed next month.

Jay Devine, archdiocesan

spokesman, said the cardinal is "certainly aware" of the Abu-Jamal case, but that the timing of his statement is not tied to that case alone. He said it comes now because "several executions are scheduled."

Although Bevilacqua did not mention any of the Death Row inmates by name, Pam Africa, a MOVE member who recently has been sitting at the defense table with lawyers representing Abu-Jamal, said she believes the cardinal was taking a stand against the planned execution of Abu-Jamal.

She just wishes he had mentioned Abu-Jamal by name.

"He's right to take the position for everybody," Africa said. "The death penalty is wrong. You can't solve murder through murder."

A hearing into Abu-Jamal's appeal for a new trial is set to start tomorrow.

Ridge signed Abu-Jamal's death warrant June 2. He has signed 18 death warrants since taking office in January. The first to die was Keith Zettlemyer, whose execution on May 2 was the state's first since 1962.

Bevilacqua did not issue a public statement before Zettlemyer's execution, but Devine said the cardinal wrote Ridge a letter and made it public in response to requests.

Many expect that Abu-Jamal will get a stay of execution.

Also slated to die next month are Leon Moser, 52, of Montgomery County, Aug. 15; Zachary Wilson, 39, of Philadelphia, Aug. 29; and Ronald Rompilla, 47, of Lehigh County, Aug. 31.

Moser pleaded guilty to the rifle slayings of his ex-wife and two young daughters outside a church on Palm Sunday 1985.

Moser had stalked and threatened his former wife, Linda, 35, and shot her and their children, Donna, 14, and Joanne, 10, after services at the St. James Episcopal Church in Lower Providence Township.

He has pleaded to die and has filed no appeals.

Wilson was convicted in the shooting death of James Lamb, who was shot four times in a bar at 24th Street and Allegheny Avenue on Aug. 3, 1981.

Rompilla was convicted of killing James Scanlon, who was stabbed and burned during a robbery of his Allentown tavern in 1988.

Opinion Letters

Follow South Africa; end capital punishment in America

I would like to express my horror at the trial and pending execution of Mumia Abu-Jamal.

I find it deeply shocking that the death penalty is still legal in the United States, a country that claims to uphold human rights. Judicial killing is nonsensical ("Why do we kill people who kill people to show that killing people is wrong?") and undermines respect for life, promoting instead a culture of vengeance and death.

Everything I have read of this case makes it clear that his trial was a travesty of justice. How can a judicial system convict a person on such flimsy and politically motivated evidence?

As a South African, I am delighted that our Constitutional Court has recently ruled that capital punishment is unconstitutional and I would urge all those in power in your state to put an end to this judicial killing.

MEGAN A. WALKER
Merrivale, South Africa

As wife of a police officer, I stand behind the police officers to see that this ruthless, obnoxious Mumia Abu-Jamal is put to death. It is only a shame it has to be so painless for him. They should let him feel a little of the pain he caused so many people, including his own family. Lethal injection is too good for him.

It is amazing that so many out-of-town people have spoken up for Jamal. Did any of them ever hear before of the incident or even care? We can all only hope that Judge Albert Sabo sticks to his guns and does not back down to these people who have no consideration for the American way. They stood outside City Hall and even ripped an American flag.

DONNA GIULIAN
Philadelphia

Thank you for Valerie Russ's story (July 15) on Mumia Abu-Jamal's hearing for a stay of execution and a retrial. Most news

coverage in Philadelphia has been so superficial as to mislead the reader or viewer to believe Jamal's supporters do not know or care whether he killed Police Officer Daniel Faulkner, that we only want him free. In fact, and despite Jill Porter's claim (column July 19) that the defense "hopes that politics would proclaim Abu-Jamal's innocence where the facts could not," the weight of the evidence does point to Abu-Jamal's innocence.

If Jamal is not innocent, as Porter maintains, one wonders why Amnesty International is watching and writing about the case and why the German and the Japanese governments have sent observers to the courtroom.

While Russ's story addressed with fairness and real interest the problems of Judge Albert Sabo's continued participation in this hearing, it and Porter's

column did not reveal that Sabo has sentenced more than twice as many people to death as any other judge in the country. Of those 32 people, only two are white, 27 are black, two are Latino and one is Asian-American.

Like the Philadelphia DA's office, Sabo is hostile to defendants and infatuated with the death penalty. And so on this I agree with Porter: Sabo must go. STEPHANIE CAMP
Philadelphia
scamp@mail.sas.upenn.edu

I support Jill Porter's suggestion (column July 19) that Judge Albert Sabo be removed from the Mumia Abu-Jamal case. MELVA ROONEY
Philadelphia

Jill Porter must go. Where was Jill when they executed another prisoner earlier this year? I

guess she thinks that was all right.

JEAN DIXON
Philadelphia

The photo caption on Page 6 (July 18) is appalling: "Lawyers for cop-killer Abu-Jamal ... go over Judge Sabo's head."

What did not go over the head of this supporter of a new trial for Mumia Abu-Jamal is that perhaps the corporate-owned Daily News has decided that no more is Jamal to be described in yellow journalism fashion as "convicted cop-killer." Perhaps now that the battle for justice in this case has reached beyond the shores of the U.S. and as more and more people realize a terrifying injustice is taking place here in the "land of the free," public opinion needs a bigger nudge to come down against Jamal's fight for justice.

The progressive people fighting for a new trial and for the ouster of the racist "hanging judge" are not that gullible. One would hope that the Daily News would cease being that manipulative.

The entire handling of the case by the mainstream media is why so many people who understand that the working people of this nation must fight collectively for every shred of justice are supporters of alternative press.

BARBARA JEAN HOPE
Philadelphia

On Aug. 17, Pennsylvania plans to execute Mumia Abu-Jamal in spite of cries of foul from figures as diverse as U.S. Rep. Chaka Fattah and Sen. Arlen Specter (That's right, Mr. Single Bullet himself).

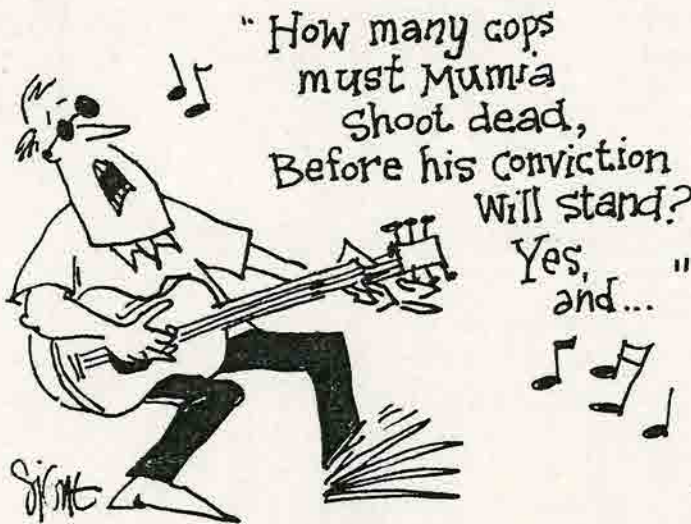
Even if the prosecution's case weren't as weak as the fourth cup from a store-brand tea bag, by their own accounts, Mumia acted spontaneously in response to seeing his brother beaten by a police officer, possibly in danger of his life. That is not premeditation, which is required for imposition of the death penalty.

What happened in that courtroom had nothing to do with justice. It was a bloodlust fueled by racial fears. No reasonable person can look at this case and say he or she has no doubt. If you believe in due process, you owe it to your conscience to get involved. If you fail to act, and a year from now the truth of Abu-Jamal's innocence comes out, what will you tell yourself? That it's just the price we pay for keeping the streets safe?

GUY T. ANTHONY
Telford

Judge Albert F. Sabo: Don't let the crazies have their way. Mumia killed a cop, he's guilty. You're the greatest since Judge Roy Bean. He was fair, tough, and he was mean. But he upheld the law and cleaned up the West.

JERRY FOGLEASR.
Philadelphia



More Letters

Mumia Abu-Jamal, Daniel Faulkner and the course of justice

By the time this is printed, Mumia Abu-Jamal may be dead. And good riddance! Convicted cop-killers should be executed. He killed an officer of the law, and just because the judge is accused of being a racist, Abu-Jamal should not be spared. Mr. Abu-Jamal, I hope you fry for what you did. I also hope they sell tickets, because I'll be first in line.

To the family of Police Officer Daniel Faulkner: I know you do not want to hear about this man any more than possible. I'm sorry. This man took something from you that can never be replaced. Abu-Jamal will live a lot to think about in hell. I know he is watching over Daniel as we speak.

IRIS BOLDUC
Philadelphia

candidate for canonization — convicted cop-killer Mumia Abu-Jamal — states that "the black man has no government and justice" (article July 13).

What earthly government does Abu-Jamal's victim, Daniel Faulkner, serve today, Mr. Scott? What justice did Abu-Jamal offer during that cold-blooded execution, Mr. Scott?

A man kills another, and all the activists, the Hollywood elite and the bleeding-heart lawyers spout generalizations and use the action as a vehicle for self-promotion.

Find a better vehicle. A man is dead. A wife is a widow. Yes, society is imperfect. Mumia Abu-Jamal proved that when he took Daniel Faulkner's life.

CHRISTOPHER MORKIDES
Upper Darby

its most valuable resources, a veteran police officer, brutally gunned down as he lay helpless. The case has been tragically marked with divisive controversy, with racial overtones. But one thing remains a constant: Police Officer Daniel Faulkner was murdered, his family and our city robbed of a husband, father, son, brother, friend and public servant.

And we were also stripped of one of the city's brightest journalists and community activists, when Mumia Abu-Jamal was sentenced to death for Faulkner's murder.

Abu-Jamal had long distinguished himself as a champion of the underdog. These attitudes were developed during his youthful association with the Black Panthers (a legal and constitutionally protected right of affiliation), and his overt anti-Rizzo activism put him at odds with the police. So,

when Gov. Ridge signed Abu-Jamal's death warrant, a lot of us were relieved, hoping an end had finally come to this tragic event. Mumia seemed like the logical murderer.

Yet all is not well. New evidence has arisen, which sheds more than a shadow of doubt on Abu-Jamal's guilt. Should the evidence never heard in court be reviewed?

Will justice really be served by the execution of an innocent man while the real murderer goes scot-free? Some will say: Good riddance to another troublesome black militant, left over from the '60s. Others may ask: Who cares? I say Officer Faulkner would care. He is not here to speak for himself. Therefore, it is our duty to find and punish his true killer. Mumia Abu-Jamal deserves a new trial.

CAROL W. DAHLGREN
Philadelphia

Clarence Scott, at a rally for that next

On Dec. 9, 1981, Philadelphia lost one of



The Philadelphia Inquirer / DIRK SHADD

Penn's Antonio McDaniel was one speaker: "When a life is at stake, why not have another trial and let everything come out?"

Death-row case stirs professors

Academics for Mumia Abu-Jamal, 144 strong, has spoken out. The scholars see larger issues.

By Julia Cass
INQUIRER STAFF WRITER

Mark McClain Taylor, Princeton religion professor, said he had used Mumia Abu-Jamal's writings on prison life and the justice system in some of his classes. He found them "eloquent" and believes such eloquence should not be silenced.

Ann Farnsworth-Alvear, Latin American history professor at Penn, said she has protested human-rights abuses in Latin American and felt that she had to "object to [rights abuses] in Philadelphia."

E. Ann Matter, chair of religious studies at Penn, has looked at justice issues in the Middle Ages, when executions were public spectacle. She said she senses a "frighteningly familiar sort of joy" over executions

The three teachers belong to Academics for Mumia Abu-Jamal, the latest group formed on behalf of the death-row inmate, whose execution has been set for Aug. 17.

The professors are a vivid example of how Abu-Jamal's case has attracted a wide and varied following and seems to appeal to several different perspectives and agendas. Supporters of Abu-Jamal, who has written radio commentaries and a book while imprisoned, include movie actors, writers, MOVE members, politicians and international rights activists. And now, 144 college professors.

Yesterday, on the eve of court hearings into whether Abu-Jamal's 1982 trial was fair, the academics, represented by nine area professors, held their first news conference.

"Boiled down, the case of Mumia Abu-Jamal is not just one man's legal case. It's the public focal point for broader issues about the death penalty and freedom of expression in America," Taylor said.

Taylor said the professors — whose numbers include 16 from Temple and 18 from Penn — formed their group in early June, when the death warrant was signed. "And more are joining every day. I can hardly leave my office with the phone constantly ringing or the computer beeping" with new E-mail messages, he said.

The group has not taken an official position on Abu-Jamal's guilt or innocence in the 1981 shooting death

See **ABU-JAMAL** on B2

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Academics for Mumia Abu-Jamal, 144 strong, speaks out for a retrial

ABU-JAMAL from B1 of Police officer Daniel Faulkner, according to Taylor. At the news conference yesterday, held at the Center City headquarters of the Hospital Workers Union Local 1199C, the professors did not focus on specifics of the crime or Abu-Jamal's case.

Rather, they spoke passionately about broad injustices they see in the imposition of the death penalty in America in general and in Philadelphia in particular — injustices that they say lead them to believe that Abu-Jamal's 1982 trial was flawed and that he should be granted a new one.

"I believe the death penalty is wrong and [Abu-Jamal's] case is a perfect illustration of what is wrong," said Rebecca Albert, co-chairwoman of women's studies at Temple University.

"We pride ourselves on believing that we have equal justice," Alpert said. But why, she asked, citing national statistics, are 40 percent of death-row inmates black and virtually 100 percent too poor to be able to pay for their own attorneys, investigators and experts?

She also cited Philadelphia's status as the "capital of capital punishment" where the district attorney seeks the death penalty in more murder cases than her counterparts anywhere else. She also brought up the record of Abu-Jamal's trial judge, Albert Sabo, who has presided over

more death sentence convictions than any other judge in the nation.

"Is this equal justice for all, or is this random and unequal?" she asked. "I can't say whether [Abu-Jamal] is innocent, but I know he did not get a fair trial."

Several of the other professors, including Farnsworth-Alvear, contended that it was unfair — and a violation of the First Amendment — for the prosecutor to bring up Abu-Jamal's teenager membership in the Black Panther Party during the sentencing part of the trial in an alleged effort to inflame the mostly white jury against him.

Prosecutions on the basis of political beliefs or membership happens frequently in Latin America, Farnsworth-Alvear said. "I would lose my credibility if I oppose this in Colombia and don't say anything when it happens here in Philadelphia."

To Farnsworth-Alvear and the others, any question of unfairness in the trial or even a widespread public impression of unfairness, as well as any doubt of Abu-Jamal's guilt, means a new trial should take place.

"When a life is at stake, why not have another trial and let everything come out?" asked Penn sociologist Antonio McDaniel.

Death-penalty proponents argue that new trials should be granted sparingly, in part because retrying a case after the passage of many years is difficult.

District Attorney spokesman William Davol said yesterday that prosecutors had no comment.

Mayor Rendell, who was the district attorney 13 years ago and approved seeking the death penalty for Abu-Jamal, said Monday that he had no doubts of Abu-Jamal's guilt.

Yesterday, after being told of the academics' statements, Rendell said he had "no problem with people who come in and demonstrate in this case because they're against the death penalty. But don't come in here and say that this individual is being persecuted politically when you don't know the facts of the case."

Abu-Jamal was convicted in 1982 of shooting Faulkner after the officer stopped Abu-Jamal's younger brother on a routine traffic violation. The two got into an altercation that Abu-Jamal witnessed as he drove by in his taxi. The prosecution presented eyewitnesses who said they saw Abu-Jamal run up to the officer and shoot him first in the back, then in the face. Abu-Jamal was found by police lying near Faulkner with a bullet in his chest.

The defense says evidence of Abu-Jamal's innocence was suppressed.



Abu-Jamal arrives at City Hall. Convicted of killing a Philadelphia police officer in 1981, he is scheduled to be executed Aug. 17. His sister, a colleague and friends testified yesterday in his appeal.

The Philadelphia Inquirer / NANINE HARTZENBUSCH

(OVER)

Appeal tries to raise image of Abu-Jamal

The hearing got raucous, and two people were ejected. Witnesses called Abu-Jamal caring. The defense said they should have been called at his trial.

By Julia Cass
INQUIRER STAFF WRITER

The first day of testimony in Mumia Abu-Jamal's appeal began peacefully enough yesterday, with character witnesses describing the world-famous death-row inmate as a compassionate, peace-loving man who was concerned with community welfare and devoted to his family at the time of his 1981 arrest.

By mid-afternoon, though, the hearing erupted with angry outbursts from two Abu-Jamal supporters in the audience, prompting Common Pleas Senior Judge Albert F. Sabo to eject them from the courtroom. One, an elderly black man, took a swing at a court officer as he was led away.

"This is getting to be a circus," Sabo declared after the unidentified man had gone.

The testimony was less dramatic. None of the witnesses testified about events on the December morning in 1981 when Philadelphia Police Officer Daniel Faulkner was killed, and there were no revelations regarding the defense's contention that Abu-Jamal, who was convicted of killing Faulkner in a 1982 trial, was innocent and had been framed by police.

Instead, Abu-Jamal's defense team began its presentation — which it estimated will go on for weeks — with character testimony. The witnesses were: Lydia Wallace, Abu-Jamal's sister; E. Steven Collins, a talk show host on WDAS who was Abu-Jamal's colleague during his radio days; Ruth Ballard, a neighbor of Abu-Jamal's family when he was growing up; State Rep. David P. Richardson Jr. (D., Phila.), a long-time friend; and Ken Hamilton, Abu-Jamal's high school history teacher.

The testimony should have been presented in the sentencing part of Abu-Jamal's trial before jurors decided whether to sentence him to death or to life in prison, defense attorney Daniel Williams said after the hearing.

Williams argued that had the jurors heard about Abu-Jamal's accomplishments, concerns and character, they likely would not have "looked at him as a person so lacking in human worth that we ought to exterminate him from the planet."

One of Abu-Jamal's appellate arguments is that his trial attorney, Anthony Jackson, provided "ineffective counsel" by not calling these witnesses. To win this point, they must demonstrate what the witnesses would have said and that their testi-

See ABU-JAMAL on B6

A new trial for Abu-Jamal: There are unanswered questions

For me, as well as for many of my colleagues who are members of the National Association of Black Journalists (NABJ), the murder case of Mumia Abu-Jamal has created a conflict over whether we can be "objective" about issues involving people of color.

The debate surrounding the Abu-Jamal case is a classic example of that conflict.

If Abu-Jamal were a white journalist and a member of the mostly white Society of Professional Journalists, then I don't think that all white journalists or members of that society would be asked to take a position.

Abu-Jamal was convicted in 1982 of first-degree murder of Philadelphia Police Officer Daniel Faulkner and is scheduled to be executed on Aug. 17 — which happens to be the second day of the NABJ's 20th anniversary national convention in Philadelphia.

The fact that Abu-Jamal is a former president of the Philadelphia chapter of the organization — considered by many to be the flagship of the association — has prompted questions from both his supporters, who have been waging an intense campaign on his behalf for a new trial, as well as others as to what the association's position is on the case.

As a former chapter president myself, I have been asked to write about his case and even to testify at his post-trial hearing because I knew and wrote about Abu-Jamal before the Faulkner slaying. This is the first column I have written on the case and I write this as my own opinion, not as a NABJ representative.

I first met Abu-Jamal in 1972, when he was communications director of the Black Panthers. He was about 18 at the time and I was interviewing him for a story.

Later, Abu-Jamal sought me out when he became a journalist, and we had many conversations about journalism and how to prepare for a career in the field. He would often call and ask me about approaches to a story and how to reach a source or how to solve a problem in getting a story.

As one of the first African Americans to work for mainstream daily newspapers and broadcast stations, I have frequently mentored younger journalists.

Although Abu-Jamal was an activist and an advocacy journalist, I thought that he crossed the professional line — even for an advocacy

*The purpose should
be to give him
justice. He hasn't
received that yet.*

journalist — when he became an outspoken MOVE supporter. I've never understood what motivated him. He never came across to me as a demagogue or a raging revolutionary. He was always friendly, calm and unemotional.

I was surprised when I learned at his sentencing hearing that the story I wrote about him as a young Panther was being introduced into evidence by the prosecution to show his propensity to dislike police officers. In that piece, I quoted Abu-Jamal as citing Mao Tse-tung's comment that "political power grows out of the barrel of a gun."

I have refused to testify during the current proceedings because I feel that journalists should refrain from testifying for one side or another unless they are personally involved with a case — for example, as a witness to a crime.

If a journalist becomes directly involved, testifying as a witness, then he or she shouldn't write about the case.

But that doesn't mean I don't have an opinion about whether Abu-Jamal got a fair trial, or whether he deserves another one.

The NABJ, as an organization, has drawn the ire of many activists and supporters of Abu-Jamal, particularly in the African American community, by refusing to take a position on the case when its board met in June. The rationale: The case was not a journalistic matter.

I disagree with that position. All issues are journalistic issues. To hide behind objectivity and take no position is a cop-out.

In the Abu-Jamal case, I won't take a position on his guilt or innocence. Nor do I think the NABJ should. That is up to the court.

But whenever there are questions of due process under the law, as in this case, I think those questions should be answered. There are legitimate questions about whether Abu-Jamal got a fair trial. I think he should get a new one.

Since the June meeting, the NABJ

board has learned that prison officials have censored Abu-Jamal's mail and refused him access to reporters. As a result, the NABJ, led by its president, Dorothy Gilliam, filed a friend-of-the-court brief when Abu-Jamal's lawyers filed a petition, complaining that his First Amendment rights have been violated.

There are those who argue that even in joining in on a First Amendment case, the NABJ has gone too far and has lost its objectivity.

I disagree with that view, too.

Abu-Jamal's lawyers have raised many questions about the conduct of his trial, the racial makeup of the jury, the adequacy of his legal representation, and the temperament and fairness of the judge who has been presiding over the case, Common Pleas Court Judge Albert F. Sabo, 74. He has a reputation as a "hanging judge," having presided over more death-penalty convictions than any other judge in America.

It is true that a jury convicted Abu-Jamal and decided he should die, but Sabo charged that jury and shaped the conduct of the trial. His prosecution stance is well-known in Philadelphia. He presided over jury trials because no savvy defense lawyer would waive a jury trial and agree to allow him to be the sole finder of fact.

Abu-Jamal's lawyers have asked Sabo to recuse himself from the stay proceedings. Sabo should do so; he should have done so long ago. In this case, the judge's prosecutorial bias is real.

Quite apart from the issues in this case, I am opposed to the death penalty. There are both racial and moral reasons why I feel that way. I don't believe that state-sanctioned murder is more moral than murder committed by a criminal.

I believe a person who commits a murder should be put away for life or until he or she is no longer a threat to society. An execution is not going to bring the victim back.

In the matter of race, the data show emphatically that black males found guilty of killing whites disproportionately receive a death sentence.

