

CAMPAGNE SAUVER MUMIA

**3.ARTICLES PRESSE US ET FRANCAISE SUR
MUMIA ABU JAMAL**

Execution Warrant Is Signed for a Prison Celebrity

HARRISBURG, Pa., June 2 (AP) — Gov. Tom Ridge has signed a warrant for the execution of a former radio reporter who was convicted of killing a Philadelphia police officer and whose prison writings have gained him celebrity on death row.

Governor Ridge set the execution of the inmate, Mumia Abu-Jamal, for 10 P.M. on Aug. 17.

One of Mr. Abu-Jamal's supporters, Pam Africa, said Mr. Abu-Jamal would file an appeal next week.

Mr. Abu-Jamal, 40, was convicted of killing Officer Daniel Faulkner, 25, in December 1981 after the officer stopped Mr. Abu-Jamal's brother for a traffic violation.

His supporters say Mr. Abu-Jamal

received an unfair trial because of his race and political activities. Mr. Abu-Jamal is black.

Susan Reed Ferron, a member of Refuse and Resist, an organization that has lobbied on Mr. Abu-Jamal's behalf, said the case was "a real symbol of political repression because Mumia was a no-holds-barred kind of guy who said what he thought about the problems in the Government."

Mr. Abu-Jamal's case has drawn attention in large part because of his recent book, "Live From Death Row" (Addison-Wesley).

The Governor's office pointed out that Mr. Abu-Jamal shot Officer Faulkner three times in the face and chest and once in the back. Three

witnesses identified Mr. Abu-Jamal as the killer.

The Governor, a Republican, also signed warrants ordering the executions of three other convicted murderers. They are these:

¶Leon Jerome Moser, 52, who shot to death his former wife and their two daughters outside a church on Palm Sunday in 1985. He is to be executed on Aug. 15.

¶Zachary Wilson, 39, who shot to death a man in a Philadelphia bar in 1981. He is to be executed on Aug. 29.

¶Ronald Rompilla, 47, who stabbed and burned an Allentown tavern owner during a robbery in 1988. He is to be executed on Aug. 31.

Pennsylvania resumed executions last month after a 33-year hiatus.

**N.Y.
TIMES**



VOTE FOR THE DEATH PENALTY OR DIE — Apparently, we've got some pretty sick folks out there. A juror in the Darron DeShone Curl murder case in Fort Worth has now received telephone death threats because he spoke to the media about his opposition to a lethal injection for the convicted killer. Granted, the Curl murder case has generated plenty of emotion. But that is hardly justification for a juror to feel his life is in danger because he voted his conscience.

**DALLAS
MORNING
NEWS**

BOTH: SAT. 6-3-95

INDRE-ET-LOIRE

Contre l'exécution programmée d'un journaliste noir américain

Condamné le 3 juillet 1982 à la peine capitale pour le meurtre d'un policier, après un procès contestable, le journaliste noir américain Mumia Abu Jamal doit être exécuté le 17 août. L'association tourangelle Just Justice, qui assure son soutien en France avec le concours d'Amnesty International, donne rendez-vous, ce samedi soir, à 19 h, au Studio pour débattre, informer et recueillir les témoignages de solidarité.

L'association Just Justice a été constituée fin 1993 à Tours par des étudiants et intellectuels pour soutenir les prisonniers politiques de Pennsylvanie, suite à la répression sanglante du mouvement de

contestation radicale « Move » à Philadelphie, en 1978 et 1985. Le journaliste noir Mumia Abu Jamal, ancien porte-parole des Black Panthers, leur avait apporté son soutien.

« Rappelons, écrit l'association, que ce journaliste noir américain a été condamné à mort il y a treize ans, après un semblant de procès. Cette affaire, entrant dans un long processus d'exécutions arbitraires, n'a pu être que repoussée et non rejugée malgré les pressions diverses de défense des droits de l'homme. Mumia a été transféré dans une minuscule cellule où il devra patiemment attendre sa mise à mort, sans aucun droit de visite, évidemment ! »

A Journalist's Last Deadline?

— Continued from page A34

light as a cab driver to support his family. The mayor's outburst marked the beginning of a police harassment campaign, according to Abu-Jamal, that included such subtleties as a cocked finger and a "bang-bang" from a smirking cop.