I am neither an Abu-Jamal supporter nor anti-police. I am an advocate for law and order — with justice. And justice will only be done if Abu-Jamal gets a new trial.

Acel Moore is the associate editor of *The Inquirer*.

Phila Inquirer 7/27/95

Lawyer overcome in heated dispute

Under cross-examination, Abu-Jamal's trial attorney lost breath. Also, a fracas sent the victim's widow running out of court.

By Marc Kaufman
and Julia Cass
INQUIRER STAFF WRITERS

After three blistering hours of questioning by prosecutors at the Mumia Abu-Jamal hearing, the celebrated death-row inmate's first defense attorney suddenly gasped for air, went silent and had to be removed from the witness stand yesterday.

The lawyer, Anthony E. Jackson, had been engaged in an intense legal sparring match with prosecutor Charles "Joey" Grant, who had accused Jackson of making false testimony earlier in the day.

Jackson denied the charge, saying that court transcripts showing a conflict between his current and past statements were inaccurate. He prepared to continue, but lost his breath and could not go on. Once off the stand, he regained his composure but did not resume his testimony. He is due back on the stand this morning.

"He was overwrought by what was proceeding in the courtroom," said Abu-Jamal's current attorney, Leonard Weinglass, after the hearing ended. Abu-Jamal's 1982 trial "was a trying experience, and to relive it is difficult," Weinglass said.

Also yesterday, three clenched-fisted spectators were thrown out of the courtroom after they refused to sit down, and Maureen Faulkner, widow of murdered Police Officer Daniel Faulkner, ran weeping from court after another fracas outside the courtroom.

Jackson's daylong appearance yesterday was an important part of the defense contention that Abu-Jamal, who is scheduled for execution Aug. 17, did not get a fair trial because he was ineffectively represented by his attorney at the initial murder trial.

Under questioning by Weinglass, Jackson said he made numerous mistakes during the trial and did not get enough money from the court — he received a total of \$800 for experts and investigation — to hire a ballistics expert or a pathologist.

Jackson said he failed to prepare for the sentencing part of the trial and presented no "mitigating" testi-

See ABU-JAMAL on B4

ABU-JAMAL from B1

mony from character witnesses that might have persuaded the jury to impose a life rather than a death sentence.

"I didn't believe we would get a conviction of first-degree [murder]," he said. In addition, Jackson said, "We'd been working six days a week for several weeks. I thought I'd have at least an extra day to prepare" following the guilty verdict.

During the trial's guilt phase, Jackson said, he didn't interview two eyewitnesses he called for the defense until the day they appeared in court. He said prosecutors had removed the addresses and phone numbers when they turned over the list of witnesses interviewed by the police, and his investigator had trouble finding them. When he asked prosecutors for help, they told him the witnesses didn't want to talk to the defense, he said.

Conflicts with Abu-Jamal

Jackson steadfastly resisted efforts to paint his legal work as "ineffective." But he said conflicts with Abu-Jamal, and his moving from a position of counsel to "backup" counsel and back to counsel again during the trial, made it impossible for him to put on an effective case.

"Sometimes I was lead counsel, sometimes I was backup counsel, and sometimes I was in never-never land," Jackson said.

Abu-Jamal was convicted of killing Faulkner near 13th and Locust Streets in December 1981 after Faulkner stopped Abu-Jamal's brother for a traffic violation and the two got into a physical altercation. Three weeks before the trial, Abu-Jamal decided to represent himself. But twice Senior Judge Albert Sabo dismissed him and ordered Jackson to take over the reins of defense because of behavior Sabo considered disruptive.

Jackson testified that his public-interest legal work involving police-misconduct cases in the three years before the shooting had led Abu-Jamal's supporters to seek him out.

Yesterday's fireworks began as soon as Grant began cross-examining Jackson.

In an aggressive attack over the next three hours, the assistant district attorney contended:

- That Abu-Jamal was in charge of the initial defense all along, and dictated to Jackson who would be called to testify and when.
- That Jackson, an experienced lawyer who had tried 15 to 20 murder cases, was stating he was ineffective only to help win Abu-Jamal a new trial.
- That earlier claims by Jackson — and now Weinglass — that the Abu-Jamal defense did not get important documents from prosecutors are false.

The issue being argued just before Jackson lost his breath involved Deborah Kordansky, who lived in a hotel near where Faulkner was killed.

A dispute over a witness

Jackson testified in the morning that Kordansky was a potentially important defense witness because she had told police that she had seen a man run from the murder soon after the shooting. Jackson said that the defense was not given Kordansky's telephone number or address by prosecutors, and that he finally spoke to her only after Sabo allowed her to be called by prosecutors from his chambers.

"We had no way to contact witnesses" like Kordansky because "the D.A. was in control of witnesses," Jackson testified.

Prosecutor Grant, however, yesterday read passages from the court transcript in which Jackson acknowledged he had been given Kordansky's phone number the night before, that he had called her and that she had declined to speak to him. He also read from her police statement, in which she describes seeing a man running on Locust Street after the police had arrived on the scene. The defense argued in the 1982 trial, and contends now, that another unidentified gunman shot Faulkner and then ran off before police arrived.

After saying he could not "reconcile" the transcript with his testimony yesterday, Jackson began to say that "each time testimony was changed [in police statements], it was to the benefit of the commonwealth..."

That was the point at which he lost his ability to speak.

The fracas that drove Maureen Faulkner from the courtroom took place just outside the entrance following the lunch break. Abu-Jamal's family members and supporters got into a shouting match with court officers. They contended that family members were made to wait outside the door, then go through a metal detector, while Faulkner's family — and non-uniformed FOP members — were escorted in first and did not have to go through the detector.

"That's not true," Faulkner said before leaving the courtroom in tears. She did go through the detector, she said. Sabo then established a separate entrance for the defendant's relatives and the victim's.

PHILADELPHIA
INQUIRER
FRI. 7-28-95

La vie en sursis de Mumia Abu-Jamal

Le Monde
27-07-95



MUMIA ABU-JAMAL

CONDAMNÉ À MORT en 1982, pour le meurtre en 1981, aux Etats-Unis, d'un policier, au terme d'une instruction qui comporte des incohérences, Mumia Abu-Jamal, ancien journaliste et membre des Black Panthers, doit être exécuté par injection mortelle le 17 août à 22 heures locales. Mumia Abu-Jamal, qui figure parmi les quelque trois mille condamnés à mort que comptent les Etats-Unis, a suscité une mobilisation dans son propre pays. Le pasteur Jesse Jackson a demandé un sursis à exécution alors que les amis et défenseurs du condamné estiment qu'il n'a pas eu un procès impartial. De plus, ils soulignent que le juge qui a présidé les débats a appartenu à la Philadelphia Fraternal Order of Police, une association qui réclame l'exécution du condamné. En France, le MRAP et Amnesty International s'efforcent, en liaison avec de nombreux écrivains et des organisations antiracistes, des syndicats et plusieurs partis politiques, de sensibiliser l'opinion au sort du condamné, en organisant des manifestations devant l'ambassade des Etats-Unis.

Lire page 8

PEINE DE MORT Aux Etats-Unis et en Europe, des comités de soutien se sont constitués pour obtenir la grâce de Mumia Abu-Jamal, ex-militant des Panthères noires qui

doit être exécuté par empoisonnement le 18 août prochain. ● L'HISTOIRE de cet ancien journaliste, accusé du meurtre d'un policier en 1981 à Philadelphie, a rencontré un

écho particulier auprès de nombreux écrivains de diverses nationalités. ● EN FRANCE, le MRAP, Amnesty International et d'autres organisations ont prévu plusieurs manifestations.

Outre leur réjet de la peine de mort, les défenseurs de Mumia Abu-Jamal mettent en exergue les négligences et les à-peu-près qui ont émaillé l'instruction. ● DEPUIS 1977, les exécutions capitales ont repris aux Etats-Unis. Deux cent quatre-vingt-trois ont eu lieu et, au 30 avril, on comptait selon Amnesty International, 3 009 condamnés à mort.

cutions capitales ont repris aux Etats-Unis. Deux cent quatre-vingt-trois ont eu lieu et, au 30 avril, on comptait selon Amnesty International, 3 009 condamnés à mort.

Des associations réclament la grâce d'un condamné

à mort aux Etats-Unis

Le MRAP et Amnesty International ainsi que des écrivains ont lancé une campagne pour obtenir que Mumia Abu-Jamal, ancien militant des Panthères noires, ne soit pas exécuté le 18 août

Abu-Jama

SOUS LE SCEAU de l'Etat de Pennsylvanie, deux mots en lettres gothiques indiquent que le texte émane du bureau du gouverneur de l'Etat. « Cet acte ordonne, autorise et exige l'exécution de la condamnation prononcée par la Cour envers Mumia Abu-Jamal, anciennement Wesley Cook, de la manière prescrite par la loi de l'Assemblée générale du Commonwealth sur l'injonction létale. »

Assise sur un large canapé, Marie-Agnès Combesque lit et relit le texte en silence. « C'est cela, la peine de mort, note-t-elle simplement. Des papiers officiels, des actes juridiques, des dates d'exécution. Un meurtre administratif, comme disait Camus. » Journaliste et écrivain, Marie-Agnès Combesque a écrit en 1992 un article sur Mumia Abu-Jamal dans le mensuel *Politis*. De sa prison de Huntingdon, en Pennsylvanie, le condamné à mort a répondu. Quelques semaines plus tard, Mumia Abu-Jamal faisait parvenir à *Politis* un long texte en anglais sur les couloirs de la mort des prisons américaines. « Il n'y a pas de vie dans un couloir de la mort, tout juste une existence, écrivait-il. On y mange, on y dort, on va aux toilettes, on respire, on quitte une pièce en brique pour entrer dans une cage en acier, on reçoit la visite d'êtres chers derrière un écran de Plexiglas sans jamais pouvoir les toucher. Le couloir de la mort n'est pas une abstraction, c'est une réalité saisissante. »

Aux Etats-Unis, des comités de soutien se sont organisés. En Europe, quelques comités de soutien se sont mis en place. En France, plusieurs organisations, dont Amnesty International et le MRAP, ont lancé une campagne afin d'éviter l'irréparable, c'est-à-dire l'exécution de Mumia Abu-Jamal,



prévue le 17 août à 22 heures locales (le 18 août à 4 h 00, heure française). Lancée fin juin par le MRAP et Amnesty International avec l'appui de groupes tels que la Ligue des droits de l'homme, Ras'l'front, le Comité de défense des droit de l'homme et des libertés, plusieurs syndicats (CGT, FSU, FEN), le Parti communiste, les Verts, la campagne « Sauvez Mumia » s'est traduite par l'organisation d'un meeting le 4 juillet à Paris, jour de la fête nationale américaine.

QUATRE HEURES DU MATIN...

Le 12 juillet, une manifestation a eu lieu devant l'ambassade des Etats-Unis à laquelle trois cents personnes ont participé, selon les organisateurs. Une série de cartes postales a été éditée : elles doivent être adressées à Mumia Abu-Ja-

mal, la deuxième à Thomas Ridge, le gouverneur (républicain) de Pennsylvanie, la troisième à l'ambassade des Etats-Unis à Paris et la quatrième aux organisateurs de la campagne. A l'appel du Parlement international des écrivains, présidé par Salman Rushdie, plus de cinq cents auteurs ont signé une pétition exigeant l'annulation de l'exécution et la révision du procès de cet ancien militant des Panthères noires. Parmi les signataires figurent notamment Günter Grass, Peter Handke, Jorge Amado, Jacques Derrida, Jean-François Lyotard et Harold Pinter. Dans l'hypothèse où un sursis ne serait pas accordé au condamné, une veillée sera organisée dans la nuit du 17 au 18 août devant l'ambassade des Etats-Unis.

Mumia Abu-Jamal, ancien rédacteur en chef de l'hebdomadaire

des Panthères noires de Philadelphie devenu journaliste de radio et président de l'association des journalistes noirs de Philadelphie, a été condamné à la peine capitale en 1982 pour le meurtre d'un policier. Le 9 décembre 1981, à 4 heures du matin, il conduisait le taxi qui lui permettait d'arrondir ses fins de mois lorsqu'il découvre le policier Daniel Faulkner en train de contrôler la voiture de son frère. Une fusillade éclate, le policier est tué et Mumia Abu-Jamal, grièvement blessé, est transporté aux urgences. Accusé du meurtre de Daniel Faulkner, il comparait, six mois plus tard, devant un jury majoritairement blanc qui le condamne à la peine de mort.

DOUTES

Au cours du procès, Mumia Abu-Jamal se défend à peine : assisté par un jeune avocat commis d'office qui a été ensuite radié du barreau, il est expulsé de la salle d'audience parce qu'il se plaint de ne pouvoir assurer seul sa défense. Au lendemain du procès, Mumia Abu-Jamal est envoyé

dans le couloir de la mort de la prison de Huntingdon, en Pennsylvanie. « *Ne me parlez pas de la vallée de l'ombre de la mort, j'y vis* », écrit-il dans un livre qui vient de paraître. Enfermé vingt-deux heures sur vingt-quatre dans des cellules de moins de 6 mètres carrés, il a droit à deux heures de promenade par jour dans une petite cour grillagée. Parce qu'il refuse de couper ses nattes, Mumia Abu-Jamal est soumis pendant sept ans à un régime disciplinaire (*disciplinary custody*) : il est privé de téléphone, de télévision, de radio et de livres, à l'exception d'ouvrages juridiques et religieux.

L'avocat de Mumia Abu-Jamal, Leonard Weinglass, a pointé plusieurs à-peu-près dans l'enquête policière concernant le meurtre du policier Daniel Faulkner. Il met en doute les témoignages de trois personnes qui affirment avoir assisté au meurtre. En délicatesse avec la police, Cynthia White, une prostituée que les autres témoins disent ne pas avoir vue sur les lieux, a changé de version à plusieurs reprises. Le deuxième té-

moins, un chauffeur de taxi, avait d'abord déclaré à la police que le tireur - qui ne correspondait pas au signalement de Mumia Abu-Jamal - s'était enfui, mais il s'est rétracté lors du procès. Ce chauffeur de taxi était à l'époque en liberté surveillée, et donc sous l'influence de la police, après avoir jeté un cocktail Molotov dans une cour d'école. Quant au troisième témoin, Mark Scalan, il avait admis à la barre qu'il ne pouvait pas dire qui était le Noir qui avait tiré sur le policier. Enfin, Leonard Weinglass s'interroge sur la validité des expertises balistiques présentées lors du procès. Selon un expert cité par l'avocat, les tests étaient incomplets : si la balle avait été tirée par Mumia Abu-Jamal, les policiers auraient dû retrouver des traces de nitrate, ce qui n'a pas été le cas. Selon l'avocat, l'étude des calibres exclut, en outre, que la balle ait été tirée par M. Abu-Jamal.

Le 13 janvier dernier, Mumia Abu-Jamal a été transféré à la prison de Greene County, où seront désormais regroupés tous les condamnés à mort de Pennsylvanie. Dans cet Etat du sud des Etats-Unis, la dernière exécution remonte à 1962. Mais au mois de mai, le gouverneur républicain, Thomas Ridge, a décidé de reprendre la tradition. Sur les cent quatre-vingt-six condamnés à mort qui attendent leur exécution depuis des années - dont quatre mineurs, quatre femmes et 60 % de Noirs - quatre seront donc exécutés dans le courant de l'été.

Anne Chemin

★ Mumia Abu-Jamal, *Live from Death Row*, introduction de John Edgar Wideman, éditions Addison-Wesley.

3 009 détenus en attente d'exécution

De 1967 à 1977, les Etats-Unis observent un moratoire officiel sur la peine de mort dans l'attente de décisions de la Cour suprême sur les législations relatives à la peine capitale. Depuis 1977, les exécutions capitales ont repris et ne cessent d'augmenter selon Amnesty International : il y en a eu 2 en 1982, 18 en 1986, 23 en 1990 et 31 en 1994. Au total, 283 détenus ont été exécutés par pendaison, électrocution, injection de substances mortelles ou inhalation de gaz depuis la fin du moratoire, en 1977.

Au 30 avril 1995, il y avait aux Etats-Unis, selon Amnesty International, 3 009 condamnés à mort. Parmi eux se trouvent 49 femmes et 41 détenus mineurs au moment des faits. Les « couloirs de la mort » les plus peuplés se trouvent en Californie (407 condamnés à la peine capitale), au Texas (398), en Floride (342) et en Pennsylvanie (186). Sur les 52 Etats américains, 38 comptent la peine de mort dans leur arsenal législatif. Parmi eux, 26 ont exécuté des condamnés au cours des trente dernières années.

Le Monde
27-07-95

Jesse Jackson a demandé un sursis à exécution

WASHINGTON

de notre correspondant

Si la mobilisation en faveur de Mumia Abu-Jamal n'a pas atteint, aux Etats-Unis, le niveau qu'elle rencontre en Europe, c'est sans doute que les condamnations à mort et les exécutions y sont relativement courantes : depuis 1976, année où la Cour suprême a rétabli la peine capitale, plus de 5 000 condamnations ont été prononcées (mais pas toutes maintenues) et deux cent quatre-vingt trois personnes ont été exécutées. Le cas de ce journaliste et militant politique noir a cependant entraîné la constitution d'un comité de soutien regroupant des vedettes d'Hollywood, des écrivains, des militants des droits de l'homme, ainsi que le révérend Jesse Jackson. Celui-ci a adressé une lettre ouverte au gouverneur de Pennsylvanie, Thomas Ridge, pour lui demander un sursis à exécution, ainsi qu'un second procès afin de permettre aux avocats de présenter de nouvelles preuves.

Les amis et défenseurs de Mumia Abu-Jamal soutiennent notamment la thèse selon laquelle l'accusé n'a pas bénéficié d'un procès impartial. Ils soulignent que le juge Albert Sabo, qui a présidé les débats, est un ancien membre de la Philadelphia Fraternal Order of Police, cette association corpora-

tiste qui, avec Maureen Faulkner (la veuve du policier assassiné), demande l'exécution du condamné, le 17 août prochain. La NAACP (Association nationale pour le progrès des gens de couleur), qui est l'une des principales organisations noires aux Etats-Unis, souligne que le juge Sabo a prononcé plus de condamnations à mort que tout autre juge américain.

ASPECTS RACIAUX

La NAACP, qui insiste sur les aspects raciaux de ce procès, rappelle que plus de 40 % des condamnés à mort en attente d'exécution aux Etats-Unis sont noirs, alors que ceux-ci ne représentent que 12,53 % de la population totale. En Pennsylvanie, plus de 60 % des condamnés à mort sont des gens de couleur, tout en ne constituant que 9 % de la population de l'Etat. Ces chiffres ne semblent cependant pas tenir compte du fait que la criminalité est, globalement, plus importante parmi la population noire.

Les amis de Mumia Abu-Jamal ne peuvent entretenir qu'un espoir limité s'agissant de leur demande de sursis à exécution. En avril dernier, en Géorgie, un autre condamné à mort, de nationalité britannique, Nicholas Ingram, avait bénéficié d'une très importante

mobilisation de l'opinion publique en Grande-Bretagne, le Parlement européen estimant qu'un doute sérieux planait sur sa culpabilité. Le condamné avait obtenu un sursis, pour être cependant exécuté vingt-quatre heures plus tard. En la matière, chacun des trente-huit Etats de la fédération où la peine de mort est applicable a ses propres règles. Les méthodes d'exécution sont différentes (de l'injection mortelle au peloton d'exécution), tout comme la liste des crimes passibles de la peine capitale.

Enfin, alors que certains Etats, comme le Texas et la Géorgie, accordent au jury le dernier mot s'agissant de la sentence, dans d'autres Etats (Floride, Arizona, Alabama), ce pouvoir est réservé au juge. Le taux des exécutions par rapport au nombre des condamnés à mort est également très variable selon les régions. Trois mille neuf condamnés à mort sont actuellement recensés et, chaque année, environ 1 % d'entre eux sont exécutés. Soucieux de raccourcir l'attente des condamnés à mort - supérieure, en moyenne, à plus de dix ans -, le Congrès a entamé l'examen d'une loi visant à limiter la période pendant laquelle les condamnés peuvent faire appel.

Laurent Zecchini

With Execution Pending, Clashes in a Courtroom

By DONTERRY

PHILADELPHIA, July 29 — Darkness still gripped the City of Brotherly Love in the early morning hours of Dec. 9, 1981, when Daniel Faulkner, a white police officer, was shot to death after making a routine traffic stop.

A few months later, Mumia Abu-Jamal, a well-known black radio journalist who was also active in political causes here, was convicted of the officer's murder and condemned to die, a sentence that is scheduled to be carried out on Aug. 17.

To the young officer's comrades and widow, it was a just verdict; a brutal cop killer would pay for his sins with his life. To Mr. Abu-Jamal's family and friends, his trial was a racist sham that railroaded an innocent and politically outspoken man straight past justice to Death Row.

In the nearly 14 years since, the case has become an international cause célèbre and, for some, a battleground in the political and cultural wars stretching from the 1960's to the 1990's.

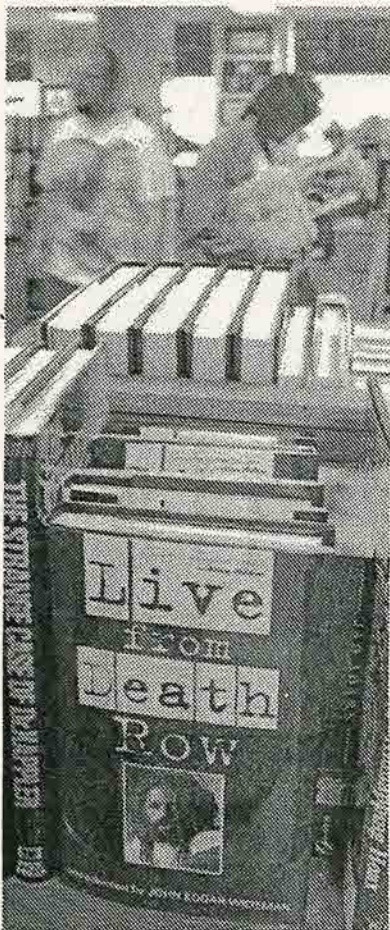
Mr. Abu-Jamal's face, framed in long dread locks, peers out in stores across the country from the front of his book, "Live from Death Row," a collection of sharply written commentaries about life in prison. He had planned on reading them on National Public Radio before the Fraternal Order of Police in Philadelphia successfully lobbied to keep him off the air.

Now that same group is lobbying to make sure he dies. For the last few days, both sides have filled a heavily guarded courtroom here as Mr. Abu-Jamal's lawyers seek a new trial for their client, citing, among other reasons, police intimidation and prosecution witnesses with checkered pasts, including a prostitute with numerous arrests. They also cite a false confession, shoddy work by Mr. Abu-Jamal's original lawyer and suppressed evidence.

Judge Albert F. Sabo of Common Pleas Court, who conducted Mr. Abu-Jamal's first contentious trial, is presiding over his hearing for a new trial, and defense lawyers contend that not much has changed.