In December, 1981, the harassment escalated to a late-night beating of Mumia's brother on the street. Abu-Jamal was driving a cab that night. It is undisputed that he intervened. It is undisputed that both he and Officer Daniel Faulkner were shot, and that Faulkner died. What is in dispute is who killed Faulkner. Abu-Jamal says it was someone else, and several witnesses, interviewed by the police but hidden from the defense, said they saw another shooter flee the scene. Abu-Jamal's legally registered .38 was never decisively linked to Faulkner's fatal wounds.

Abu-Jamal's murder trial was a policeman's dream. Denied the right to represent himself, he was defended by a reluctant incompetent who was later disbarred (and who has since filed an affidavit detailing his delinquencies). Abu-Jamal was prosecuted by a district attorney who was later reprimanded for withholding evidence in another trial. Abu-Jamal was allowed only \$150 to interview witnesses.

But best of all was the judge. A life-time member of the Fraternal Order of Police, branded a "defendant's nightmare" by the Philadelphia Inquirer, Judge Albert F. Sabo has sentenced more men to die (31 to date, only two of

America. A fellow judge once called his courtroom a "vacation for prosecutors" because of his bias toward convictions.

Sabo wouldn't allow Abu-Jamal to defend himself because his dreadlocks made jurors "nervous." A black juror was removed for violating sequestration, while a white juror was given an court escort to take a civil service exam. During *voir dire*, the district attorney struck 11 qualified prospective black jurors. A policeman who filed two conflicting reports was never subpoenaed. Abu-Jamal's Black Panther past was waved like a bloody flag. Had he said, "All power to the people"? Yes, he admitted, he had said that. Character witnesses, including renowned poet and scholar Sonia Sanchez, were cross-examined about their "anti-police" writings and associations.

'Abu-Jamal's murder trial was a policeman's dream. Denied the right to represent himself, he was defended by a reluctant incompetent who was later disbarred (and who has since filed an affidavit detailing his delinquencies).'

Jamal's case.

Abu-Jamal's appeals have so far gone unanswered. After languishing on Death Row for 13 years, he is now the target of a police-led campaign. Last year, National Public Radio's "All Things Considered" canceled a scheduled series of his commentaries after the Fraternal Order of Police and other conservative groups objected. Abu-Jamal's recently published book, "Live from Death Row," has been greeted with a boycott; an airplane circled the publisher's Boston offices, sky-writing "Addison-Wesley Supports Cop

TV claiming that Abu-Jamal smiled at her when her husband's bloody shirt was shown — even though the record shows that he wasn't even in the courtroom that day.

Abu-Jamal's lawyers, including New York City defense attorney Leonard Weinglass, have petitioned for a new trial with an unbiased judge and a competent lawyer. They claim that at least two witnesses are prepared to testify that he did not shoot Faulkner. The struggle became



Photo by Jennifer Beach

Abu-Jamal

a race against time last month, when Pennsylvania Gov. Thomas Ridge, fully aware of the many questions in the case, signed a death warrant scheduling Abu-Jamal for execution August 17.

Mumia Abu-Jamal was not surprised. Several of the essays in his book deal with America's frantic "march toward the death chamber." As he wrote several years ago in the Yale Law Journal: "States that have not slain in a generation now ready their machinery: generators whine, poison liquids are mixed, and gases are measured and readied."

Unless Abu-Jamal's last-ditch appeals are answered and he finally get the fair trial he deserves, America will witness what may be its first explicitly political execution since the Rosenbergs were put to death in 1953. Frank Rizzo's angry threat will be fulfilled, for one "new breed" journalist at least. *It will stop.* We won't hear any more criticism of the police from Mu-

BOOKS United States

The Voice from Behind Bars

Time
26-06-95

Live from Death Row by Mumia Abu-Jamal;
Addison-Wesley; 215 pages; \$20



BLACK ACTIVIST AND RADIO journalist Mumia Abu-Jamal was known as "the voice of the voiceless" in the 1970s for his support of black militant groups and his hard-hitting, firsthand reporting of civil rights issues. Over the past 13 years, however, Abu-Jamal has become a civil rights cause célèbre; following a trial that his supporters characterize as a "legal lynching," he was sentenced to be executed for the murder of Daniel Faulkner, a white Philadelphia policeman. Abu-Jamal, who claims he is innocent, has struggled even behind bars to air the concerns of the disenfranchised. Last year, under pressure from police organizations, National Public Radio abruptly canceled a series of prison broadcasts taped by Abu-Jamal. Last month, however, despite an angry outcry from opponents, including Faulkner's widow, those commentaries and other writings were published as *Live from Death Row*.