Judge Sabo, a retired member of the Fraternal Order of Police, has sent more people to death row than any judge in the state. In the current hearing he has been openly contemptuous of the defense.

"Objection is over-ruled, whatever it was," the judge told Mr. Jamal's lead lawyer, Leonard I. Weinglass, a veteran of some of the



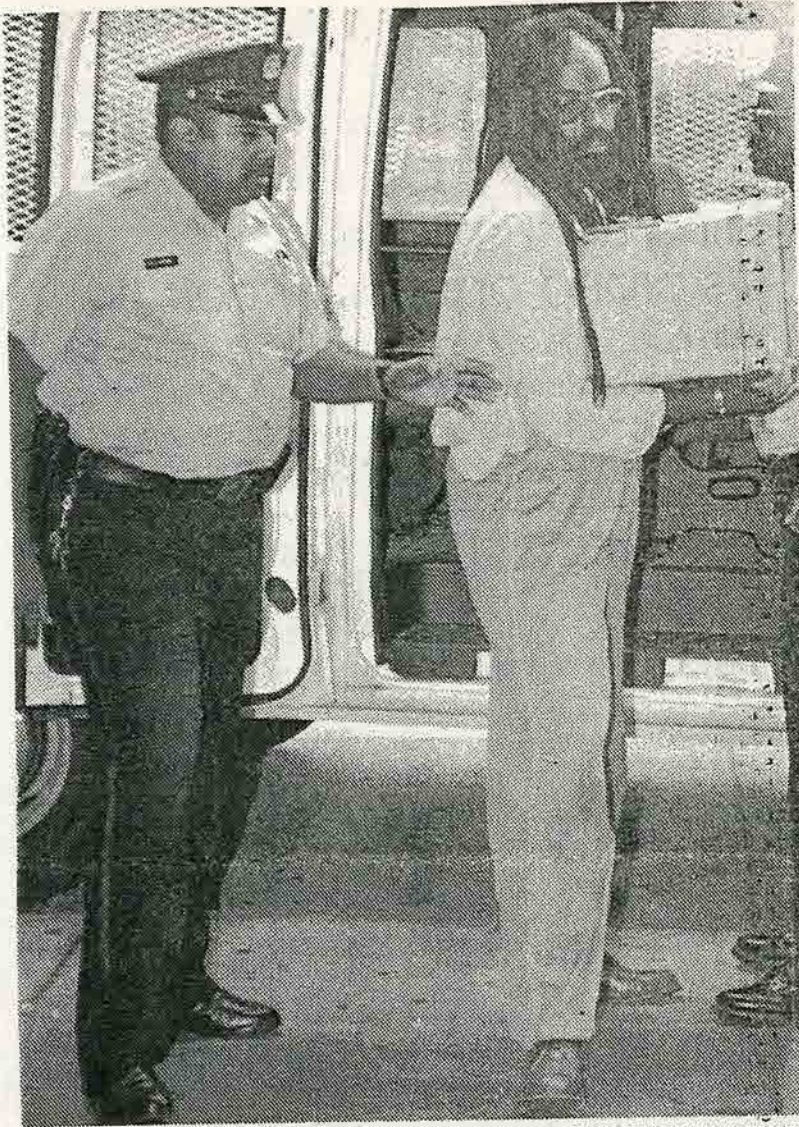
"Live from Death Row," a collection of commentaries about prison life written by Mumia Abu-Jamal.

most politically charged trials of recent decades, including that of the Chicago Eight after the 1968 Democratic Convention.

Judge Sabo has sustained virtually every prosecution objection while shooting down almost every defense objection. At one point, when Mr. Weinglass asked for a four-minute recess to locate a crucial witness, Judge Sabo, looking at his watch, said, "It's ten-twenty-eight-and-a-half. You have until 10:30."

On Wednesday, the first day of the hearing, Judge Sabo turned his back and walked out of the courtroom as another defense lawyer, Rachel H. Wolkenstein, was addressing him about a legal issue. He came back a few minutes later, saying that he could not hear because of the noise coming from the street, where a large group of Mr. Abu-Jamal's supporters were chanting, "Free Mumia now."

Richard B. Costello, the president of the Philadelphia Fraternal Order of Police, said he did not understand why Mr. Jamal's plight had drawn



Photographs by Associated Press

Mumia Abu-Jamal, a black radio journalist who was convicted of killing a Philadelphia police officer, is scheduled to be executed on Aug. 17.

lass said there are at least four witnesses who saw a man run away, and one of them identified the man as the gunman.

Anthony E. Jackson was Mr. Abu-Jamal's original court-appointed lawyer. And the other day, he testified that he had failed to call important witnesses and had been given too little money by the court to conduct an adequate investigation.

He said he was given less than \$2,000 for an investigator, ballistics expert, a pathologist and a photographer, adding the ballistics expert did no tests on the weapons because, "I did not have enough funds for him to do tests or appear in court."

As he fights for his life, Mr. Abu-Jamal has attracted supporters from around the nation and the world. In this country, his supporters include the actor Ed Asner, the scholar Cornel West, the writer E. L. Doctorow, trade unionists, members

of Congress and a religious group of white Christians, the Bruderhofers.

"We are heavily involved in trying to free Mumia," said Christopher Arnold, the Bruderhofers' elder minister, "because we strongly feel he did not get a fair trial and because we are against all violence, like going to war, abortion and especially the death penalty."

A few yards away, two off-duty police officers waited for the courtroom doors to open for the day.

"There are too many liberal sympathizers," one of the officers said. "I think it's disgusting. For all police officers in general, this is a slap in the face."

But Pam Africa, who is assisting the defense, said of the hearing: "This is not just about Mumia. This is bigger than one person. We can't stand by and let them commit cold blooded murder. We got to draw line."

so much attention and big-league legal help.

"He has more lawyers than Snow White had dwarfs," Mr. Costello said. "There's nothing special about this guy. He's a cop killer. We've had cop killers before, and, unfortunately, we'll have them again."

Although Judge Sabo has frequently urged the defense to hurry, he interrupted the proceedings for several minutes to argue and reminisce with a baffled witness about the location of a swimming pool in his old neighborhood sometime around "1926 or '28."

As he talked about the pool, a woman in the audience jumped to her feet and shouted, "Aren't we here to talk about a man's life?"

She was escorted out of the courtroom. Minutes later, the judge asked another question about the pool. Several of Mr. Abu-Jamal's supporters were removed for refusing to stand when Judge Sabo entered the courtroom and another was taken outside for giving the judge a Nazi-style salute.

Mr. Abu-Jamal, now 41, was a co-founder, at age 15, of the Black Panther Party here, which marked the beginning of years of surveillance by the Federal Bureau of Investigation that eventually filled at least 700 pages in his F.B.I. file.

As an adult, he served as president of the Philadelphia chapter of the National Association of Black Journalists. The N.A.B.J., which is to open its annual national convention here one day before the scheduled execution, has been deeply divided over Mr. Abu-Jamal's case. Despite emotional appeals from some of the group's 2,500 members, its 18-member board has maintained a neutral position on the case, saying Mr. Abu-Jamal's troubles were a criminal matter, not a journalistic issue.

As a radio reporter and commentator, Mr. Abu-Jamal was an outspoken critic of police brutality and became a strong supporter of the MOVE, the radical black group whose standoff with the Philadelphia police ended with a disastrous firebombing by the authorities in 1985. Some called him, "the voice of the voiceless."

By Dec. 9, 1981, Mr. Abu-Jamal was moonlighting as a cab driver. Having been robbed twice on the job, he was carrying a revolver on the morning he and Officer Faulkner crossed paths. Though the gun had been legally purchased, he was not licensed to carry it.

Shortly before 4 A.M., Officer Faulkner stopped a Volkswagen Beetle driving the wrong way on a

A hearing before a judge disinclined to revisit a 14-year-old case.

one-way street a few blocks from City Hall. The officer arrested the driver, William Cook, Mr. Abu-Jamal's younger brother.

The authorities say Mr. Cook hit the officer in the face and the two men struggled. Mr. Abu-Jamal said later that he happened to drive by in his cab and saw the officer beating his brother. He jumped out and ran to his brother's aid.

Minutes later, when more officers arrived, they found Officer Faulkner lying in a pool of blood in the street. He had been shot in the back and the face. A few feet away, with a bullet wound to the chest, lay Mr. Abu-Jamal. His .38-caliber revolver held five spent shells.

At his 1982 trial, the prosecution said Mr. Abu-Jamal had shot Officer Faulkner in the back and then stood over him and shot him in the face. The officer got off one shot before he died. Officer Faulkner's partner and a security guard said Mr. Abu-Jamal shouted out a confession as he was carried into the hospital.

But defense lawyers say that is a lie, and the officer who was escorting Mr. Abu-Jamal at the time wrote in his report that the "negro male" had said nothing. The officer was on vacation during Mr. Abu-Jamal's first trial and did not testify. The defense plans to call him for Mr. Abu-Jamal's hearing, which could last another week or more.

One of the most important disputes over the truth of that bloody morning involves the caliber of the fatal bullet that was removed from Officer Faulkner's head. A preliminary autopsy report recorded it as a .44-caliber, but police ballistic experts later said it was "consistent" with a .38, the same kind that Mr. Abu-Jamal carried in his gun.

Mr. Weinglass said that the jury was never informed about the autopsy report and that the police also never tested the .38-caliber pistol found at the scene to determine if it had been recently fired.

The defense says Officer Faulkner shot Mr. Abu-Jamal as he approached the scene and that "a third black male then shot Officer Faulkner and fled the scene." Mr. Weing-

Spike Lee, Alice Walker demand: 'A new trial for Mumia'

SEE PAGE 3

DAILY CHALLENGE MONDAY, JULY 31, 1995

Spike Lee: 'New trial for Mumia'

This morning, Mumia Abu-Jamal's defense team will conduct re-direct questioning of Anthony Jackson, the court-appointed attorney who defended the former Black Panther Party member in 1982. The re-direct comes after Friday's all-day prosecution cross-examination of Jackson. A central component of Abu-Jamal's legal demand for a new trial is the defense charge that Jackson botched the 1982 case. According to trial observers Friday, Jackson's performance on the witness stand was superb support for that defense contention.

Meanwhile, Spike Lee, Alice Walker and Nobel Laureate George Wald have endorsed the call for the August 12 national demonstration to halt the planned execution of Mumia Abu-Jamal, said protest organizers Friday evening. Also, the former President of the German Federal Republic, Richard Weizsacker, has written to Pennsylvania Gov. Tom Ridge demanding that the celebrated journalist be given a stay of execution and a new trial.

This development came in the wake of a massive July 22 demonstration in Berlin, where at least 5,000 Germans descended on the U.S. embassy and many chained themselves to the gates. Later, political prisoners held in German and Italian jails pledged a campaign of hunger strikes on behalf of Mumia Abu-Jamal. Saturday, a similar effort got underway here in the U.S.

Berta Joubert, a leader of the

August 12 mobilization, told the Daily Challenge, "Support from such well-respected cultural figures as Spike Lee, Alice Walker and George Wald is just another indication of the groundswell of anger emerging among poor and working people of all colors and nationalities as the truth of Mumia's case—and the State of Pennsylvania's racist vendetta against him—becomes more widely known. The growing opposition must be mobilized in the streets of Philadelphia if Mumia is to be saved."

The hunger strike announced last Saturday in Berlin has been taken up by activists here, but they have added a particular twist to the protest effort.

Iyalusa Ferguson of the Malcolm X Commemoration Committee and the Free Mumia Abu-Jamal Coalition told the Daily Challenge that U.S. political prisoners will not fast for Abu-Jamal, but supporters will fast in their places. "Mumia has said that the fast is good, but the conditions for political prisoners in this country are very dangerous right now," explained Ferguson Sunday afternoon. "Since the Supreme Court recently basically ruled that legal due process ends at the prison gate, our political prisoners and prisoners of war—who have no legal recognition by the government anyway—are in grave peril. Look at Jaill Anthony Bottoms (one of three—the so-called New York 3—activists framed for a double police killing in 1971), he just received 720 days in Attica's special housing unit—the hole—and same in terms of phone privileges. That's almost two years. He was falsely charged with fomenting protests at Attica. So, it is best that we on the outside take their place in fasting for Mumia."

For example, Iyalusa Ferguson will take the place Mutulu Shakur. Saffiya Bukhari will stand proxy for Jaill A. Bottoms, Leo James for Susan Rosenberg, Ramona Africa for Debbie Africa, Joan Gibbs for Abdul

Majid, Sandra Rivers for Janet Africa, Yahama for Sundlata Acoll, Sally O'Brien for Marilyn Buck and Herman Ferguson for Abdul Haq.

"So far, we have over 40 people signed up," said Ferguson. "Mumia himself will fast in place of Rachelle McGee, who has been in jail for 40 years. Mumia told us that he'll fast despite the danger because there is really nothing more that they can do to him to threaten him."

According to Ferguson, the international hunger strike called by the

Germans and Italians will run in three-day intervals. "We begin fasting on August 1 and go to August 3," Ferguson explained. "Then it goes August 4 through August 6 and, finally, August 13 to August 16." Ferguson urged persons wishing to join the hunger strike to contact 212-330-8029.

Mumia Abu-Jamal is scheduled to be put to death by the Commonwealth of Pennsylvania at 10 p.m. August 17, the birthday of Marcus Garvey.

...a Connecticut interstate... ing... a Connecticut interstate demanded "Save Mumia." And a half-page advertisement Wednesday in The New York Times purported to tell readers "What You Haven't Read in the Press About Mumia Abu-Jamal."

His supporters carry signs bearing his ethereal, dreadlock-adorned visage, fax press releases about his being disciplined in prison, sell tapes of his commentaries, exchange information on the Internet and hold readings of his book, "Live From Death Row."

The hearing before Common Pleas Judge Albert Sabo, whom Abu-Jamal supporters call a "hangman," started with the judge ordering Pam Africa, a member of the radical group MOVE, to leave the defense table.

"She had too much to say during the last trial and that's why we had all the trouble," he said.

Faulkner's widow sat on a courtroom bench, apparently ready to relive the events that shattered her life 13 years ago.

Gov. Ridge inks another death warrant

HARRISBURG (AP) — Gov. Tom Ridge has signed his 19th execution warrant, allowing the state to schedule the death of a convicted killer from Philadelphia.

Craig Murphy, 38, is scheduled to die by lethal injection at 10 P.M. on Aug. 22 at the Rockview state prison.

Murphy was convicted in 1988 of killing Raymond Gambrell seven years earlier and was sentenced to death. Murphy also is serving a life sentence for killing Steven Brown, who witnessed the Gambrell murder.

The Pennsylvania Supreme Court affirmed the conviction in the Gambrell case in April. Ridge signed the warrant last Thursday.

Six executions are scheduled for August and September, although they may be delayed if appeals are filed.



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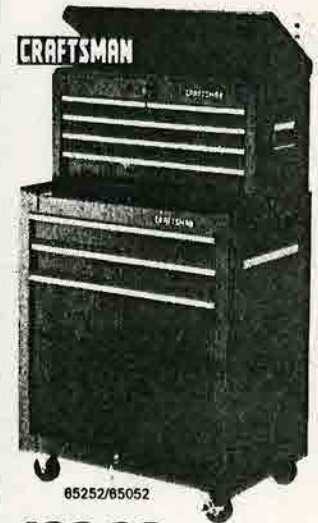
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Abu-Jamal gains world-wide support

Mumia gets support from South Africa, Germany

By Ted Duncombe
Associated Press

PHILADELPHIA — From South Africa to San Francisco, the cry is gaining momentum: Free Mumia Abu-Jamal from death row.

The ex-journalist, condemned to die for the 1981 slaying of a police officer, has gained a global network of supporters who consider him a victim of a racially-biased judicial system.

Abu-Jamal's supporters portray him as a political prisoner, a Black man treated unjustly. They say he was set up by prosecutors who buried evidence and by a hostile judge who let it happen.

Prosecutors stand by evidence and witness testimony they believe is iron-clad. That didn't stop protesters from showing up outside a courthouse Wednesday for the start of a hearing to determine whether Abu-Jamal will get a second trial in the shooting of Officer Daniel Faulkner.

The same judge who presided over his original trial will decide if he gets another chance. The hearing is expected to last several weeks; both sides expect Mumia's execution, set for Aug. 17, to be postponed.

Last year, Abu-Jamal gained attention when National Public Radio agreed to broadcast his commentaries from death row, then withdrew the offer amid criticism. His commentaries did air on the private Pacifica radio network.

The interest has intensified in the past two weeks with major protests virtually every day. Authorities say protesters often operate under illusions and inaccuracies.

In Berlin, at least 1,000 Abu-Jamal supporters marched through downtown last week. In South

able during the trial, they say. During sentencing, critics say, prosecutors inflamed the mostly white jury by mentioning that Abu-Jamal belonged to the Black Panthers as a teen-ager. The Panthers, active in the 1960s, called on Blacks

and say this individual did not get a fair trial, know the facts of the case, know what happened," he said. "In my judgment, this is in no way a political case at all. This is a case of somebody murdering a Philadelphia police officer."

Bill Siemering, Abu-Jamal's former station manager at WHYY radio in Philadelphia, called the defendant "an exceptionally gifted journalist." He said he was puzzled, however, by the international wave of support.

Supporters include actor Ed Asner, authors and academics such as E.L. Doctorow and Cornel West, Black congressmen, trade unionists, Trotskyites and death penalty opponents.

Siemering, who takes no position on Abu-Jamal's guilt or innocence, said he doesn't think Abu-Jamal's overseas supporters have a clear picture of the case.

"I say look at the facts in the case," Siemering said. "Sure Mumia was a Black Panther, but I don't think that was really a relevant point in the trial. I think it was much more relevant that he didn't take the stand in his own defense."

"If you're going to come in here

In Berlin, at least 1,000 Abu-Jamal supporters marched through downtown last week. In South Africa, the country's largest Black newspaper, The Sowetan, called on the international community to oppose the alleged racism in the case.

shot Abu-Jamal, who was working as a cab driver.

Abu-Jamal never offered another explanation and his brother never testified. Abu-Jamal repeatedly disrupted the trial with political outbursts and several times was removed from the courtroom.

Defense lawyers contend prosecutors and police stacked the trial against Abu-Jamal, with Sabo's approval. Witnesses who could have helped his case were coerced to testify against him, intimidated into leaving town or simply unavail-

to arm themselves in a struggle against white oppressors, and also provided social services for Black youth.

Three Blacks were on the jury, but one was dismissed during the trial.

Philadelphia Mayor Edward G. Rendell, who as district attorney 13 years ago sought the death penalty for Abu-Jamal, said he had spoken to protesters who were unaware that Abu-Jamal was even found at the scene.

"If you're going to come in here



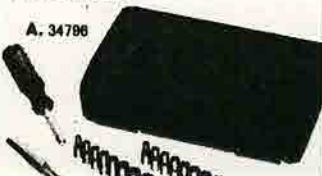
Mumia Abu-Jamal arrives at City hall last week as his attorneys seek to block his scheduled Aug. 17 execution. Jamal's cause is receiving international support. — *Narisa Hutzlerbusch/AP photo*

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Murderer or martyr? Mumia, man and myth

By Linn Washington Jr.

Mumia Abu-Jamal, the convicted cop killer-turned international cause celebre, is neither the monster opponents claim nor the martyr supporters contend.

A "very cunning but despicable murderer" is how the Philadelphia District Attorney's Office described Abu-Jamal in a June letter sent to his Hollywood supporters. A victim of a "travesty of justice" is how Abu-Jamal was described in another June letter sent to U.S. Attorney General Janet Reno by members of the Congressional Black Caucus.

Also in the month of June, the National Association of Black Journalists issued a press release referring to the one-time president of their Philadelphia chapter as a "former journalist" while the Pennsylvania Department of Corrections issued a misconduct to Abu-Jamal for violating prison rules by actively engaging in the "business and profession of journalism."

These contrasting views about Mumia Abu-Jamal are fuel for the mythology which has developed around this controversial case. Perhaps the only uncontested fact in the case of Mumia Abu-Jamal is that Police Officer Daniel Faulkner was fatally shot in the pre-dawn hours of Dec. 9, 1981.

This mythology surrounding Mumia Abu-Jamal is fostering misunderstandings, particularly about what is the true import of his legal battle. Mythology is more fiction than fact and the mythology surrounding Mumia Abu-Jamal is no exception.

Many major daily newspapers around the nation have carried accounts of Abu-Jamal smiling at the slain officer's widow when the policeman's bloody shirt was displayed during the 1982 trial. The fact is Abu-Jamal was not in the courtroom on June 26, 1982 when the police ballistics expert displayed the bloody shirt, according to the official trial transcript.

One of the most persistently published claims is that Abu-Jamal was convicted in part for his journalistic exposure of police brutality. The fact is at the time of his arrest Abu-Jamal's journalism was not up to the award-winning form that had earned him the title of "voice of the voice-

less" for his poignant reports on issues involving society's dispossessed. He was virtually a propagandist for the radical MOVE organization, which is why he was fired from fulltime reporting positions and was moonlighting as a cab driver on the day of the shooting.

Today, Abu-Jamal is an extraordinarily insightful analyst whose perceptive prose has rightfully earned him new journalism awards.

Lost in the clashing views over who Mumia Abu-Jamal is, are legal issues with impact far beyond this

individual's case.

The questions about the equitable operations of the justice system being raided in Abu-Jamal's latest appeal, are sadly not mythological. Far too many Philadelphians have experi-

enced the misconduct by police and prosecutors alleged in Abu-Jamal's case.

Six months before Abu-Jamal's arrest at the scene of Officer Faulkner's shooting, Neil Ferber was arrested for a mob murder in South Philadelphia. A Philadelphia judge later found that Ferber — who spent 1,375 days on death row before release — had been framed by police. He called the case a "Kafkaesque nightmare."

In another case, Betty Patterson spent more than three years in prison after police planted cocaine in her North Philadelphia home to cover-up their illegal search for evidence in an unrelated murder case. Prosecutors fought vigorously to keep her in prison even after they knew that the policemen who arrested her had been fired for corruption and were being investigated by the FBI for falsely testifying against innocent people.

Stripped of the mythology fanned by opponents and supporters alike, Mumia Abu-Jamal's appeal is a critical test case for our justice system that is now the focus of unprecedented international attention.

If the evidence is as compelling as opponents claim, then Abu-Jamal can be convicted again in a fair re-trial. If the evidence is as flimsy as supporters contend, then executing this man will truly make him a martyr.

Linn Washington Jr., a graduate of the Yale Law Journalism Fellowship Program, has interviewed Mumia Abu-Jamal in prison. He is the author of the new book, "Black Judges On Justice."

He's become an international cause celebre, but the hype obscures real issues in the case.

Phila. Inquirer 8-1-95

The fire next time?

Mumia's wife warns against his execution

by **Jim Nolan**

Daily News Staff Writer

Mumia Abu-Jamal yesterday fared better in the court of public opinion than in a court of law.

Amnesty International joined the high-profile chorus of supporters pushing Abu-Jamal's cause by calling for a commutation of the death sentence handed down by a jury in 1982 for the killing of Police Officer Daniel Faulkner.

A pro-Abu-Jamal youth group trumpeted the reported arrests of six people protesting in Center City.

And Abu-Jamal's wife invoked the specter of civil unrest by theorizing that a failure to grant a stay of her husband's date with death would lead to violence.

"I think he better. I think he better," Wadiya Abu-Jamal said when asked if she thought Judge Albert Sabo would stay her husband's Aug. 17 execution date.

"I really hope so. Evidently you haven't seen any of the writings around the city saying that if Mumia burns, the city will burn."

She was asked if the threats were serious.

"What do you think?" she responded. "These people are not here for decoration."

Inside Common Pleas Courtroom 253 in City Hall, however, Sabo dealt the defense blow after blow in its application to win a new trial and a stay of execution for the convicted cop-killer.

The testy, senior judge ruled that Gov. Ridge — who signed Abu-Jamal's death warrant June 1 — did not have to respond to a defense subpoena and testify about the decision.

Abu-Jamal's lead attorney, Leonard Weinglass, contended that Ridge had known that Abu-Jamal's application for a new trial was about to be filed.

He claimed Ridge had deviated from normal procedure and signed the death warrant as a "preemptive move" to place greater pressure on the defense's ability to make its case.

State Deputy General Counsel Stephanie Middleton said Ridge had signed Jamal's death warrant in order and according to guidelines used in the 18 other warrants he's signed to date.

She called Weinglass' claims "speculative, unfounded, harassment and intimidation."

Later the defense said it wanted to question Assistant District Attorney Joseph McGill about the number of blacks he struck from a jury pool during jury selection of the 1982 murder trial.

"They want to try Mr. McGill for trying Mr. Jamal," said ADA Charles "Joey" Grant, who called the defense move "a fishing expedition."

Sabo agreed to "keep Mr. McGill in abeyance for the time being."

The day was characterized by combative, often snide, exchanges between attorneys and

Questioned by reporters, she cited 'writings around the city saying that if Mumia burns, the city will burn.'

between the defense and Sabo, who has a reputation as a prosecution judge.

The veteran defense attorney tried Sabo's patience early when he objected to the removal of a pro-Abu-Jamal spectator who refused to stand when the judge entered the courtroom.

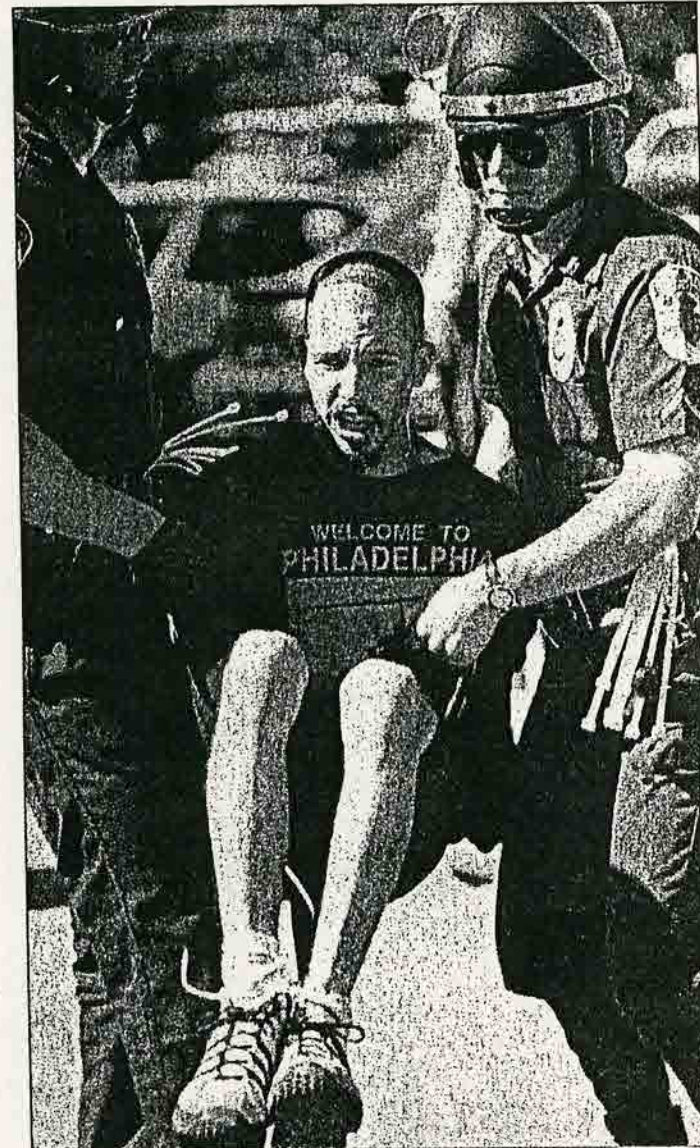
"He's opposed to standing as a matter of religious scruple," Weinglass claimed.

Sabo also bristled at the defense application to disarm the off-duty police officers who have attended the hearing. "They're here for my protection, too," he said.

After the hearing, a frustrated Weinglass said he would likely file an appeal in state Supreme Court by the end of the week for a new trial and a stay of execution.

Abu-Jamal, dressed in a denim prison shirt and blue pants, left the courtroom to cheers from supporters, while off-duty cops and Faulkner's widow, Maureen, watched in silence from the other side of the room.

"I love you, everyone," the convicted killer said as he was escorted out a side door. ■

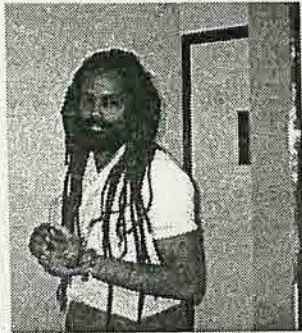


ASSOCIATED PRESS

A pro-Abu-Jamal demonstrator is carted off yesterday in Burlington, Vt., where the president was speaking

Parlement des écrivains

L'affaire Abu-Jamal : une « erreur » judiciaire construite



Le Parlement des écrivains, organisation présidée par Salman Rushdie, s'est prononcé hier pour la révision du procès de Mumia Abu-Jamal. Pour des écrivains comme Breyten Breytenbach, Edouard Glissant, Jacques Derrida et bien d'autres, la condamnation de Mumia est un meurtre qui ne relève pas de la justice.

« **M**UMIA ABU-JAMAL a été condamné à mort parce qu'il est noir et qu'il est de gauche », a affirmé, hier, l'écrivain sud-africain Breyten Breytenbach. Dans les locaux de l'UNESCO, à Paris, le Parlement international des écrivains, représenté notamment par Jacques Derrida, Edouard Glissant et le poète chinois Bei Dao, a demandé la révision du procès de Mumia Abu-Jamal, un journaliste-écrivain noir américain, condamné à mort en 1982 pour le meurtre présumé d'un officier de police. La sentence — empoisonnement par injection létale — doit être exécutée le 17 août prochain, en Pennsylvanie, aux États-Unis.

« La pression internationale peut jouer » et obliger les juges à rouvrir le dossier, explique Marie-Agnès Combesques, la responsable de la section « Amériques » du Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), qui participait à la conférence de presse aux côtés du Comité pour sauver

Mumia Abu-Jamal et de l'International Pen Club. Si le Parlement des écrivains — présidé par Salman Rushdie — a décidé de « s'engager dans la campagne pour sauver Mumia », c'est parce que ses membres sont par principe contre la peine de mort, mais c'est aussi parce que « les conditions dans lesquelles (il) a été jugé et condamné font peser sur le jugement un grave soupçon d'iniquité et d'inconstitutionnalité », rappelle Christian Salmon, le secrétaire général du Parlement.

Pis. « On ne peut parler seulement d'erreur judiciaire dans le cas de Mumia, car si erreur il y a, elle n'est pas fortuite mais construite : elle (...) est le vrai visage d'un système judiciaire raciste, répressif (...), liberticide et ségrégationniste. » Breyten Breytenbach juge « inacceptable l'acte de barbarie que constitue le meurtre commis par l'Etat ». Les conditions de détention (de Mumia Abu-Jamal) ressemblent, selon lui, aux conditions d'élimination des gens en Afrique du Sud.

Le Parlement « conteste » le « mépris des droits de la défense, les témoignages modifiés en cours d'instruction ». Les écrivains demandent donc un nouveau procès qui ne soit pas une parodie de justice. Plus de 500 d'entre eux ont adressé au gouverneur de l'Etat de Pennsylvanie, Thomas Ridge, une lettre lui demandant d'annuler l'ordre d'exécution qu'il a signé le 1^{er} juin dernier et d'engager la révision de procès de Mumia. Dans sa réponse, Mumia Abu-Jamal accuse le gouvernement

américain, « qui se prévaut de la liberté de la presse et d'expression, d'avoir utilisé mes écrits et mes paroles pour m'espionner, avant même que j'ai quitté le lycée, pour essayer de m'accuser de crimes dont j'ai été reconnu innocent et pour finalement s'assurer de ma mise à mort par exécution ». Le MRAP organise ce soir un rassemblement devant le consulat des États-Unis à Paris et appelle à une journée de mobilisation internationale pour Mumia Abu-Jamal, le 12 août prochain.

SEBASTIEN FRANCK



APPAUL BRADLOW

Manifestation en faveur de la révision du procès, le 26 juillet, à Washington.

Breyten Breytenbach : noir et de gauche, donc coupable



A l'issue de la conférence de presse du Parlement des écrivains, Breyten Breytenbach a répondu aux questions de « l'Humanité ».

On veut exécuter Mumia parce qu'il est « noir et de gauche ». Pourquoi s'acharne-t-on de cette façon ?

Parce qu'il fait partie d'une minorité. C'est un être minoritaire. La logique reste celle du système libéral. Les trente ans de lutte du peuple noir aux Etats-Unis n'ont servi à rien. Nous assistons à la prolongation de

l'esclavagisme, même si l'on n'utilise plus ce terme. Mais, actuellement, la population noire américaine souffre de cela.

Qu'est-ce que « la logique du système libéral » ?

Le système libéral n'intègre pas les pauvres, les plus faibles. Il les exclut. Il n'y a pas d'éthique d'intégration pour ceux qui restent en marge, dans le système capitaliste. Dans aucun pays.

Dans aucun pays ?

En France, c'est la même chose, sous d'autres formes. On

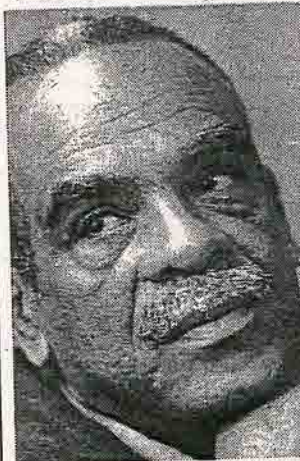
renvoie les pauvres chez eux par charters. On les tue ailleurs. Il faut quand même se réjouir que la peine de mort ait été abolie ici.

Comment peut-on sauver Mumia ?

Nous — écrivains — devons cibler notre action pour qu'elle ait de l'efficacité. Parler de ce que l'on connaît autour de nous, dans notre corps des écrivains, afin de susciter un mouvement d'intérêt et de mobilisation. Il ne faut pas se disperser afin de réussir à faire réellement quelque chose.

L'humanité 02.08.95

Edouard Glissant : il y a urgence



JACQUES BASSIER

Ecrivain martiniquais, Edouard Glissant répond à nos questions.

Pourquoi le Parlement des écrivains se mobilise-t-il pour sauver Mumia Abu-Jamal?

Pour trois raisons. D'une part, nous sommes contre la peine de mort par principe. Ensuite, il semble y avoir eu déni de justice lors de ce procès. C'est pourquoi nous demandons sa réouverture. Enfin, Mumia Abu-Jamal est lui-même journaliste et écrivain. Il y a urgence à ce que la sentence soit annulée.

Vous souhaitez un nouveau procès?

Oui. Il y a eu de telles manipulations que l'on ne peut pas savoir exactement quelle est la part de responsabilité de Mumia. Il faut refaire un procès dans des conditions normales et justes.

Pourquoi l'administration souhaite-t-elle son exécution?

Parce qu'il est un symbole de révolte contre le pouvoir. Militant des Black Panthers, journaliste de radio extrêmement populaire en Pennsylvanie. Il était surnommé « la Voix de ceux qui n'ont pas de voix ». De plus, en tant que journaliste, il a énormément dénoncé les pratiques et les abus de la police de Philadelphie.

Pensez-vous qu'il puisse encore être sauvé?

Il faut garder l'espoir jusqu'au bout. Le mouvement de mobilisation internationale est tellement fort que cela peut atteindre les autorités américaines.

Que vous inspire sa condamnation?

C'est l'Amérique ultralibérale, ultraconservatrice qui sévit. Nous revenons soixante ans en arrière. Cela rappelle le procès Sacco et Vanzetti.

Comité de défense des droits de l'homme

La mobilisation s'amplifie

Le Comité de défense des droits de l'homme enregistre de nouveaux appels en faveur d'Abu-Jamal en France comme à l'étranger.

Sil le juge Sabo comptait sur un ralentissement du mouvement de solidarité en faveur de Mumia Abu-Jamal, en tergiversant depuis une semaine sur la demande de révision du procès du journaliste noir américain, c'est manqué!

Non seulement le nombre de signatures reçues au siège du Comité de défense des droits de l'homme ne se ralentit pas, mais il s'amplifie et s'élargit en France et en Europe. Chaque jour, des centaines de signatures affluent sur le tract édité par le Comité, des pétitions recueillies sur les marchés, dans des entreprises,

lors d'initiatives de sorties familiales à la mer, fêtes départementales. A Nice, dimanche dernier, lors de la fête du Château, de nombreux participants sont venus féliciter et remercier Georges Marchais par son initiative en faveur d'Abu-Jamal.

De Belgique, des dizaines de signatures sont arrivées. Parmi elles, celles d'André De Smet, rédacteur en chef de la revue internationale « Vrede », de Chantal De Smet, directrice de l'Académie royale des beaux-arts. De Grèce, également, où les milieux universitaires sont mobilisés, des professeurs de l'université en communication d'Athènes, le docteur Korakitis, professeur d'astronomie à l'université technique nationale d'Athènes.

De France, les signatures de personnalités continuent d'affluer : celles d'Henri Busser, secrétaire général de la commis-

sion sociale des évêques de France; de Jacques Gaillot, évêque; de Jean-Pierre Balduyck, maire socialiste de Tourcoing; de conseillers régionaux de Rhône-Alpes : Gérard Collomb, maire du 9^e arrondissement de Lyon, conseiller régional socialiste; Dominique Chambon, conseiller régional UDF; Jacques Oudot, vice-président du conseil régional, non inscrit; Michèle Roubaud, conseillère régionale des Verts; Bruno Vennin, président du groupe Solidarités. C'est un courant extrêmement large qui s'amplifie chaque jour.

Vendredi dernier, Hélène Luc, au nom du groupe communiste au Sénat, a déposé un rappel au règlement en demandant à Jacques Toubon, ministre de la Justice, d'intervenir auprès des autorités des Etats-Unis pour exiger « Vie sauve pour Mumia Abu-Jamal » et la révision de son procès.

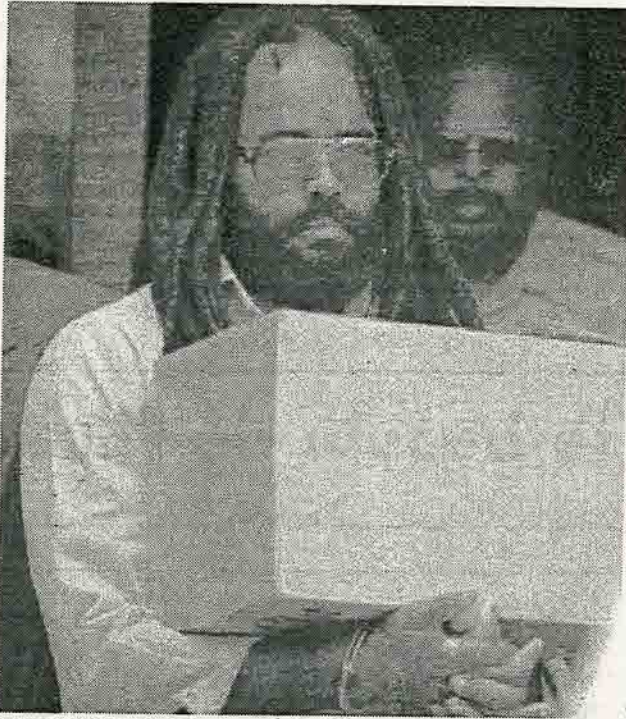
Rapports truqués et faux témoins

De notre envoyé spécial.

L'AUDIENCE a repris au tribunal de Philadelphie où les avocats de Mumia Abu-Jamal tentent — par l'accumulation des preuves — de convaincre le « juge » Sabo de se déjuger et de décider d'un nouveau procès permettant à sa victime de faire éclater son innocence. Une tâche pratiquement impossible à réaliser, à moins que la pression de l'opinion internationale et américaine, sur les autorités concernées, du chef de l'Etat, Bill Clinton, aux responsables locaux, aboutisse à l'arrêt du compte à rebours mortel.

La journée de lundi, comme celles de jeudi et vendredi, a été consacrée à l'audition et aux contre-interrogatoires de l'avocat de Mumia, commis d'office lors de son procès en 1982. Anthony Jackson demeure, jusqu'à présent, l'unique témoin direct des faits qui ont conduit au déni de justice, à comparaître devant la cour. En effet, M. Sabo a rejeté lundi la demande de citation de deux personnages pourtant directement liés à l'affaire : le gouverneur Tom Ridg et le policier Garry Bell.

La défense accuse le gouverneur républicain de Pennsylvanie nouvellement élu d'avoir, délibérément et en toute hâte, décidé de signer l'arrêt d'exécution de Mumia le lundi 1^{er} juin dernier, en fin d'après-midi, après avoir lu dans le « Philadelphia Inquirer » du même jour que la défense allait déposer le 5 juin une demande d'examen en vue d'un nouveau procès. Cette hâte est d'autant plus suspecte que, dès le 2 juin, le procureur adjoint, Arnold Gordon, adressa à deux personnalités connues pour leur soutien à la cause de Mumia, une



Mumia, le 12 juillet dernier, sortant d'une audience.

lettre affirmant : « Ce dossier de l'accusation (...) était écrasant, l'un des plus solides que j'ai vu au cours de mes vingt-cinq ans de carrière. Un jury a reconnu (Mumia Abu-Jamal) coupable et a prononcé une condamnation à mort justement méritée. »

Le deuxième témoin qui, lui aussi, aura été protégé par M. Sabo, est le policier Garry Bell. En même temps qu'un vigile, ce policier a déclaré avoir entendu Mumia avouer avoir abattu le policier Faulkner, alors qu'il se trouvait à l'hôpital quelques heures après la fusillade du 9 décembre un peu avant l'aube. Alors que rien de tel ne figurait dans son rapport daté de ce jour-là, Garry Bell affirma — deux

mois plus tard — avoir entendu Mumia hurler : « J'ai tiré sur ce fils de pute. J'espère que ce fils de pute va mourir. » Couché sur le sol de la salle d'urgence, les mains menottées dans le dos, une balle dans le foie et une autre près de la colonne vertébrale, Mumia « était au bord de l'évanouissement », selon le médecin qui l'a pris en charge. Un autre praticien qui se trouvait également sur les lieux a déclaré n'avoir entendu que des gémissements, alors que des policiers frappaient Mumia. Ce qu'un autre policier confirma en rédigeant dans son rapport que l'homme n'avait prononcé aucune parole.

MICHEL MULLER

Convict's cause gains local, global support

By Zachary R. Dowdy
GLOBE STAFF

The smiling face of a death-row prisoner stands out among the sale fliers that are plastered on walls of stores in Central Square in Cambridge.

That grin, framed by cascading dreadlocks and accented by a black-power fist, is on posters that greet commuters at bus stops in Jamaica Plain. It beams out of the storefront window at the Pathfinder bookstore in the South End.

The fliers and posters are a part of a growing worldwide campaign to save the life of Mumia Abu-Jamal, who was convicted 13 years ago of killing Philadelphia police officer Daniel Faulkner and is scheduled to be executed on Aug. 17 in Pennsylvania.

An opposing movement, fueled by police officers and Faulkner's widow, acts as a counterbalance in a case that ignites the passions of a spectrum of people, all of whom say they cry out for justice.

Judge Albert Sabo, who sentenced Abu-Jamal in 1982, has refused to grant a stay or recuse himself from hearing motions for a new trial.

"I think any American who is concerned about personal freedom and the hierarchical prejudice of the judicial and legislative system would be concerned about Mumia Abu-Jamal's case," said John Edgar Wideman, a novelist and professor at the Uni-

versity of Massachusetts at Amherst.

Wideman, who wrote the introduction to "Live From Death Row," a book Abu-Jamal recently released with Reading-based publisher Addison-Wesley, is a member of a cadre of academics who have organized on Abu-Jamal's behalf.

Calling themselves Academics for Mumia Abu-Jamal, the Princeton, N.J.-based group comprises Harvard University's Cornel

West, Harvey Cox and Henry Louis Gates Jr. Other scholars at area colleges, including MIT linguist Noam Chomsky, have signed statements of support.

They point to irregularities in the trial — witnesses who never testified, ballistics evidence that appears to undermine the prosecution's case, the alleged coercion of witnesses, poor defense counsel — as threshold reasons why Mumia Abu-Jamal should be retried.

Philadelphia's Fraternal Order of Police has been perhaps the most vocal group to call for Abu-Jamal's death, attending the



MUMIA ABU-JAMAL
Execution scheduled for Aug. 17

hearings and often clashing with the throngs of Abu-Jamal supporters whose voices waft into the courtroom from the street.

A leader of the police group was recently quoted as saying that the only thing Philadelphia's historic Liberty Bell has to do with Abu-Jamal is that the officers would "like to drop it on him."

Faulkner's widow, Maureen, tried to block Addison-Wesley from publishing Abu-Jamal's book to prevent him from making a profit.

She, too, attends the hearings in Philadelphia every day.

Abu-Jamal was given a \$30,000 advance for the collection of essays about death row, incarceration in general and America's increasingly punitive attitude toward its convicts.

Rachel Rosen, a sales clerk at Revolution Books in Harvard Square, said the case intersects explosive issues such as racism, class conflict and police brutality in a conservative climate where prisoners are more severely punished.

"This case gives people something con-

crete and specific that they can respond to," she said.

Protests and news conferences in Johannesburg, Paris, Berlin and Tokyo are likely the most visible signs of this groundswell of support for the former Black Panther and journalist.