Eagerly seizing on news from both inside and outside prison, Abu-Jamal muses on issues ranging from the epidemic of crack cocaine in black communities ("Vampirish, it sucks the souls out of black lives, leaving skeletal husks behind") to the inexorable disengagement that prison life imposes ("Times, temperaments, mores change, and the caged move to outdated rhythms").

Though few of the 40 brief essays in *Live from Death Row* allude directly to Abu-Jamal's case, all are haunted by the looming specter of his death sentence, which imbues every passage with an etched-in-tombstone solemnity. ■

BEAT THE DEVIL.

ALEXANDER COCKBURN

Hollywood Imperialism

There is something offensive in hearing Hollywood's czars piping up about free speech. It's like listening to Clinton talk about family values.

In 1946 the head of Paramount told *The New York Times*, "We, the industry, recognize the need for informing people in foreign lands about the things that have made America a great country, and we think we know how to put across the message of our democracy."

While mythology tells us that the "message" of American democracy was conveyed through the irresistibly combined charms of American stars, stories and production values, it has actually been force-fed to the world through the careful engineering of taste, ruthless commercial clout, arm-twisting by the U.S. departments of Commerce and State, threats of reverse trade embargoes and other such heavy artillery.

By 1968 Jack Valenti, head of the Motion Picture Export Association, was boasting that "the motion picture industry is the only U.S. enterprise that negotiates on its own with foreign governments."

In the years directly after World War II, Hollywood was seen as a vital weapon in the battle for the mind of Western Europe. U.S. assistance to bail out a France bankrupted by the war was withheld by Secretary of State James Byrnes until Prime Minister Léon Blum agreed to annul the import quota that limited Hollywood to 120 films a year. Blum told French movie magnates that he was prepared to sacrifice the entire French film industry to get an agreement.

Surrender followed. The French war debt was erased and France got a thirty-year, \$318 million loan along with \$850 million in credits from the Export-Import Bank. In the French film industry half the studios closed and unemployment in that sector soon reached 75 percent. The number of workers in the industry dropped from 2,132 in 1946 to 898 in 1947. Lay-offs in 1948 chopped 60 percent of the remaining work force.

This defeat produced an ironic sort of Vichy regime, in the form of young French *cinéastes* immersing themselves in the American movies flooding the country, evolving the *auteurs* and critical pantheon that saw enthusiasts in my generation (including yours truly at a time of life when I thought it nothing to watch three or four movies a day, as opposed to now, when I see about one a year at most) scuttling from one end of London to the other, *Cahiers du Cinéma* in hand, trying to track down B-films by Sam Fuller, Frank Tashlin and other Hollywood favorites of the French crowd.

By 1947, on the other side of the channel, Hollywood had singularly crushed a timid effort to protect the British film industry inaugurated by the postwar Labor government.

Liberals as Cops, Liberals as Bombers

Liberals these days call for the F.B.I. to witch-hunt rural militias and, turning their gaze overseas, urge NATO to bomb the Serbs and escalate the war in Bosnia. How come there isn't much of a commotion when Croats breach cease-fires and

launch assaults? Reprehensible though they may be, the Bosnian Serbs have entirely legitimate concerns, and bombs won't allay them. Neither will suspending the arms embargo on the Bosnian Muslims. Pro tem, partition is probably the most sensible course, with an adequate, balanced U.N. force, economic aid and no "surgical strikes" as urged by the lunatic laptop bombardier, Anthony Lewis.

On this matter of witch-hunting, I was startled to see *The Nation* solemnly listing the Anti-Defamation League as an informational resource, back in its issue of May 22, and banner-ing an absurd piece on June 19 by Daniel Levitas, who writes as if he's just learned of the A.D.L.'s reactionary project. This is the A.D.L. that sponsored the spying on radical groups, with information then handed over to Israeli and South African agents [see "Beat the Devil," May 3, May 31 and June 14 of 1993].

Instead of whining on about the right, and discovering to its apparent stupefaction that the N.R.A. and Pat Buchanan direct their appeals to the right, *The Nation* should try to offer some political vision, develop positive programs of its own and stop ending up as an agency remitting info to the F.B.I. about the redneck menace. How come people oppressed by economic circumstances and government predations who take up arms and defy the state in southern Mexico are hailed in *The Nation* and other pwog publications as virtuous revolutionaries, whereas those in the West and Midwest who do the same thing are reflexively denounced as Nazis? Some of them maybe, but all of them?

Lynching Mumia

Use of the death penalty in this country crested in 1935 and 1936, with executions running at 199 and 195. This was at the time of the formation of the C.I.O. and a great wave of labor organizing. A couple of years later F.D.R. refused to intervene against the Texan Tom Connally's filibuster of the Costigan-Wagner anti-lynching bill.

In the late 1960s the death penalty dwindled to zero. At the start of the decade the lost battle to save Caryl Chessman, condemned to die by California Governor Pat Brown, was a determinant moment in the political evolution of many who formed the combat divisions of the civil rights and antiwar movements.

Execution as a form of political regulation is back with a vengeance. Clinton clasps hands with Orrin Hatch and the Republicans to truncate liberties and further savage the rights of the condemned to appeal their sentences. In the next decade struggles to save the condemned and reform the prisons may help radicalize another generation. Executions display the system under harshest glare, in ugliest detail, with cruellest truth. For merciless, brilliant exposition of this, read the historian Peter Linebaugh's "Gruesome Gertie at the Buckle of the Bible Belt" in the January/February issue of *New Left Review* and, beyond that, his extraordinary *The London Hanged: Crime and Civil Society in the Eighteenth Century* (Cambridge University Press).

Out of the District Attorney's office in the city of Phila-



delphia on Friday, June 2, went letters to Whoopi Goldberg, Ed Asner, Mike Farrell and others informing them that their support for Mumia Abu-Jamal was an "insult" to police officers, widows of murdered police officers and all righteous citizens. Simultaneous with this communication from Arnold Gordon, first assistant D.A., came a statement from Ken Rocks, vice president of the Philadelphia lodge of the Fraternal Order of Police, announcing that at the F.O.P.'s August convention a boycott would be recommended against films starring Goldberg, Asner, Farrell and other members of the Committee to Save Mumia Abu-Jamal.

Bob Dole chides Hollywood—or at least the liberal end of it—for promoting violence. Here now is the State of Pennsylvania proposing an act of real violence—namely the electrocution of Mumia Abu-Jamal at 10 P.M. on August 17—and telling liberal Hollywood to mind its own business.

All judicial executions are by definition "demonstration killings." And as such killings go, the electrocution of Mumia, whose death warrant was signed by Governor Tom Ridge on June 2, is designed to be a big one.

So who is Mumia? At the age of 14 he was already under surveillance by Philadelphia police and the F.B.I. as a political undesirable. He'd had the presumption (for which he was administered a beating by thugs including a cop) to protest at a campaign appearance by George Wallace.

A year later he featured on F.B.I. urgent wires to J. Edgar Hoover as a member of (and later spokesman for) the Black Panther Party in Philadelphia. To be thus identified to the F.B.I. Director in the late 1960s was to become a target under COINTELPRO (about which the present F.B.I. chief, Louis Freeh, recently pronounced himself uninformed, though he has only to ask the Justice Department spokesman Carl Stern, who was the first to expose it).

But whereas COINTELPRO helped exterminate many Black Panthers, Mumia survived and became a well-known radical broadcaster in Philadelphia, with interviews presented nationally on NPR and other networks. He continued to be regarded with grave dis-esteem by the forces of law and order, symbolized at the time by Mayor Frank Rizzo.

In the predawn hours of December 9, 1981, Mumia was seriously wounded and police officer Daniel Faulkner killed after a shooting that began after Mumia, moonlighting as a taxi driver, came upon Faulkner beating Mumia's brother.