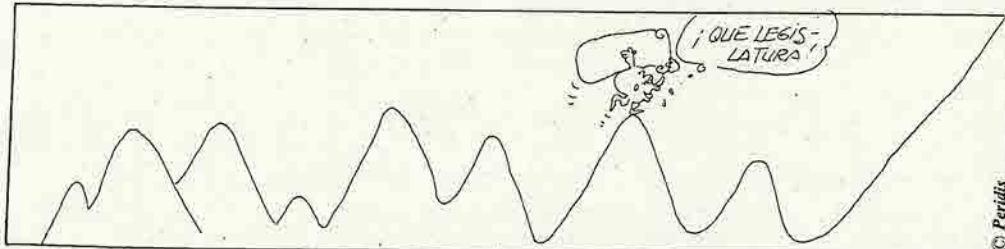
Yesterday, the international writer's organization, PEN, held news conferences in Paris and New York City, where William Styron and Jacques Derrida demanded that Abu-Jamal be granted a stay of execution, as did Amnesty International, Italy's House of Deputies and officials in Belgium and Germany.

Last weekend, hundreds of protesters tried to disrupt the National Governor's Conference in Burlington, Vt., to draw attention to the fact that Pennsylvania Gov. Tom Ridge signed Abu-Jamal's death warrant a few days before his attorney, Leonard Weinglass, was to apply for a new trial.

In June, speakers at Roxbury's Dillaway-Thomas House compared Abu-Jamal to Sacco and Vanzetti and Julius and Ethel Rosenberg. "I think people's eyes are starting to come open," said Kazi Toure, a community activist who organized the Roxbury event. "As far as Mumia goes, I think people can actually see that the man is innocent. Whether or not he's innocent, he didn't get a fair trial."

Dozens more protests are planned, including a massive event scheduled for Aug. 12 in Philadelphia. Busloads of people from the Boston area plan to be there.

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Biotopos

JUAN JOSÉ MILLÁS

El poder consiste en pagar al mismo tiempo la fianza de Vera y una entrada para el concierto de los Rolling Stones. ¡Menudo chollo existencial admirar simultáneamente a Barrionuevo y a Mick Jagger! O a Marguerite Yourcenar y a Corcuera. ¡Se imaginan el sentimiento de poder que tiene que producir cerrar un libro de Onetti, por ejemplo, y acudir a una reunión de fondos reservados con Roldán? ¡O consumir las horas tediosas del secuestro de Segundo Marey, pongo por caso, estudiando gramática generativa? Eso son biografías completas frente a las del resto de los mortales, evidentemente inacabadas. Lo que pasa es que al final la ecuación no sale siempre bien, porque es muy difícil ponerle una vela a Boyer y otra a Pablo Iglesias y que se enciendan las dos. "Amé a quienes no quise y desamé a quien tuve", dice Vicente Aleixandre en un poema casi póstumo, y en ese verso magistral está dicho todo lo que queremos decir sobre las velas.

El mérito del PSOE, en cualquier caso, estriba en haber construido un nicho ecológico en el que un joven podía aspirar a ser al mismo tiempo Mohedano y Ciorán. En ese nicho, el filósofo francés habría hecho sus cochinadas con la desesperación en el interior de un Jaguar plateado y no en medio de la acera. Además de eso, habría acudido puntualmente a su cita con la muerte, a la que llegó tarde por acudir a pie.

Todas las especies vivas contenidas en un biotopo, incluso las más simples, cumplen alguna función, así que no se puede suprimir ninguna sin alterar todo el sistema. Y eso es lo que ha pasado aquí, que desde que cayeron Amedo y Domínguez, el equilibrio ecológico del PSOE se empezó a deteriorar, y si no hacen algo pronto acabará por extinguirse esa forma de vida en la que era posible admirar simultáneamente a Felipe González y a Camus.

Jaula de la muerte para el Pantera Negra

Protesta mundial contra la próxima ejecución de Mumia Abu-Jamal en Filadelfia

ANTONIO CAÑO, Washington. El caso de Mumia Abu-Jamal, que ha movilizado de nuevo a la opinión internacional en contra de la pena de muerte en EE UU, ha levantado otra vez una barrera que con frecuencia divide a esta sociedad: activistas negros, de un lado, policías blancos, del otro. Los primeros se quejan de que Mumia, un antiguo miembro del grupo radical Panteras Negras, no recibió un juicio justo cuando fue condenado a inyección letal en 1981 por el asesinato de un agente. Los policías protestan por la campaña de solidaridad desatada en Estados Unidos y en el mundo en favor de quien, de acuerdo a las pruebas aportadas en el proceso, mató a sangre fría a un agente.

La polémica se ha recrudecido ahora con ocasión de la última batalla de Mumia ante el juez, días antes de la fecha marcada para su ejecución, el próximo 17 de agosto. En torno a los tribunales de la ciudad de Filadelfia, donde desde el miércoles se revisa el caso, varios cientos de personas expresan su apoyo al activista negro con gritos y pancartas en las que se puede leer: "Mumia, te queremos". Cerca de allí, medio millar de policías organizaron hace unos días su propia manifestación en apoyo del agente muerto, Daniel Faulkner.

Los abogados de Abu-Jamal, de 41 años, no dicen que no lo hizo. Lo que dicen es que eso no quedó suficientemente demostrado en el proceso que se siguió contra él, y que a su cliente no se le permitió defen-



El condenado a muerte Mumia Abu-Jamal, a su salida del juzgado de Filadelfia.

derse apropiadamente. Tanto los abogados como los que apoyan a Abu-Jamal, entre ellos los actores Woody Goldberg y Ed Asner (y en Europa más de 500 escritores, entre los que se encuentran Günter Grass y Salman Rushdie), consideran que

el antiguo Pantera Negra es víctima de un prejuicio racista y, posiblemente, de una conspiración de la policía.

Antes del suceso por el que fue detenido, Abu-Jamal era presidente de la Asociación de Periodistas Negros de Filadelfia

y periodista en un programa de radio donde frecuentemente denunciaba la brutalidad que los agentes utilizaban contra los negros.

Según algunos testigos, el 9 de diciembre de 1981, Daniel Faulkner detuvo el coche en el que viajaba un hermano de Abu-Jamal. Este, que conducía un taxi en ese momento, presenció la escena, se acercó y le disparó de muerte al policía en la espalda y en la cabeza. El propio Abu-Jamal resultó herido en el episodio, y cuando la policía lo encontró, tendido a pocos metros del cadáver de Faulkner, estaba en posesión de la pistola que había servido para matar al agente, que además estaba registrada a su nombre. Otros testigos, sin embargo, creyeron haber visto a una tercera persona huyendo de la escena del crimen.

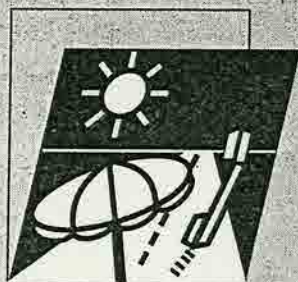
Los abogados tratan de demostrar que esa última pista no fue suficientemente perseguida por los investigadores y que la defensa no tuvo tampoco durante el juicio permiso para presentar a testigos que hubieran resaltado las cualidades humanas del acusado. El juez del caso, Albert Sabo, ha sido criticado por los defensores de Abu-Jamal como un racista que ha respaldado privadamente la muerte del condenado.

Los expertos no le conceden a Abu-Jamal, uno de los 3.000 presos a la espera de ejecución en EE UU, demasiadas posibilidades de evitar la inyección letal, aunque no se descarta el retraso de la fecha fijada para la aplicación de la pena de muerte.

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LETTERS

8-1-95

Mumia Abu-Jamal has made a mockery of justice

Quite honestly, The Inquirer's daily accounts of Mumia Abu-Jamal's appeal hearings should come with a health warning. They truly test the limits that one's stomach can endure first thing in the morning.

Fourteen years after he is convicted of murdering police officer Daniel Faulkner in cold blood, his "new" defense strategy is to parade a series of character witnesses, including friends and family, to the witness stand. Pardon me?

Abu-Jamal's defense attorney argued that, had jurors heard about Abu-Jamal's accomplishments, concerns and character, they likely wouldn't have sentenced him to death.

It was also charged that his trial attorney provided ineffectual counsel by not calling these witnesses. Perhaps that noted legal mind John Africa (as Abu-Jamal requested at the time) could have provided better representation. Talk about hyperbole over substance.

I, unlike many of the nouveau Abu-Jamal bandwagon-jumpers, vividly recall the original trial, and competent counsel was unquestionably the last thing that mattered to Abu-Jamal.

His shameless, arrogant, insolent behavior, including almost constant raucous outbursts, reduced the original trial to an ignominious circus. Furthermore, it should be noted that Abu-Jamal showed zero remorse.

Meanwhile, his supporters attempt to portray Judge Albert Sabo as a "hanging judge." I contend that to preside over those original proceedings, Judge Sabo needed the patience of a saint!

Now, suddenly Abu-Jamal's defense team is attempting to characterize its client as a "mellow fellow," who believes that conveying his character et al. to the original jury would have saved him from the death penalty, scheduled for Aug. 17.

Abu-Jamal has no one to blame but himself. He and his vociferous followers made justice a virtual impossibility by making a mockery of it.

I ask only one simple question of Abu-Jamal and his supporters, who apparently never let facts get in the way of a good story: Is there even one shred of new evidence to strengthen his case that wasn't presented at the first trial, or, is a procession of character witnesses espousing Abu-Jamal's warmth and character all they've got?

Stephen R. Schwartz
Medford

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Abu-Jamal judge: Ridge can't be called

The defense had subpoenaed the governor. Its request to disarm FOP spectators was also denied.

By Julia Cass
and Marc Kaufman
INQUIRER STAFF WRITERS

Yesterday's appeals hearing for Mumia Abu-Jamal was more about who wasn't going to testify than who did and what they said.

By day's end, Common Pleas Court Senior Judge Albert F. Sabo had quashed three subpoenas — includ-

ing one for Gov. Ridge — that had been issued by defense attorneys representing the famous death-row inmate, convicted in 1982 of killing Philadelphia Police Officer Daniel Faulkner.

Sabo also rejected a request by defense attorney Rachel Wolkenstein to disarm spectators from the Fraternal Order of Police, who daily sit

across the courtroom aisle from Abu-Jamal's supporters. Wolkenstein contended that the "heightened emotions in the courtroom give rise to a potentially volatile and dangerous situation given the fact that one sector of the courtroom is armed."

Sabo ruled that police officers — both on and off duty — were expected to have their arms, and he would not change that in his courtroom.

"The off-duty police officers are here for my protection, too," he said. The defense had hoped to question

Gov. Ridge about the timing of the June 1 death warrant he signed, setting Abu-Jamal's execution for Aug. 17.

Leonard I. Weinglass, Abu-Jamal's lead attorney, said he wanted to ask Ridge about a "protocol" — or set of internal office guidelines — regarding how he decided whether to sign a death warrant. Weinglass has said he believes Ridge did not follow his own guideline not to sign a warrant on inmates with active appeals.

Although Abu-Jamal had no appeal See ABU-JAMAL on B7

In Abu-Jamal case, Ridge can't be called

ABU-JAMAL from B1

filed on June 1, the defense had announced in an interview that appeared in a Harrisburg paper on June 1 that it would be filing an appeal on June 5, Weinglass said.

Having a death warrant has speeded the appeals process, leaving the defense without adequate time to prepare, he said.

Sabo replied that the issue was immaterial to whether he should grant a stay of execution.

"The governor doesn't tell me how to run the courts, and I don't tell him how to run the state," Sabo said.

Sabo also rejected the defense subpoena for Common Pleas Court Judge Paul Ribner, who handled the pretrial hearings in Abu-Jamal's case and assigned Sabo as the trial judge.

Defense attorney Daniel Williams said he wanted to question Ribner about whether Sabo, a former undersheriff who has a reputation for favoring prosecutors, was assigned because "it would maximize the chances that Mr. Jamal would be convicted of these charges."

"I didn't maximize anything," Sabo said. He called the defense contention nothing but "speculation."

In addition, Sabo quashed a defense subpoena for Gary Bell, Faulkner's former partner. This came after Wolkenstein moved that Bell be asked to leave the courtroom because he had been called as a witness.

Assistant District Attorney Charles "Joey" Grant opposed that motion. He argued that the defense attorneys were "abusing the court process" in asking for subpoenas, charging them with conducting a "fishing expedition" as a delaying tactic.

Grant charged later that the defense had no intention of actually calling Bell.

"They know he's close to the

widow," said Grant, referring to Maureen Faulkner, who has been attending the hearings. "They don't want him in the courtroom to give her support."

Sabo held in abeyance the question of whether Joseph McGill, the 1982 prosecutor, would have to testify about the number of potential black jurors he rejected on discretionary challenges. McGill told the state Supreme Court there were eight when he actually rejected 11, Weinglass said.

The only new witness yesterday was Jeremy Gelb, one of Abu-Jamal's attorneys in his first appeal to the state Supreme Court. Weinglass asked Gelb why he did not include in that appeal many of the issues Abu-Jamal's new attorneys are pursuing in the second state appeal. The defense is contending that Abu-Jamal's appeals counsel, like his 1982 trial attorney, provided "ineffective" representation.

Gelb said he did not know whether the issues Weinglass raised were not considered at all or were considered and rejected as lacking in merit. The primary attorney in the first appeal was not available to come to court.

Also yesterday, Abu-Jamal's trial attorney, Anthony Jackson, completed a grueling two days on the witness stand.

The most dramatic moment yesterday occurred outside the courtroom during the noon recess.

Abu-Jamal's wife, Wadiya Abu-Jamal, angrily and tearfully confronted a black minister and death-penalty opponent from Washington, D.C., who surprised her and other Abu-Jamal supporters by saying that he was going to work to raise money for a memorial to Daniel Faulkner as a means of promoting healing.

"I don't appreciate what he's saying," she declared. "Justice is due to us." She said any money he raised should go to her husband's defense.

The Rev. Anthony Evans, associate pastor of the New Southern Rock Baptist Church in Washington, D.C., and president of the North American Human Rights Organization, began a hallway news conference by expressing his opposition to the "racist" death penalty and his view that Abu-Jamal should be granted a new trial.

"Can I hear an amen?" he asked Wadiya Abu-Jamal and Pam Africa who stood behind him.

"Amen," they said.

Evans went on to say that the trial had caused divisions in the community. He said that to promote healing, he wanted to raise \$1 million for the National Police Memorial in Washington in memory of Faulkner.

That's when the women erupted. After Wadiya spoke, Pam Africa declared: "I don't know who you are or where you came from but won't no money be raised around here for no FOP."

8-1-95 Ph. 1a. Figueres

Information du 2/08/95

La mort programmée de Mumia Abu-Jamal, journaliste et Panthère

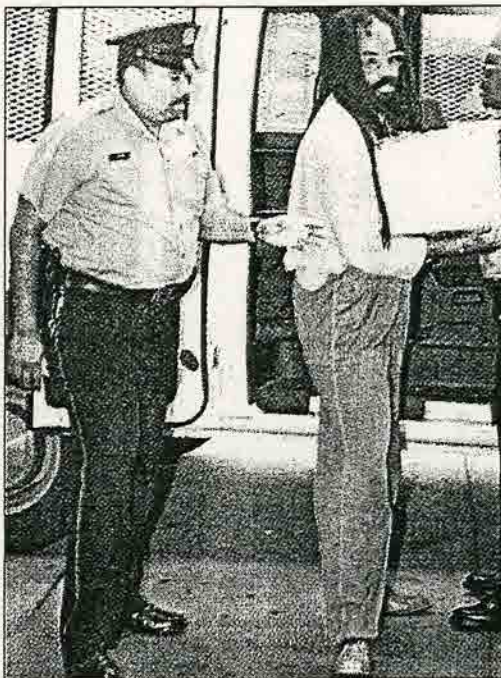
Mumia Abu-Jamal, un ancien militant des Panthères noires américaines, condamné à mort en 1982, doit être exécuté le 18 août. Ses défenseurs se mobilisent, aux Etats-Unis et en Europe.

La vie a basculé le 9 décembre 1981, à 4 heures du matin. Chauffeur de taxi à Philadelphie, Mumia Abu-Jamal rencontre par hasard son frère dans une rue de la ville. Un policier, Daniel Faulkner, est en train de contrôler sa voiture. Mumia s'approche. Entre les deux hommes, le ton monte. Une fusillade éclate. Le policier est tué, Mumia grièvement blessé.

Accusé du meurtre de Daniel Faulkner, condamné à mort en 1982, Mumia Abu-Jamal risque d'être exécuté le 18 août. Des comités de soutien se sont constitués un peu partout, tant aux Etats-Unis qu'en Europe. En France, le Mrap, Amnesty International et la Ligue des droits de l'homme se sont mobilisés pour obtenir sa grâce.

Car Mumia Abu-Jamal n'était pas un chauffeur de taxi comme les autres. S'il lui arrivait d'arrondir ses fins de mois en conduisant des clients, il était surtout journaliste, noir et militant. Il a longtemps été à la fois le porte-parole à Philadelphie des Panthères noires – un parti à travers lequel les Noirs américains revendiquaient leur identité afro-américaine – et le rédacteur en chef de leur hebdomadaire.

Il a 13 ans lors de sa première arrestation, et s'appelle encore Wesley Cook, son nom avant sa conversion à l'islam : il participait à une manifestation contre le gouverneur de l'Alabama de l'époque, George Wallace, avocat



Mumia à son arrivée au tribunal, le 25 juillet. Ses avocats tentent d'obtenir la révision de son procès.

convaincu de la ségrégation raciale. L'année suivante, il contribue à la naissance de la section des Panthères noires à Philadelphie.

Au début des années 70, il acquiert une réelle

notoriété comme journaliste de radio dans les milieux noirs américains. Il interviewe tous ceux qui se battent pour les droits des minorités. Dans ses chroniques, il défend avec ardeur le Move, une organisation anti-Ku Klux Klan de Philadelphie. Surnommé « la voix des sans-voix », il est élu en 1980 président de l'Association des journalistes noirs américains. De sa prison, il a d'ailleurs publié un livre rassemblant ses chroniques radio, *Live From Death Row* (la vie vue du couloir de la mort).

Pour ses défenseurs, il est, en fait, un prisonnier politique. Faisant valoir que son procès n'a pas été impartial et mettant en cause la personnalité du juge qui l'a condamné, ils réclament une révision du procès. Une première audience pour examiner cette requête a eu lieu le 12 juillet. Sans succès. Il faut dire qu'elle était présidée par le juge qui avait condamné leur client à mort en 1982... Leonard Weinglass, l'avocat de Mumia, dépose peu après un recours auprès de la Cour suprême de l'Etat de Pennsylvanie. Cette audience, fin juillet, a permis enfin la comparution de trois témoins de la défense. Et l'audition du premier avocat de Mumia, Anthony Jackson, qui avait été à l'époque commis d'office, et qui a raconté à la barre comment, au moment des faits, une simple liste des témoins lui avait été refusée par la police... **Karima Goulmamine**



WORLD DIGEST

Writers rally for condemned man

PARIS — Writers from around the world gathered Tuesday to honor African American journalist and militant Mumia Abu-Jamal — and to protest his scheduled execution by lethal injection in a Pennsylvania prison.

Chinese poet Bei Dao read a poem in honor of Abu-Jamal. French philosopher Jacques Derrida called on Abu-Jamal's judges — “those hard of hearing and hard of heart” — to grant a retrial. And the head of the International Writers' Parliament, which organized the meeting, said Abu-Jamal had been framed.

From death row in Pennsylvania, where he is scheduled to be executed Aug. 17 for the 1981 slaying of a white police officer, Abu-Jamal has gained a worldwide network of supporters who consider him a victim of what they call a racist judicial system.

Abu-Jamal's supporters portray him as a political prisoner railroaded by a hostile judge and prosecutors.

Un long combat contre la mort lente



Claude Pujol : « Une audience sous haute surveillance. »

(Photo « N.R. »)

CONDAMNÉ à mort, en 1982 pour le meurtre présumé d'un policier, Mumla Abu-Jamal, président de l'Association des journalistes noirs de Philadelphie, doit être exécuté le 17 août en Pennsylvanie, aux USA.

Une intense campagne internationale en faveur de la révision du procès ayant abouti à la condamnation de cet homme de 41 ans, ancien militant des Black Panthers, a cours actuellement. Sera-t-elle suffisante pour inverser le cours de la machine judiciaire ? C'est ce qu'espèrent haut et fort deux Tourangelles, dont l'une se trouve en ce moment à Philadelphie même : Claude Pujol, universitaire, qui rédige une thèse de troisième cycle sur « Move », un mouvement de contestation du modèle américain à dominante noire, auquel s'était également intéressé l'accusé, est arrivée dans la ville dimanche dernier. Elle est à l'origine de « Just Justice », une association de soutien aux prisonniers politi-

Le 17 août, un journaliste noir de Philadelphie risque d'être exécuté pour le meurtre d'un policier. Une association tourangelle se bat pour faire éclater son innocence.

ques de Pennsylvanie, dont le siège se trouve à Tours (rue Descartes), et qui se bat pour faire éclater l'innocence de Mumla.

Une audience sous haute surveillance

Claude Pujol, depuis le temps qu'elle s'en occupe, connaît bien le dossier. Mais ce qu'elle découvre actuellement à Philadelphie est le plus édifiant des travaux pratiques : « Il y a eu procédure d'appel de l'avocat d'Abu-Jamal, M. Weinglass, contre l'arrêt de mort signé le 1^{er} juin dernier. Il demande la récusation du juge Sabo, qui présidait les débats lors du premier procès, un sursis à exécution et un nouveau procès. L'audience a débuté à la mi-juin, et je la suis en ce moment. Il y a soixante places pour le public, vingt pour la

presse et autant pour les familles de l'accusé et de la victime. Ça se passe sous haute surveillance policière. Les « supporters » du policier assassiné rentrent par une porte, et nous par une autre. Ils sont en civil... mais armés. M. Weinglass a demandé à ce qu'ils soient désarmés. La requête a été rejetée par le juge. Les amis de l'accusé sont tous fouillés, et ne peuvent rentrer avec un journal... » Claude Pujol, lucide, est à la fois « totalement convaincue de l'innocence de Mumla » et réaliste sur la suite de ce long feuilleton judiciaire : « C'est l'arbitraire le plus total, l'horreur intégrale. Depuis l'arrivée à la tête de l'Etat du gouverneur républicain Ridge, à l'automne dernier, 19 arrêts de mort ont déjà été rendus. Quatre sont programmés en août, six en septembre. L'avocat y croit très peu, mais il espère un sursis à exécution de six mois. Je pense qu'il ne se passera rien, sauf si l'action internatio-

nale est assez puissante... » A l'étranger, et notamment en France, le mouvement de protestation contre la condamnation de l'ancien porte-parole des Black Panthers a trouvé un écho dans les médias. Et sur place ? « Les journaux locaux commencent à se réveiller, après avoir longtemps été indifférents... »

L'engagement de Claire

L'autre Tourangelle mobilisée en ce mois d'août s'appelle Claire Sury : à 22 ans, cette étudiante en L.E.A. a été sensibilisée au cas du journaliste américain par... Claude Pujol, son professeur. Membre de « Just Justice », que préside une autre étudiante, Diarapha Diallo, elle est tout aussi convaincue que l'universitaire de l'innocence de Mumla : « L'injustice se double de racisme. On lui reproche son ap-



Claire Sury : « L'injustice et le racisme. » (Photo « N.R. »)

partenance aux Black Panthers, et le fait qu'il a critiqué le système judiciaire américain dans ses articles. Mais dans des procès intentés contre des gens ayant appartenu au Ku-Klux-Klan, ça ne leur a jamais été reproché. »

La jeune Montlouisienne, avec l'affaire, découvre la face sombre d'un pays qu'elle connaît : « Je suis déjà allée aux USA, dans le Sud et sur la côte Ouest. Je me suis rendu compte que les gens que je connaissais n'avaient pas beaucoup d'amis noirs. La société reste très cloisonnée à ce niveau. Il faut y aller pour se rendre compte de certaines réalités. L'information sélectionnée, nous cache des choses. » Claire Sury, qui suit le procès dans la presse, attend le 17 août avec appréhension. Elle aussi compte sur la mobilisation internationale. Et espère que la prochaine intervention devant l'O.N.U. de Marie-Agnès Combesque, une des premières journalistes à s'être intéressée au cas Abu-Jamal, aura un retentissement au pays de Lincoln et de Kennedy. Et si, par malheur, l'exécution a lieu, Claire et ses amis ne baisseront pas les bras : « L'association continuera. On nous a parlé d'autres cas difficiles, comme des militants des mouvements indiens. »

Pierre IMBERT.

Les failles du dossier

« On a des contacts sur place avec son avocat, et avec Robert Helms, un ancien syndicaliste de là-bas qui s'est occupé du mouvement « Move ». Ils nous envoient des coupures de presse et nous tiennent au courant de ce qui n'est pas dit dans la presse » : Claire Sury et ses amis de « Just Justice » suivent l'affaire Abu-Jamal avec passion. Une affaire qui, c'est le moins d'ombre pour ne pas faire honneur à la justice américaine.

Comme le rappelait notre concitoyen du « Monde », Anne Chemin, le 27 juillet, elle démarre le 9 décembre 1981. Il est quatre heures

du matin : Mumla Abu-Jamal conduit le taxi avec lequel il arrondit ses fins de mois, lorsqu'il découvre un policier, Daniel Faulkner, en train de contrôler la voiture de son frère. Fusillade : le policier est tué, le journaliste grièvement blessé. Avant d'être condamné à la peine de mort six mois plus tard, par un jury majoritairement blanc. Et ce malgré les doutes et les témoignages contradictoires ayant émaillé son procès.

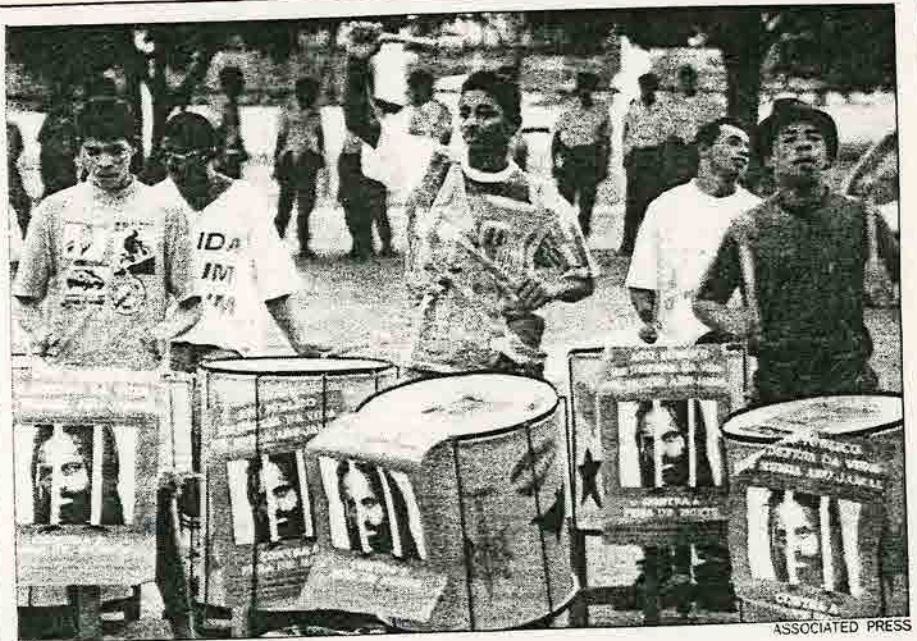
A Tours, l'association créée par Claude Pujol et ses amis n'a pas attendu aujourd'hui pour pointer du doigt les nombreuses failles du dossier. En organisant notamment deux réunions sur le sujet aux Studios à l'université.

La Nouvelle République

du 3/08/95

Santé

08/03/85



ASSOCIATED PRESS

Worldwide support

About 150 people gathered outside the U.S. embassy in Brasilia, Brazil, yesterday sounding their drums in protest of the scheduled execution of convicted cop-killer Mumia Abu-Jamal. The protest was organized by the Defense Forum, the local branch of an international movement to stay Abu-Jamal's execution.

Mumia lawyer tossed in jail cell

Ignored judge's warnings

by Jim Nolan

Daily News Staff Writer

It's hard to get a lawyer to shut up.

But Common Pleas Court Judge Albert F. Sabo found a way yesterday.

He threw one in jail. "Take her out!" Sabo said to court officers after Mumia Abu-Jamal defense attorney Rachel Wolkenstein refused to heed repeated warnings and kept objecting to the quashing of two defense subpoenas.

It was just another day at the hearing for a new trial for Abu-Jamal — the former radio journalist and Black Panther member sentenced to die Aug. 17 in the Dec. 9, 1981, murder of police officer Daniel Faulkner.

But as yesterday's hearing opened, Sabo said he had been too lenient by letting the defense introduce evidence beyond the scope of the 19 claims in its petition for a new trial.

"I think it is time for the court to take back reins on the defendant," Sabo said. "It's like having a bull untended in a china shop that just goes through and knocks everything down."

Wolkenstein said Sabo was gag-

ging the defense case by quashing subpoenas for two witnesses.

She said she objected to establish that the defense had not been given the chance to argue against the motion to quash, despite Sabo's statement that he had heard argument on the matter before making a ruling.

"It's an attempt to intimidate the defense. It's an attempt to railroad Mr. Jamal to death," Wolkenstein said outside the courtroom. "It is a repeat of the earlier process of what was done to him. We are not going to be intimidated."

After spending a half-hour in an upstairs holding cell, she returned to court and reluctantly apologized after Sabo threatened another eviction and a \$1,000 fine.

As the day wore on, Sabo continued to deny numerous requests for witnesses, growing increasingly irritated by defense attempts to put the entire criminal-justice system on trial and introduce testimony he considered beyond the scope of its appeal under the Post Conviction Relief Act.

"We're not trying this case again," he said.

Defense lawyer Daniel Williams vehemently objected when the judge restricted his questioning of former cab driver Robert Har-

kins, who witnessed part of the murder but who was not called to testify at Abu-Jamal's 1982 trial.

Williams claimed Harkins could "demonstrate actual innocence" of Abu-Jamal, though his testimony yesterday seemed consistent with that of at least two other prosecution eyewitnesses who did testify at trial.

At one point, Assistant District Attorney Charles "Joey" Grant told his adversaries: "You're making it up as you go along and you know it."

At the end of the day, defense attorney Leonard Weinglass told reporters Sabo had "cut our case in half. I assume the surgery will continue, and we're going to be left with just the threads of a case."

Yesterday, those threads included ballistics expert George Fassnacht, who did preliminary work for Abu-Jamal's 1982 trial but who never examined the evidence because the defense could not pay him more money.

Under cross-examination, Fassnacht seemed to dampen defense assertions that a .44-caliber gun had been used in the fatal shooting.

He said that the bullet found in Faulkner's body was most likely fired from a .38-caliber gun — the same caliber gun found on Abu-Jamal at the murder scene. ■

De notre correspondante aux Etats-Unis La mort au bout du couloir

Nouvel
Obs
03/09-089

Le journaliste noir Mumia Abu-Jamal doit être exécuté le 17 août à Philadelphie. A moins que les juges ne reconnaissent que son procès avait été influencé par le racisme et la haine

Ce lundi 31 juillet, devant la mairie de Philadelphie, à l'angle de la 15^e Rue et de Market Street, ils sont là comme tous les jours depuis une semaine à se regarder en chiens de faïence. D'un côté, les partisans de Mumia Abu-Jamal, ce journaliste noir de 41 ans, cofondateur du parti des Black Panthers de Philadelphie, accusé d'avoir tué un policier en 1981, et qui doit être exécuté le 17 août par injection létale. De l'autre, la croisade de ceux qui réclament son exécution, menée par la femme de Daniel Falkner, le policier assassiné, et par l'Ordre fraternel de la Police de Philadelphie. A l'intérieur de la salle d'audience de la mairie, les deux avocats de Mumia essaient avec les moyens du bord - on leur refuse l'accès aux principaux témoins - d'obtenir un sursis pour Abu-Jamal. Un nouvel épisode, semble-t-il, des tragiques affrontements raciaux que connaît périodiquement la ville de Philadelphie, dont le point d'orgue aura été, en mai 1985, le raid sur la communauté noire au cours duquel 11 personnes dont 5 enfants ont trouvé la mort.

Le cas Abu-Jamal est devenu le symbole d'un système pénal de plus en plus contesté - racisme et erreurs judiciaires en série. D'autant que Mumia lui-même a décrit de façon saisissante, dans son livre « Live From the Death Row », la condition des condamnés à mort, qui attendent parfois dix ans leur exécution. Des comités de soutien se sont organisés à Paris, Londres ou Soweto, et des écrivains comme William Styron ou Paul Auster font campagne contre l'exécution d'Abu-Jamal. L'Association nationale des Journalistes noirs, craignant d'être accusée de partialité, a préféré ne pas intervenir.

Mumia est-il victime d'une machination ? Beaucoup le croient. « *Durant le procès, l'atmosphère de la cour était celle du Mississippi dans les années 50. Mumia sera le premier prisonnier politique exécuté aux Etats-Unis depuis les Rosenberg, en 1953* », affirme le directeur des études afro-américaines de l'université de Princeton, Cornell West. Pour Richard B. Costello, président de l'Ordre fraternel de la Police, l'attention qu'on apporte au cas d'Abu-Jamal est incompréhensible : « *Ce type n'a rien de spécial, c'est un tueur de flics comme il y en a tant.* »

Le 9 décembre 1981, à 4 heures du matin, Abu-Jamal, qui est alors journaliste radio, président de l'Association des Journalistes noirs, conduit le taxi qui lui sert à arrondir ses fins de mois. Il a été braqué deux fois et a donc rangé un revolver dans sa boîte à gants. C'est alors qu'il voit son frère descendre de sa voiture, les menottes aux poignets, arrêté par l'agent Falkner parce qu'il avait emprunté un sens interdit. Ici les versions diffèrent. Selon le procureur, Abu-Jamal aurait alors tiré une balle dans le dos du policier, qui aurait riposté, blessant grièvement son assaillant, qui aurait tout de même eu la force de tirer quatre autres balles dans le corps de Falkner. A en croire le coéquipier de celui-ci, Gary Bell, Abu-Jamal aurait déclaré en arrivant à l'hôpital : « *J'ai tiré sur ce fils de p... et j'espère qu'il va mourir.* » Pour l'avocat de la défense, Leonard Weinglass, l'affaire est une machination

destinée à faire taire un activiste trop bruyant, bête noire de l'Ordre fraternel de la Police de Philadelphie. Comme le confirme le témoignage d'un chauffeur de taxi présent sur le lieu du crime, ce serait un troisième homme qui aurait tiré les coups de feu. Les balles que l'on a retirées de la tête de Falkner seraient de calibre 44 et non 38, comme celles que contenait l'arme d'Abu-Jamal, une incohérence qui n'a jamais été portée à la connaissance du jury. Quant à l'officier qui a accompagné Abu-Jamal

à l'hôpital, il a consigné dans son rapport : « *Le nègre n'a rien dit.* »

Que Mumia Abu-Jamal soit innocent ou coupable, l'incroyable liste des vices de procédure qui ont émaillé le procès et qui attestent des sentiments racistes dont ont fait preuve les magistrats de Philadelphie devrait suffire au gouverneur de Pennsylvanie, Tom Ridge, pour accorder un sursis. Mais le juge qui instruit l'affaire depuis ses débuts, Albert Sabo, est lui-même un ancien membre de l'Ordre fraternel de la Police. Il se vante de détenir le record national des accusés condamnés à mort (31). Pendant le procès, il a systématiquement rejeté toutes les objections de l'avocat de la défense tandis qu'il retenait toutes celles de la partie civile. Aujourd'hui, c'est ce même Sabo qui préside l'audience qui devra décider de l'opportunité de rejurer Abu-Jamal.

SARA DANIEL



Le procès d'Abu-Jamal, accusé d'avoir tué un policier en 1981, a été marqué par d'incroyables vices de procédure.

Only a new trial can settle the doubts about the Mumia Abu-Jamal case

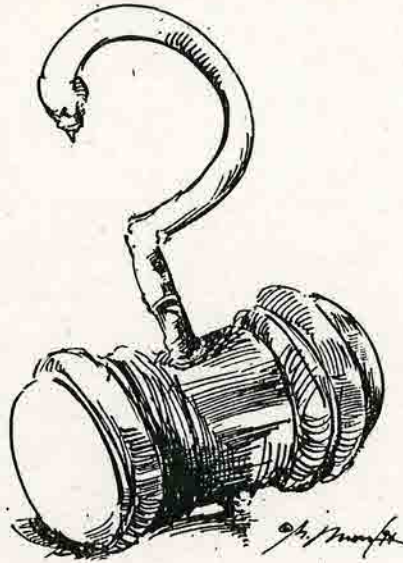
After Dennis B. Roddy's front-page July 18 article, "An Angry Divide at Death Row," readers of the Post-Gazette will know that during the early morning hours of Dec. 9, 1981, Mumia Abu-Jamal, moonlighting as a cab driver, came to his brother's assistance as he was being beaten by Officer Daniel Faulkner at 13th and Locust streets in Philadelphia. Gunfire erupted, leaving Mr. Abu-Jamal severely wounded and Officer Faulkner dead an hour later. Despite his claims of innocence, Mr. Jamal was convicted of first-degree murder and sentenced to death.

What readers will not know after reading Mr. Roddy's carefully drawn human portraits is why so many people around the nation and the world are now saying that Mr. Abu-Jamal deserves a new trial. Evidence new and old has emerged to undermine the foundations upon which the prosecution built its case: eyewitness accounts, ballistic evidence and a confession.

The two main eyewitnesses for the prosecution — a prostitute with an endless string of arrests and a cab driver convicted of felony arson for firebombing a school — were bribed and manipulated by the police. The prostitute was promised and provided police protection as she plied her trade.

Moreover, five eyewitnesses saw someone fleeing the scene of the shooting, though two of these were "persuaded" by police to change their stories after the fact. Another witness was harassed by police. This and other evidence of Mr. Abu-Jamal's innocence were illegally withheld and suppressed by the prosecution.

Ballistic evidence is equally questionable. The police suspiciously failed to conduct even the most basic tests to prove that Mr.



Abu-Jamal's registered gun was the murder weapon. Moreover, the medical examiner's report flatly stated that Officer Faulkner was killed by a .44 caliber bullet; Mr. Abu-Jamal's pistol was a .38 caliber.

Evidence of Mr. Abu-Jamal's "confession," recounted by two friends of the slain officer almost three months after the shooting, is highly dubious. At the very moment when Officer Garry Bell claimed to have seen Mr. Abu-Jamal struggling violently and boasting loudly that he shot Faulkner, an emergency room physician claimed that the severely wounded Mr. Abu-Jamal was barely conscious.

Worse still for the prosecution's case, Officer Gary Wakshul, who guarded Mr.

Abu-Jamal from the moment he arrived at the hospital, wrote in his official report that "the Negro male made no statements." During the original trial, Officer Wakshul mysteriously went "on vacation" and was unavailable to testify. Judge Albert F. Sabo refused to grant a continuance.

How could such grotesque irregularities in the trial have happened? Why was Mr. Abu-Jamal denied a fair trial? The answer to these critical questions is a matter of history, in particular the history of the Philadelphia's Police Department in the 1970s and early 1980s and its bloody relations with the city's African-American community.

Mr. Abu-Jamal, however, refused to submit to the terror. In his award-winning work as a journalist in the 1970s, he spoke out about police brutality and corruption. But the price of courage was high, as Mr. Abu-Jamal earned the undying hatred of the Philadelphia police force. He had become an enemy and a target. These facts help to explain why the original trial unfolded as it did.

The doubts about the case of Mumia Abu-Jamal are now so profound that only a new trial can settle the matter. We in Pennsylvania have a moral obligation to see that justice is done and that the democratic right to due process is protected. The world waits to see whether the commonwealth of Pennsylvania will execute in our sovereign name a man who never got a fair trial.

MARCUS REDIKER

Squirrel Hill.

Marcus Rediker lived in Philadelphia between 1976 and 1982. He is now a member of the Department of History at the University of Pittsburgh.

PITTSBURGH
POST-
GAZETTE
FRI.
AUGUST 4,
1995

Support, but little time for inmate

Despite supporters, Pa. activist faces execution Aug. 17

■ ABU-JAMAL

Continued from Page 1

Others, including many in the Manhattan literary community, simply believe that Abu-Jamal failed to receive a fair trial in 1982, when he was convicted by a jury of 10 whites and two blacks after just four hours of deliberation.

Abu-Jamal, 41, has since published a collection of his essays in a book, "Live From Death Row," and has recorded commentaries for radio stations.

"It is of grave concern that a fellow writer may be put to death who time might show is actually innocent," said Siobhan Dowd, an official with PEN, a New York-based literary group. "We take no position on his innocence or guilt, but are unsatisfied over whether the trial he had was a fair one."

The result: Tens of thousands of cards and letters have been mailed to Gov. Tom Ridge, protests have been held across the country and Europe, and the Internet is crackling with information and proclamations on the case.

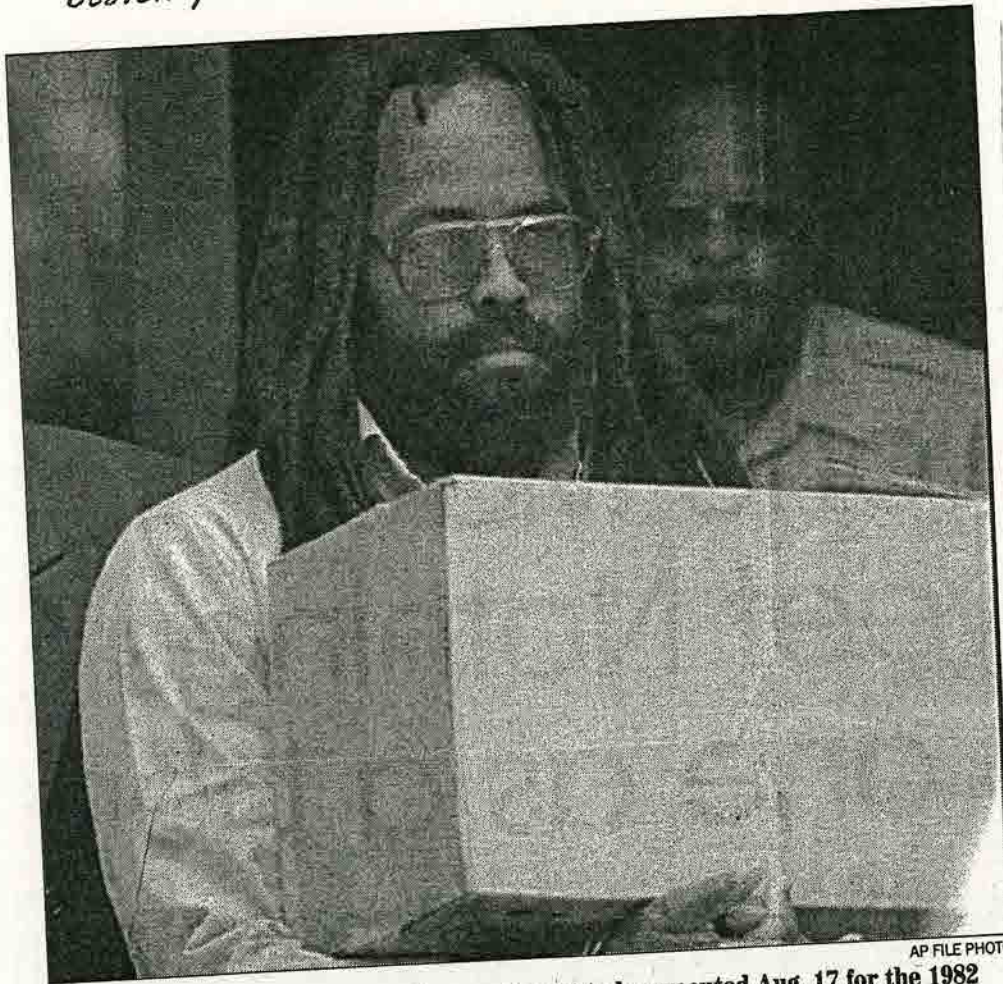
But debates have little meaning to Maureen Faulkner, who sits silent and seething in court each day, watching Abu-Jamal receive the applause of his supporters. She is the wife of Daniel Faulkner, the Philadelphia police officer who was shot five times while making a traffic stop about 4 a.m. on Dec. 9, 1981. To her, the proceedings have added insult to death.

"The people supporting Mr. Jamal do not know the facts of the case," Faulkner said yesterday in a rare interview. "He was not a journalist at the time of the murder. He was an unemployed, part-time taxi driver. I have flown 3,000 miles to look at the supposed new facts in the case, and I have seen nothing that has absolved Mr. Jamal. He is still guilty of murder in the first degree, the murder of my husband. I am tired of the defense delays, day after day.

"I am willing to sit down and talk to Ed Asner," the Hollywood actor and Jamal supporter, "and the others to review court records," she added. "I would like them to look me in the eye and tell me that Mr. Jamal is not guilty of murder."

Prosecutors contended in the 1982 trial that Abu-Jamal, then an out-of-work radio journalist, was driving a cab when he hap-

Boston Globe suite



AP FILE PHOTO

Mumia Abu-Jamal, a former radio reporter set to be executed Aug. 17 for the 1982 murder of a Philadelphia police officer, has many supporters rallying to his cause.

pened upon his brother, who was involved in a scuffle with a police officer who had stopped him for driving the wrong way on a one-way street.

Prosecutors said that Abu-Jamal shot the officer once in the back, then straddled his body and shot him four times in the face. During the struggle, Faulkner fired one shot, hitting Abu-Jamal in the chest, prosecutors said.

When police arrived, Abu-Jamal lay bleeding just a few feet from Faulkner. Three witnesses gave similar versions of the crime to police within a half-hour of the shootings, with one even pointing out Abu-Jamal at the scene and saying he was the killer. Abu-Jamal's gun lay on the ground, with five spent shells.

Abu-Jamal's lawyers argue that their client simply approached the scuffle but was shot by Faulkner.

Leonard Weinglass, Abu-Jamal's chief lawyer, said he can produce four witnesses who will say that they saw a man flee the scene of the shootings, and that one of those

witnesses identified the missing man as the gunman.

Abu-Jamal's brother, William Cook, was never called to testify by either the prosecution or the defense. The defense says it also was harmed by being given only \$800 in state money to finance its case.

But perhaps most puzzling in the record is the mystery over a supposed confession by Abu-Jamal. Two months after the shooting, Faulkner's partner reported to authorities that Abu-Jamal shouted at the hospital in the minutes after the shootings: "I shot the mother . . . and I hope he dies." But in a police report at the time of the episode, the officer who escorted Abu-Jamal wrote that the "negro male" said nothing.

The hearing so far has not proceeded well for Abu-Jamal. The same judge who presided over the trial, Albert Sabo, 74 and semiretired, is hearing the appeal and rarely finds in favor of the defense. He has sustained almost every objection of the prosecutor and overruled the defense.

"He is probably the meanest judge who I

have ever encountered, including judges I have met in a series of death-penalty cases in the South," Weinglass said.

With Sabo expected to deny the request for a new trial, perhaps by next week, Weinglass said he will seek a stay of execution from the state Supreme Court, then seek a new trial either through that court or the federal system.

For the city, the current hearing has been a distraction. Mayor Ed Rendell, the district attorney at the time of the killing, has called the evidence against Abu-Jamal "overwhelming and compelling" and said that outside protesters simply do not know the facts of the case. Philadelphia Inquirer columnist Steve Lopez has described Abu-Jamal's supporters as "nitwits."

Outside City Hall, which is also the courthouse, supporters play tapes of Abu-Jamal's commentaries, recited in his smooth, sonorous voice, ranging from the whimsy of weather to the brutality of white police officers around the country.

In a twist of irony, on Aug. 13, just four days before Abu-Jamal's scheduled execution, the National Association of Black Journalists is scheduled to hold its annual convention in this city, with attendance expected to exceed 2,000 and coverage expected to grow. Though its president, Washington Post columnist Dorothy Gilliam, has publicly called for a new trial, the group has taken no stand. Abu-Jamal was once the Philadelphia chapter president.

"It's a horrible situation," Gilliam said. "We are extraordinarily uncomfortable with it. Certain activists have demanded we cancel the convention, but that is not practical. We certainly hope there is a stay of execution."

Gov. Ridge, a Republican, oversaw Pennsylvania's first execution in 33 years on May 2, that of convicted killer Keith Zetlemoyer. Abu-Jamal's would mark the second.

Meanwhile, friends talk of Abu-Jamal's integrity and intelligence. As a child, he argued with family members against killing the roaches in their housing development in North Philadelphia. By age 13, he attended his first protest, when segregationist Alabama Gov. George Wallace came to town. Abu-Jamal covered the trial of several MOVE members accused of killing a police officer in the late 1970s.

"He was an early, young black who felt he had all it took to get to where he wanted to go, but because he was black he didn't have the opportunity to get there," said Mary Mason, a black radio talk show host who worked and sometimes sparred with Abu-Jamal. "He was a very good newsman, but he was very bitter."

The Boston Globe 24-08-95

Sentence is protested on-line

By Michael Putzel
GLOBE STAFF

Along with conventional media, marches and lobbying, the international campaign to save condemned prisoner Mumia Abu-Jamal is being waged on the Internet's World Wide Web.

More than 20 "home pages," many illustrated with pictures of Abu-Jamal and photographs of demonstrations in his behalf, have sprung up on the Web to keep supporters around the world abreast of developments in his case.

Abu-Jamal, a Philadelphia journalist and black activist, is scheduled to be executed in Pennsylvania on Aug. 17 for the 1981 killing of a Philadelphia police officer. He has been in prison since his conviction in 1982.

Organizations and individuals opposed to the death penalty or sympathetic to charges that he is a victim of a racist judicial system are posting daily updates and archival tracts supporting Abu-Jamal. His own writings are prominently featured.

"Stop the Legal Lynching of Mumia Abu-Jamal!" demands Refuse and Resist, a New York-based group that advocates "a climate of resistance."

A Dutch organization calling itself Solidaritygroup Political Prisoners keeps an extensive library on-line of articles about Abu-Jamal in several languages, and the San Francisco-based National People's Campaign tracks what it calls police repression of demonstrations in support of the death-row inmate.

The campaign to spare Abu-Jamal is not the only one on behalf of a condemned man or individual regarded as a political prisoner.

A Chicago-area Internet computer posted a home page for Girvies L. Davis that counted down the days until Davis was executed for murder May 17. The page is still on-line with Davis' last words - "I wish Godspeed to all" - as a mute testament to the failure of the e-mail petition drive to gain clemency for him.

Bullet in Abu-Jamal raises expert's doubts

A doctor called explanations of the trajectory flawed, saying the defense had needed a forensic pathologist.

By Marc Kaufman
and Dianna Marder
INQUIRER STAFF WRITERS

The downward path of the bullet found inside Mumia Abu-Jamal in 1982 was the focus of attention yesterday at his appeal hearing — with the defense arguing that questions raised by that bullet should have been explored further during his trial.

Testifying for the defense, Dr. John A. Hayes, an assistant medical examiner in New York City, said that the explanations offered at the trial of the now-famous death-row inmate were flawed.

Hayes also said that Abu-Jamal needed the services of a forensic pathologist at his trial to better challenge prosecution claims about the injuries to Abu-Jamal and the man he was convicted of fatally shooting, Philadelphia Police Officer Daniel

Faulkner.

In particular, Hayes said that the downward path of the bullet in Abu-Jamal was difficult to square with trial testimony that he was shot by a wounded Faulkner as the officer spun around and fell to the ground.

Abu-Jamal was convicted in 1982 of killing Faulkner at 13th and Locust Streets after the officer stopped Abu-Jamal's brother on a routine traffic violation.

"This defendant most certainly should have had a forensic pathologist," Hayes said of Abu-Jamal. The defense has contended that the court did not give it enough money to hire expert witnesses and investigators.

Under cross-examination from Assistant District Attorney Arlene Fisk, Hayes agreed that if Abu-Jamal was leaning forward, a bullet fired on a straight line into him would show up

See **ABU-JAMAL** on B4



At the site of the Faulkner killing, Mumia Abu-Jamal's son, Jamal, spoke yesterday about a mass rally next Saturday at City Hall. Flanking Jamal are Abu-Jamal's daughter, Lateefah, and grandson, Lateef.

The Philadelphia Inquirer / RON TARVER

8-5-95- Phila. Inquirer

Europe's Intellectuals Rally

International
Herald Tribune
05/06-08-95

By William Drozdiak
Washington Post Service

PARIS — An ocean away from Pennsylvania's death row, where he awaits a lethal injection set for Aug. 17, Mumia Abu-Jamal has emerged as a political symbol for Left Bank intellectuals and an inspiration for some of the world's greatest writers.

The plight of the former Black Panther and radio journalist, convicted in 1982 of killing a Philadelphia policeman, has blossomed into this summer's cause célèbre for Europe's thinking class, which has turned Mr. Abu-Jamal into an emblem for opposition to what it sees as twin evils of American society: capital punishment and racial injustice.

More than 100,000 people in Rome signed a petition demanding Mr. Abu-Jamal's release. The Italian Parliament approved a resolution urging the U.S. government to grant a stay of execution and a retrial.

Demonstrators have marched in front of U.S. embassies across Europe. Several were arrested when they disrupted a speech in Potsdam, Germa-

ny, by former President George Bush with cries of "Free Mumia." The foreign ministers of Belgium and Germany personally have embraced his cause and asked their ambassadors in Washington to do whatever they can.

At an international gathering of writers here this week, Mr. Abu-Jamal was extolled as a martyr for the cause of free speech and racial justice. Some of Europe's most renowned novelists and playwrights, including Günter Grass, Peter Handke and Harold Pinter, put their signatures to a petition against the execution.

The Chinese poet Bei Dao read a poem in his honor while the philosopher Jacques Derrida harangued Mr. Abu-Jamal's judges as being "hard of hearing and hard of heart." Breyten Breytenbach, a South African author and anti-apartheid activist, read a message of gratitude from Mr. Abu-Jamal.

For Europe's intellectual elite, the case of Mr. Abu-Jamal, once known as Wesley Cook, would seem to be an incongruous crusade. An African American militant and radio journalist, he was driving a cab in Philadelphia on an early morning

to Aid Ex-Black Panther

in December 1981 when he saw his brother being arrested for driving the wrong way on a city street. Three witnesses testified that Mr. Abu-Jamal got out of his car, pulled out a gun and shot a police officer, Daniel Faulkner. Mr. Faulkner wounded Mr. Abu-Jamal in the chest before dying.

Mr. Abu-Jamal's defense attorneys subsequently charged that he was not given a fair trial and was framed. Their calls for a stay of execution have

Pleas to save condemned murderer stress racial injustice and hostility to death penalty.

been endorsed by civil rights leaders such as Jesse Jackson, actors such as Ed Asner and Whoopi Goldberg and groups lobbying to abolish the death penalty.

It was Mr. Abu-Jamal's prison memoir, "Live from Death Row," that first brought him to the attention of Europe's literary class. Marie-Agnès

Combesque, a French writer who had taken an interest in his case, persuaded the monthly *Politix* to publish his stark, moving account about waiting for his moment of execution.

The resurrection of the death penalty in the United States since 1977 has evoked much criticism among Europeans, who have gradually discarded belief in the notion that killing criminals deters crime. Nearly every country in Europe has abolished capital punishment, and the last execution on record took place in Hungary in 1988.

But in the 38 U.S. states that apply the death penalty, there are more than 3,000 people on death row. "Thirty-three people have been executed in the United States so far this year, and unfortunately we are looking at a record number who may be put to death before the end of the year," said Anne Ferrazzini of Amnesty International.

The "Free Mumia" campaign waged by prominent writers, politicians and human rights activists also has served to showcase their disdain for what they believe is an American social structure and judicial system plagued by racial injustice.

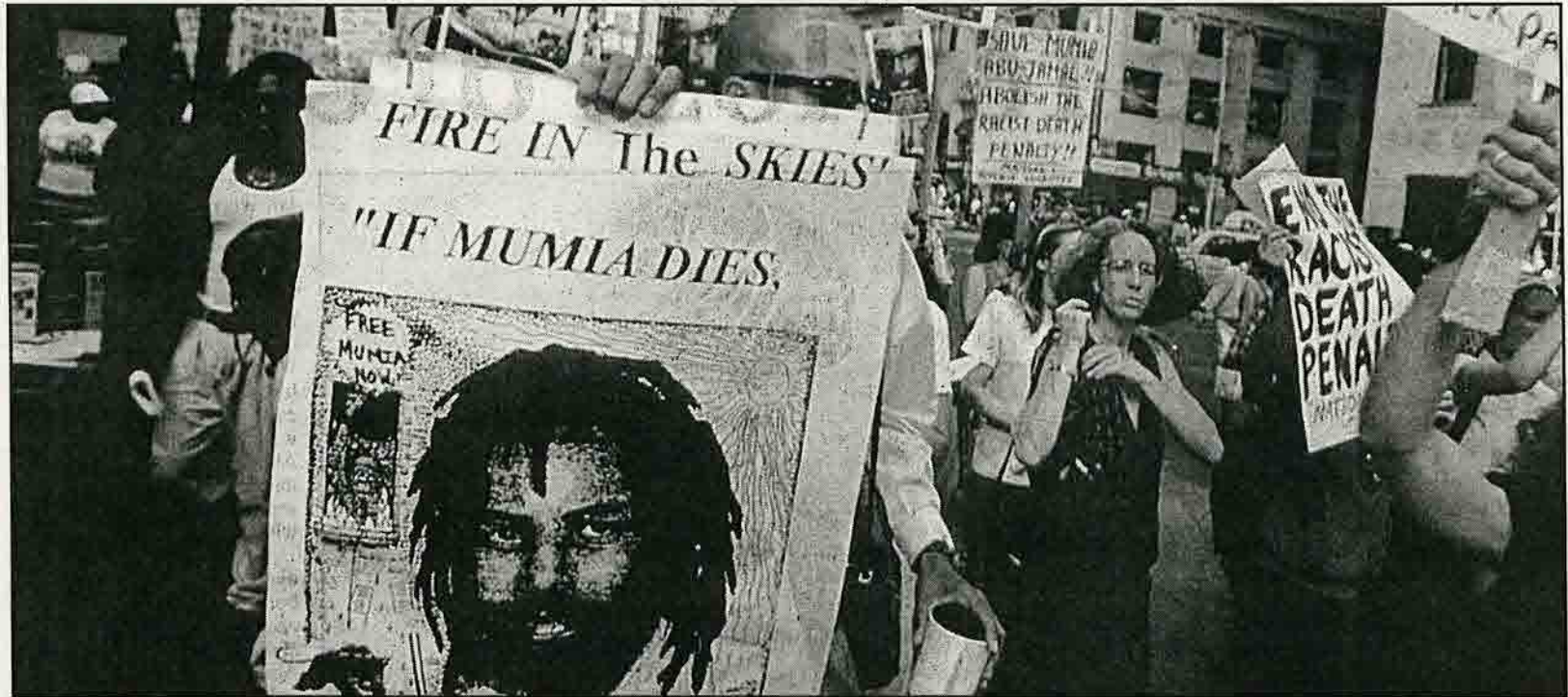
on Death Row

Even though prosecutors say evidence against him was irrefutable, Mr. Abu-Jamal's defenders in Europe depict him as a political prisoner victimized by a hostile judicial system. Some French writers have even compared his case to the Dreyfus affair a century ago.

"Just like France in the 1890s, America in the 1990s needs to have its scapegoats," said Christian Salmon, general secretary for the International Writers' Parliament, whose president is the British author Salman Rushdie. "Who could wish for a more ideal culprit for the murder of a white police officer than this black man, a former Black Panther militant and journalist who was denouncing police violence against the black community?"

A hearing to consider new evidence is taking place in Philadelphia, and his new attorney, Leonard Weinglass, has said that a stay of the Aug. 17 execution is likely.

But if it stands, Mr. Salmon and hundreds of other crusaders are planning to stage a farewell to Mr. Abu-Jamal in front of the U.S. Embassy at the appointed hour of his execution.



World celebrity: violence is expected in America if the execution of Mumia Abu-Jamal goes ahead on August 17

Picture: Andrew Lichtenstein

Worriers of the world unite to save US killer

by Tony Allen-Mills
New York

THE Chinese poet Bei Dao composed a poem in his honour. Gunther Grass and Harold Pinter signed petitions on his behalf. Whoopi Goldberg raised funds from her Hollywood friends. In America he was labelled "the voice of the voiceless" and "one of our greatest freedom fighters".

All in all it was a remarkable week for Mumia Abu-Jamal, a former radio journalist turned Philadelphia taxi driver who has become the latest death row celebrity to transfix the world's worrying elite.

To the chagrin of his victim's family, Abu-Jamal's prison memoir, *Live from Death Row*, is already selling briskly in bookshops, can be found in part on the worldwide Internet network and last week became available on a hastily compiled CD disc for instant home computer access.

Nor do most run-of-the-mill American convicts get to be championed by a French surrealist philosopher, but Abu-Jamal's fight to escape his scheduled execution on August 17 has attracted the support of Jacques Derrida, the celebrated Left Bank philosopher, and

countless other less well-known protesters from Brixton to Brasilia. All have seized on alleged flaws in an inflammatory case to berate the American judicial system for racism and inhumanity.

With American taste for judicial sagas inflamed by the O J Simpson trial, it has not taken long for Abu-Jamal to be transformed from just another whingeing inmate to a wronged literary colossus. "He's got more lawyers than Snow White had dwarfs," complained a Philadelphia police officer, bewildered by the global interest in a case most local officials had long regarded as closed.

There is only one problem with the torrent of indignation that has spurred a worldwide call to "Free Mumia". To most independent observers the case against the 41-year-old former Black Panther militant and radical journalist looks embarrassingly watertight, despite a number of well publicised shortcomings in his original trial in 1982.

While Abu-Jamal yesterday looked certain to win at least a temporary postponement on technical grounds of his execu-

tion by lethal injection, the family of the policeman he allegedly shot and killed in December 1981 was equally certain that the right man had been convicted.

Maureen Faulkner, widow of the officer killed after a fracas in the street in a Philadelphia red-light district, sat silently through the first week of defence submissions appealing for a new trial. After two witnesses presented muddled accounts of the exchange of gunfire that left Daniel Faulkner dead and Abu-Jamal wounded, she gave her own verdict.

"I've travelled to Philadelphia to hear what the defence has been boasting around the world: that they have evidence that Mr Jamal did not commit the crime," she said. "I've been sitting in this courtroom eight hours a day, six days now, and to this day I have not seen or heard any new evidence that changes the facts of the case."

At the time of the murder the man now described as a bril-

liant and daring journalist was working as a taxi driver. Abu-Jamal, formerly known as Wesley Cook, was driving through near-deserted streets at 4am when, apparently coincidentally, he saw his brother being beaten by Faulkner, who had stopped him for driving down a one-way street.

Abu-Jamal got out of his car with the .38 handgun he had legally bought for self-protection; minutes later, after several shots, Faulkner lay fatally wounded and Abu-Jamal crouched nearby, shot in the torso. His pistol was beside him with five spent shells.

Yet the details of the case seemed far less interesting to many protesters last week than the broader moral cocktail of supposed white oppression, America's use of capital punishment and African-American freedom of expression.

Much is being made in protest circles of Abu-Jamal's outspoken criticisms of the Philadelphia police and their alleged maltreatment of blacks. Abu-Jamal was a vocal supporter of Move, the anarchist black militant commune that was firebombed by police in

1985 in a much-criticised assault that led to the deaths of 11 people. It was because of these connections, it is suggested, that the police framed him for Faulkner's murder.

Abu-Jamal won a national award for his journalism, and was for a time president of the Philadelphia chapter of the National Association of Black Journalists. But it was a measure of the unease felt over his case by the mainstream black community that the association, which is due to hold its annual convention in Philadelphia later this month, has refused to take Abu-Jamal's side. Its 18-member governing board has described it as a criminal matter, not a journalistic issue.

While there seems little doubt that Abu-Jamal's lawyers will manage to postpone the execution, their pleas for a new trial appear less likely to succeed. The convict's fate may then hinge on the governor of Pennsylvania, Thomas Ridge, whose election victory last year was due in no small part to a pledge to get tough with convicts. Ridge has signed 18 death warrants since he took office in January.

Silencing rights of prisoners

ARIZONA REPUBLIC - PHOENIX
ON THE MEDIA BEAT

8-7-95

Few people are talked about more — and heard from less — than prisoners.

Rarely do we turn on a television or pick up a newspaper and learn what prisoners have to say. Without direct communication, they don't seem very real to us as human beings. As a result, it's much easier for us to demand ever-harsher prison terms.

This summer, a flickering national media spotlight has fallen on death row in Pennsylvania. Mumia Abu-Jamal — an African-American advocate of radical change who has worked as an award-winning radio journalist — is scheduled to be executed Aug. 17.

As novelist E.L. Doctorow documented in a lengthy *New York Times* article on July 14, there are many reasons to doubt that Abu-Jamal is guilty of murdering a police officer — the criminal conviction that put him on death row.

Yet, for a long time — despite years of work by activists pressing his case — national media virtually ignored Abu-Jamal.

The Fraternal Order of Police in Philadelphia has fought for the "principle" of silencing prisoners like Abu-Jamal. This spring, the group waged a fierce campaign to prevent publication of his new book, *Live From Death Row*. Fortunately, the publisher, Addison-Wesley, proved to have more backbone than National Public Radio.

In May 1994, NPR announced plans to air a series of Abu-Jamal's already-recorded commentaries about crime and prison life. But when Philadelphia police objected, NPR management caved in — and "All Things Considered" listeners didn't hear a word from Abu-Jamal.

Since late last year, the prison system has rejected requests from scores of journalists to interview Mumia Abu-Jamal. Several TV networks meekly accepted the rejections and then canceled plans for stories.

But last month, the Society of Professional Journalists — and five other national organizations of reporters and editors — petitioned a



JEFF COHEN/NORMAN SOLOMON

Creators Syndicate

federal court to protect the First Amendment in Abu-Jamal's case. "Inmates are not required to check their constitutional rights along with their personal belongings when they pass through prison gates," the groups declared.

The right of prisoners to be heard — and of the public to hear them — seems to be quite perishable in the United States. The pattern is clear: When prison authorities don't like the content of what a prisoner has to say, they try to nullify the First Amendment.

On rare occasions, media outlets resist such interference.

Much good resulted from the *San Francisco Chronicle's* decision to go to court in 1988 on behalf of a 48-year-old prisoner. By then, Dannie Martin had been writing articles for that newspaper for two years.

Trouble arose only when the *Chronicle* published a piece by Martin that criticized the Lompoc, Calif., federal prison administration for its "gulag mentality." The warden retaliated, ordering Martin thrown into solitary confinement and then transferred to a prison in Phoenix.

"They wanted to put chains and shackles on my voice," Martin said later. He added: "I committed bank robbery and they put me in prison, and that was right. Then I committed journalism and they put me in the hole. And that was wrong."

Dannie Martin and his editor at the *Chronicle*, Peter Sussman, persevered



with their path-breaking efforts. Between 1986 and 1991, the *Chronicle* published more than 50 of Martin's eloquent articles about life behind prison walls.

With poignant humor and insight, Martin wrote about realities that are routinely fenced off from people on the outside. (His articles, combined with Sussman's narrative, appear in the book *Committing Journalism*, now out in paperback.)

When his writings became a courtroom issue, Martin testified: "Letters I got from people outside made me realize to what extent they don't have any idea what's in a criminal's mind. They see a guy on TV bust someone's head, and he's off the picture. . . . He doesn't have a wife

and family. He's just a thug. They see him for a minute, and he's gone. And they wind up with a stereotype of what a criminal is, and it's wrong."

Sussman, one of the nation's most experienced editors on prison issues, notes that abuses "are bound to flourish in closed, authoritarian institutions" such as prisons. Journalism has a responsibility to intrude into places that rarely see the light of day.

"In his dispatches from prison, Dannie did not exonerate his fellow prisoners," Sussman points out. "But he gave them back their names and personalities and families and the same vulnerable emotions we all have. He restored their human complexity. That may be the first step out of our quagmire of crime and punishment."

FRATERNAL

ORDER *of* PROTEST



ASSOCIATED PRESS

Mumia Abu-Jamal, convicted of killing Police Officer Daniel Faulkner, leaves City Hall after a hearing last month; the front door of the FOP hall on Spring Garden Street



ELWOOD P. SMITH / DAILY NEWS

Cops say they'll picket fund-raisers for Mumia

Page 3

RHODES, EAGLES OFF TO FLYING START

Coverage in Sports



City clubs nix Mumia

They won't let his backers stage fund-raising concerts because of FOP objections

by Jonathan Takiff

Daily News Staff Writer

"We don't like cop-killers," was the way one local nightclub owner turned away a proposed fund-raiser for Mumia Abu-Jamal.

Others have been less acerbic, but equally firm.

Supporters of the convicted and condemned cop-killer are having problems finding local entertainment spots willing to give them space for their fund-raisers, no matter how popular the headlines, largely because of pressure from the Fraternal Order of Police.

The rejected concert, featuring KRS-1, Digable Planets and Arrested Development, organized by the Direct Action Task Force for Mumia, part of Concerned Family and Friends of Mumia Abu-Jamal, had tried to line up the Club Vegas on Delaware Avenue.

Manager Mike LaRussa made his feelings clear.

The club management would certainly consider raising money for the family of the dead officer, Daniel Faulkner, LaRussa said.

Fear of picketing by the FOP prompted Zanzibar Blue, at 11th and Spruce streets, to cancel a celebrity reading last month of Abu-Jamal's book, "Live From Death Row."

The reading, featuring supporters like Sonia Sanchez and Sam Greenlee, was to have taken place in the restaurant's upstairs meeting room to raise money for Abu-Jamal's defense.

Instead, the event will be held Wednesday at 7 p.m. at the hall of Hospital Workers Union Local 1199C, on Locust Street near 13th, where the national Emergency Coalition to Save Mumia is headquartered.

Zanzibar Blue spokeswoman Sandra Spivak acknowledged that the restaurant/jazz club canceled the scheduled event there "after we started getting calls from the FOP, warning they were going to picket it."

Spivak said club co-owner Robert Bynam often offers use of the upstairs meeting room to community groups, "but in this case had not really been given full information about the nature of the event by its sponsors."

"They told us it was a book-signing, but hadn't mentioned any ties to Mumia. Zanzibar is a restaurant. They don't need to be controversial."

buck-naked protest against the Parents Music Resource Center at the 1993 Philadelphia Lollapalooza — tried and failed to line up a local club for a Mumia fund-raising concert. Instead, they'll perform in Washington, D.C.

"They found strong resistance among the local concert venues," said group (and Epic Records) spokeswoman Liza Markowitz. "For some reason or another, nobody wanted to touch this show."

The concert, for which Markowitz said the band "was willing to postpone their album recording, go into rehearsals and then put on a fund-raising show in Philadelphia," will be held Sunday at the 1,100-person-capacity Capitol Ballroom in Washington.

P. Chionesu, co-chair of the Direct Action Task Force for Mumia, said she was surprised to hear that Rage Against the Machine couldn't land a local music hall.

"There's obviously growing support," she said.

Rich Costello, president of Lodge 5 of the Fraternal Order of Police, said, "We've received a great deal of support from the local entertainment industry."

"The Zanzibar Blue contacted us," he said. "We were going to picket it. We didn't demand they cancel it. They offered to. That kind of support is deeply appreciated."

Costello said it was an "open question" whether the event would take place at 1199C as scheduled on Wednesday.

"Depending on the time factor and other elements, we'd be looking at putting up another picket line, an informational picket line," Costello said.

Referring to the union, Costello said, "We want to make it clear that they understand that they're openly advocating the murder of police officers."

He castigated Henry Nicholas, president of Local 1199C, for allowing the event at the union hall.

Nicholas said the union often rented out its space to "people who are fighting for justice. We're involved in the struggle for social justice."

Nicholas said members of the FOP had a "First Amendment right" to return and picket, as they did when Mumia supporters earlier planned, then canceled, a fund-raiser at 1199C's hall July 19. ■

The rock band Rage Against the Machine... they at the Dilate... Staff writer Gloria Campisi contributed to this report.



PHILADELPHIA NEWS

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Le tribunal de Philadelphie a décidé lundi de surseoir, pour l'instant, à l'exécution du journaliste noir. Mercredi, à 18 heures, à l'appel du PCF et d'autres organisations, dont la CGT, le MRAP et le CDS, un rassemblement aura lieu à Paris pour exiger que Mumia soit définitivement sauvé de la mort.

LA mobilisation internationale et celle des défenseurs des droits de l'homme aux Etats-Unis en faveur de Mumia Abu-Jamal ont contraint ceux qui veulent l'assassiner à un premier recul.

Lundi soir, on apprenait que le juge Sabo, celui-là même qui avait affirmé, il n'y a que quelques jours, qu'il ne voyait « aucune raison de surseoir à l'exécution » du journaliste noir, a annoncé le report de cette dernière. M. Sabo a été contraint de reconnaître que les dix jours restant jusqu'à la date d'exécution prévue le 17 août « pourraient ne pas suffire » pour terminer l'audience en cours et permettre au journaliste d'intenter éventuellement un appel. Mumia Abu-Jamal « a le droit absolu d'être entendu par la plus haute instance judiciaire du pays, la Cour suprême des Etats-Unis », a-t-il encore dit.

Lundi matin, le pasteur Jesse Jackson, ancien candidat à l'investiture démocrate à l'élection présidentielle, est lui-même venu témoigner en faveur du journaliste noir injustement condamné à mort en 1982, après avoir été victime d'un coup monté de la police de Philadelphie. Le « juge » Sabo a dû tenir compte du poids de cette personnalité américaine, connue dans tout le pays pour son combat en faveur des droits civiques. Jesse Jackson a été autorisé à s'entretenir avec Mumia. C'est la première fois depuis des années que le condamné à mort a eu le droit de parler avec une autre personne que ses

avocats et — trop rarement — sa famille.

Mumia est sauvé pour l'instant, mais ses tortionnaires n'ont pas renoncé. Il faut contraindre maintenant M. Sabo à se déjuger en acceptant de reconnaître que la condamnation à la peine capitale qu'il avait prononcée était la conséquence d'un procès qu'il avait contribué à truquer.

Ce qui n'ira pas de soi. Le patron de l'« ordre fraternel de la police », dont M. Sabo est membre, avait prévenu : « Nous en avons eu d'autres avant lui (Mumia), nous en aurons d'autres après lui. » Le « juge » lui-même avait approuvé, il y a moins de trois semaines, la déclaration du procureur de Philadelphie proclamant : « La peine de mort (...) est l'exercice suprême de la souveraineté de l'Etat; elle ne peut souffrir la plus légère perturbation. » Le texte se poursuivait par cette cynique affirmation : « L'exécution d'une condamnation à mort irréfutable ne peut constituer une blessure irréparable pouvant entraîner sa suspension. »

Mumia Abu-Jamal doit être gracié, son procès révisé. Sans attendre!

Mercredi, à 18 heures, un rassemblement est organisé à Paris, à proximité de l'ambassade des Etats-Unis; métro Concorde, angle rue Royale. Ce sera l'occasion, pour toutes celles et tous ceux qui luttent pour la justice, de crier haut et fort — suffisamment fort pour que les plus hautes instances des Etats-Unis l'entendent — que Mumia Abu-Jamal ne doit pas être victime d'un supplice d'un autre âge, l'empoisonnement qualifié de « légal ». La « loi » de la peine de mort, contre laquelle Mumia continue à se battre, du fond de sa cellule dans l'antichambre de la mort, doit être abolie.

En province, le même jour, organisez des délégations auprès des consulats des Etats-Unis pour faire entendre la voix de la raison, celle de l'équité.

Adressez des motions, des pétitions, des télégrammes à l'ambassadrice des Etats-Unis en France : M^{me} Pamela Harriman, ambassade des Etats-Unis, 2, avenue Gabriel, 75382 Paris Cedex. Tél. : (1) 43.12.22.22 — fax : (1) 42.66.97.83.

Des milliers de pétitions envoyées aux Etats-Unis

Le Comité de défense des libertés vient d'adresser aux avocats de Mumia Abu-Jamal un colis express contenant des pétitions portant 6.580 signatures, parmi lesquelles celles de nombreuses personnalités françaises, exigeant que le journaliste noir américain ne soit pas exécuté et bénéficie

d'un nouveau procès. Le collectif des défenseurs de Mumia pourra ainsi faire état auprès des autorités judiciaires concernées — documents à l'appui — de l'émotion et de l'ampleur de la protestation qu'a provoquées en France la menace mortelle qui pèse sur Mumia.

Georges Marchais : un encouragement à poursuivre la lutte pour Mumia

GEORGES MARCHAIS, président du Comité de défense des libertés et des droits de l'homme en France et dans le monde, a fait lundi soir la déclaration suivante :

« J'apprends que la décision de repousser l'exécution de Mumia Abu-Jamal vient d'être prise aux Etats-Unis et que le journaliste noir américain aura la possibilité d'intenter un appel et d'être entendu par la Cour suprême du pays. Je me réjouis profondément de cette nouvelle.

Cet important recul est, de toute évidence, à mettre au compte de la mobilisation qui n'a cessé de se renforcer et de s'élargir au fil des jours, tant aux Etats-Unis mêmes que sur le plan international.

En France, en Europe, des voix multiples se sont élevées pour réclamer justice. J'ai moi-même lancé l'appel « Vie sauve pour Mumia Abu-Jamal » qui a

recueilli des milliers de signatures. Parmi elles, des écrivains, comme Jorge Amado, Annie Ernaux, Gilles Perrault, André Stil, Manuel Vazquez Montalban, Günter Wallraff, Christa Wolf; des artistes, des cinéastes : Richard Bohringer, Anny Duperey, André Dussollier, Jean Ferrat, Claude Lanzmann, Maria Pacôme, Claude Rich, Jacques Ruffio; des hommes d'Eglise :

Bernard Besret, Henri Bussery, secrétaire général de la Commission sociale des évêques de France, le père dominicain Jean Cardonel, le révérend Paul Flowers, M^r Jacques Gaillot; des scientifiques, des médecins, des juristes, des responsables syndicaux et d'associations, des élus de toutes tendances politiques.

Toutes celles et tous ceux qui ont contribué par leur action à

stopper aujourd'hui l'ignoble compte à rebours verront, j'en suis sûr, dans ce premier succès, un encouragement supplémentaire à poursuivre leur engagement en faveur de cette noble cause : arracher à la mort un homme victime d'un procès inique et qui a toujours plaidé son innocence. Le droit à l'équité et à la justice est dû à chaque être humain. »

Jacques Chirac : l'ambassade fera des démarches

LE 3 août dernier, Georges Marchais s'est adressé au chef de l'Etat pour lui demander d'intervenir en faveur de Mumia. Voici la réponse de Jacques Chirac :

« Votre lettre du 3 août vient de me parvenir, et je tiens à y répondre aussitôt.

Sans me prononcer sur le fond du dossier, et tout en soulignant que les Etats-Unis sont, comme la France, un pays de stricte séparation des pouvoirs, je demande à notre ambassadeur aux Etats-Unis de se tenir informé de l'évolution des audiences du tribunal de Philadelphie.

Notre ambassadeur est autorisé à effectuer, à titre strictement humanitaire et dans le respect du droit américain, toute démarche susceptible de contribuer à épargner la vie de M. Mumia Abu-Jamal. »

**Retirement income:
More and more,
it's up to you**

Page 23



A VICTORY FOR MUMIA

*Stay of execution
so convicted
cop-killer can
pursue state,
federal appeals*

Page 3

SUSAN SCHARY



TAMING THE WILD STRAWBERRY

The Yankees are watching him closely – very closely

0-3 in N.Y. debut: Page 64

Mumia's stay granted

Op-killer's execution postponed

by Valerie M. Russ

Daily News Staff Writer

Mumia Abu-Jamal won't be put to death on Aug. 17. When Judge Albert F. Sabo granted the stay of execution yesterday — 10 days before his scheduled execution for the murder of Philadelphia police officer — Mumia's defense lawyers said it was the judge least expected to do so.

A roar of cheers flooded the courtroom when Sabo, who previously granted Abu-Jamal's 1982 murder appeal, granted the stay on his own without a request from lawyers who are also seeking a new trial for Abu-Jamal.

After a break in the courtroom proceedings yesterday, defense lawyer Rachel Wolkenstein said, "This is quite monumental."

"We are clearly relieved to be able to pursue the case and to hold the hearings without a delay in the execution of Mumia's stay."

It was a day when the Rev. Jesse Jackson came to court and sat with members of Abu-Jamal's family. He later said he was able to pray with Abu-Jamal and the hearing recessed for

Judge Sabo said that in his talk with Abu-Jamal, the death-row inmate expressed sorrow for Maureen Faulkner, the widow of Police Officer Daniel Faulkner. Abu-Jamal was convicted of the murder in 1981.

By reporters that Jackson said he would be willing to pray with her also. Maureen Faulkner said she would do so. She met with Jackson before the hearing and he appears to be here on the side of Mr. Jamal."

Judge Sabo said he was in town to hear a "moral appeal" for a new trial for Abu-Jamal. He said there was "reasonable doubt" in the case and that he was the death penalty in general. He pointed out that he had appealed for mercy in the case of Susan Smith, the mother of two boys in South Carolina, but was spared the death penalty.

"It was a 'horrendous' or a police officer to be killed," Sabo added. "We stand in awe of a horrendous crime against humanity if a man is killed in the state. ... We must end the cycle of violence."

A member of Abu-Jamal's defense team, Daniel Williams, said he thought Sabo had granted the stay because it was the state Supreme Court would have granted the stay later yesterday or today. Sabo said he did not want the Supreme



The Rev. Jesse Jackson talks with Jamal Abu-Jamal, Mumia's son, outside courtroom yesterday

STEVEN M. FALK/DAILY NEWS



Albert F. Sabo: Judge



Mumia Abu-Jamal: Gets delay

DAILY NEWS FILE PHOTO

"Court to grant us the stay," Williams said, adding that Sabo had not wanted to be upstaged by the higher court's ruling on the petition on which, Sabo, up until yesterday, had declined to rule either way. Defense lawyers had filed a petition with the state Supreme Court last Thursday, asking for the stay.

Williams also said Sabo's granting of the stay saved the district attorney's office "from arguing an indefensible position" against a stay of execution.

DA Lynne Abraham issued a statement that it was "not surprising" that a stay was granted "given that the defense intentionally delayed filing their ... petition until the death warrant had been signed." Chief defense lawyer Leonard Weinglass has repeatedly denied the DA's claim that the current appeal under the Post Conviction Relief Act was filed after the death warrant was signed. The PCRA allows for ap-

peals when new evidence is to be presented. Abu-Jamal's earlier appeals — based on evidence presented at trial — have already been denied.

Sabo's order said, in part that "the law dictates that this Court grant the Defendant ample time to have these proceedings reviewed by the highest court of this Commonwealth and the highest Court of the United States."

Time was a particularly thorny issue yesterday. Once again, several witnesses whom the defense wanted to call were not allowed to testify because the district attorney's office either thought that their testimony would be irrelevant or that the district attorney's office had not received a list of witnesses,

Bevilacqua clarifies his remarks

Anthony Cardinal Bevilacqua yesterday clarified the statement on capital punishment he issued last month. He said he met with Maureen Faulkner on Sunday "because of Mrs. Faulkner's concern over mischaracterizations of my earlier statement regarding the death penalty. ...

"First of all, I have never expressed an opinion on Mumia Abu-Jamal's specific situation. The facts are that Mr. Abu-Jamal was convicted of murder and is now exercising his legal right of appeal.

"... I now reiterate that the Church's position is one of general opposition to the death penalty. This does not mean that a convicted murderer should not be punished. Nor does it mean that the state does not have the right to impose the death penalty. ... It does mean, as Pope John Paul II has stated, that, except in the most extreme and rare situation, the state should not exercise this right.

"Mrs. Maureen Faulkner, Officer Daniel Faulkner's family, and the Philadelphia Police Force are the victims of a horrible tragedy. As I said to Mrs. Faulkner in our meeting yesterday, she and her deceased husband are in my prayers. She is a strong woman of deep faith who has and continues to endure much suffering. I pray that God will continue to give her spiritual strength in the days ahead."

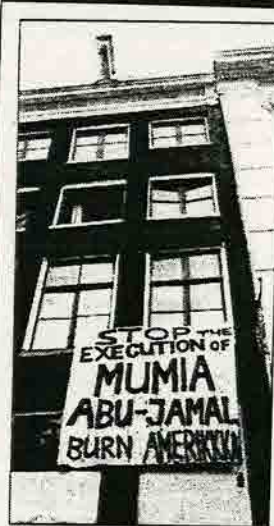
get their statements.

Sabo yesterday adjourned about 2 p.m. until tomorrow to give the defense time to get the witness list and affidavits to the DA's office.

Also yesterday, the defense asked permission to bring an inmate from outside Pittsburgh to testify. A representative of the prisoner contacted attorneys last week to say the inmate, William Harmon, had written a letter stating he had witnessed the shooting and could clear Abu-Jamal.

Sabo agreed, as long as the sheriff's office could arrange his transportation. Assistant District Attorney Arlene Fisk said the Sheriff's Department had indicated the witness could be in court Thursday.

Mumia Watch



ASSOCIATED PRESS

Another opinion

Dutch squatters yesterday hang a pro-Abu-Jamal banner on a canal house in downtown Amsterdam.

along with sworn affidavits of what they would testify about.

Defense lawyers said they had told Sabo all along that they needed more time before the hearing for Post Conviction Relief got under way. They had been in court for the last nine days and said they did not have time to interview all their witnesses and

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STU BYKOPSKY

Black Journalist Granted Stay of Execution by the Judge Who Sentenced Him

By DON TERRY

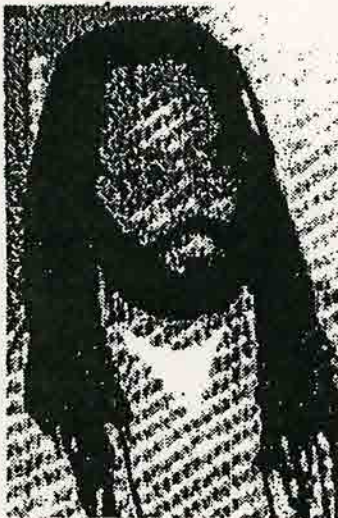
PHILADELPHIA, Aug. 7 — Ten days before he was to be put to death for the murder of a police officer here, Mumia Abu-Jamal, a black journalist active in politics, was granted an indefinite stay of execution today by the same judge who sent him to death row 13 years ago. The judge, Albert F. Sabo of Common Pleas Court here, has sent 31 people to death row, more than any judge in the state, and his aides said they could not remember another time that he had granted a stay of execution.

His ruling came during the second week of a politically charged hearing to determine whether Mr. Abu-Jamal, 41, whose appeal has attracted international support, should have a new trial. In 1982, he was convicted by killing a white police officer, Daniel Faulkner, a few blocks from City Hall.

The ruling today surprised almost everyone in the courtroom because Judge Sabo had been openly contemptuous of the defense and its client since the hearing began on July 28. The Rev. Jesse Jackson, who had come to Philadelphia to support Mr. Abu-Jamal and to express opposition to the death penalty, was giving interviews when the judge announced the stay.

The hearing, like the trial, has been haunted by the unresolved political and cultural conflicts of the 1960's and 1970's, pitting two sharply different views of the truth, from two sharply different patches of the United States.

Mr. Abu-Jamal's supporters, who represent a cross section of races, said he was railroaded at his first trial because he was an outspoken critic of police brutality, because of his teen-age membership in the Black Panther Party and because of his support of the radical black



Mumia Abu-Jamal, convicted of killing a policeman, received a stay of execution yesterday. He entered a hearing earlier.

group move, which had several bitter run-ins with the police, including a 1985 standoff that ended when the authorities bombed the group's Philadelphia row house and killed 11 people, including five children.

Officer Faulkner's family and colleagues say Mr. Abu-Jamal is simply a "cop killer" whose fate was decided far more deliberately and fairly than that of Officer Faulkner, who was shot in the back and the head early on Dec. 9, 1981.

"It makes you wonder," Officer James Green said of today's stay. "Maybe we should have executed him at 13th and Locust where he executed Danny Faulkner."

It is that kind of anger that tempered the joy of Mr. Abu-Jamal's family and supporters as they

hugged each other in the hallway while police officers looked on.

"This is a long way from over," said Pam Africa, a supporter of Mr. Abu-Jamal who is working with his defense team. "Mumia goes back to a cell. These people don't like him. They want to kill him. We are still working in the shadow of death."

In his two-paragraph ruling, Judge Sabo said the stay was granted not as "an expression of an opinion on the merits of the defendant's motion" for a new trial, but because higher courts would not have time to review the case before the execution.

The hearing will continue on Wednesday with Judge Sabo presiding. The stay does not move Mr. Abu-Jamal off death row, as the defendant pointed out in a note delivered to Mr. Jackson at the end of the hearing.

"I am now not under an active death warrant," Mr. Abu-Jamal wrote, "although I remain under an active death sentence, thus I still sojourn in hell."

Many experts had expected Mr. Abu-Jamal to be granted a stay by a higher court; few thought Judge Sabo would grant it. Mr. Jackson, who spoke with Mr. Abu-Jamal today as a designated spiritual adviser, said Mr. Abu-Jamal was "delightfully surprised."

Mr. Abu-Jamal's lead lawyer, Leonard I. Weinglass, said the judge was "compelled to yield" to the pressure put on by "the tens of thousands of people around the world who supported Mumia."

In a short statement to reporters, the Philadelphia District Attorney's office said the stay was granted because the defense had delayed the proceedings whenever possible and had engaged in a "disingenuous effort" to portray Mr. Abu-Jamal "as a political prisoner and turn this case into a media circus."



Jamal Abu-Jamal, son of Mumia Abu-Jamal, a journalist facing death for the murder of a Philadelphia police officer, talked to the Rev. Jesse Jackson yesterday. They were attending a hearing to decide whether his father would get a new trial. The judge granted a stay of execution for Mr. Abu-Jamal, who was to have been put to death on Aug. 17.

Mr. Abu-Jamal's supporters assert that what happened the morning Officer Faulkner was killed is shrouded in doubt. About all the two sides agree on is that Officer Faulkner stopped Mr. Abu-Jamal's brother for driving the wrong way on a one-way street shortly before 4 A.M. on Dec. 9, 1981, and the two men struggled.

Mr. Abu-Jamal, who was working as a cab driver, happened to be

driving past and pulled over to help his brother, who he said was being beaten. Mr. Abu-Jamal was also illegally carrying a lawfully bought pistol, which he had acquired after being robbed twice on the job.

Officer Faulkner's widow, Maureen, was in court today and said she was not discouraged by the stay, adding: "I will be here in court on Wednesday. I do believe justice will prevail."