The trial, which culminated in a death sentence, was a travesty. Mumia was forcibly encumbered with an incompetent state-appointed counsel. The supposed murder weapon—Mumia's legal .38 caliber gun—was never properly tested to see if it had been fired. Ballistic evidence showing that Faulkner was killed by bullets from a .44 was ignored. Testimony from four eyewitnesses attesting to a man fleeing the scene was passed over. The prosecution was allowed to use Mumia's political associations against him and to argue to the jury that its determination of death "may not be final." Selection of the jury was heavily tainted. In a city that is 40 percent black, there was only one black juror.



It was a legal lynching presided over by a white man appropriate to the outrageous proceedings. Albert Sabo, now in semi-retirement, has put more people on death row than any other judge in the country. His career total is thirty-one. At the time of Mumia's trial he had put twenty-six away, of whom twenty-four were black. The records of Sabo's trials were examined by Bruce Ledewitz, a law professor at Duquesne University, who, comparing these with other such proceedings, declared them "damnable" on the issue of race.

In the fourteen years he has been on death row, Mumia has become celebrated for the power of his writing, as evidenced in his recent book *Live from Death Row*. The sympathy his case has aroused has been paralleled by the determination of the Philadelphia police and their political representatives to put him in the chair. Since February, Mumia has been hit with disciplinary actions, including suspension of all contact with the press, for having entered into a book contract. When Addison-Wesley put out the book, a plane circled the publisher's offices in Massachusetts with the banner, "Addison-Wesley Supports Cop Killer."

As Leonard Weinglass, who is leading the team of defense lawyers, puts it, "We are up against a well-orchestrated, well-organized, well-financed campaign to see to it that Mumia is executed."

Weinglass has already asked for a recusal by Judge Sabo and a stay of the death warrant; he has petitioned for a new trial, offering a 182-page memorandum of law which outlines nineteen errors of constitutional dimension in the original trial. These will all be duly considered by Judge Sabo, emerging from retirement for this task. The next stop for the defense would be Pennsylvania's Supreme Court. Then the lawyers will, if necessary, turn to the federal bench.

The place: Philadelphia, a city that has seen more inhabitants—103—put on death row since the restoration of capital punishment than any city except Houston.

The time: an era hot for "demonstration killings" of the dangerous classes. What better than to fry a black in dreadlocks, a radio broadcaster, a writer, a man backed by Hollywood liberals, a man with an Islamic name? In the year of *Panther* kill a Panther. The lynch mob is on the rampage.

All the Newt Unfit to Print

It was good to see Newt G. face a feisty demonstration at the American Booksellers Association meeting in Chicago on June 5. The twelve bookstore owners from around the country making up the A.B.A.'s advisory board had voted against giving Gingrich a forum, but they got overruled by the national executive. Ten of the twelve resigned forthwith.

The demo, which got good TV coverage, was organized by the Coalition Against the Contract. Also in Chicago, on June 17, will be a march and rally for jobs and justice, organized by the Coalition for New Priorities, Chicago Jobs With Justice and other advocacy groups. Those in the region should head for Union Park, at Washington and Ashland at 12:30 P.M. For details, call (312) 362-0500.

Bookshop Santa Cruz has been selling Newt's book at the price of baloney per pound. Don't mourn. Have fun.



Mumia Abu-Jamal, prisonnier politique, a été exécuté aux Etats-Unis le 17 août.

**et homme
e doit pas
mourir!**

**Leonard Weinglass,
l'avocat de Mumia
Abu-Jamal, appelle
un chat un chat et
un procès truqué un
procès truqué. Il
détaille le mécanisme
de la machination
qui peut conduire un
innocent à la mort,
le 17 août prochain,
à 22 heures.**

CE PROCES TRUQUE DOIT ETRE REVISE

L'avocat Leonard Weinglass est une figure de la scène politique et juridique américaine. Il est engagé de longue date dans la défense de personnalités inculpées pour des motifs politiques. Aujourd'hui, Leonard Weinglass mène une course contre la montre afin de sauver Mumia Abu-Jamal.

Pourriez-vous resituer le crime dont a été accusé Mumia Abu-Jamal?
Mumia a été inculpé il y a treize ans pour avoir tué un officier de police, Daniel Faulkner. Le crime s'est produit à 4 heures du matin, dans une rue de Philadelphie. Le policier et Mumia ont été blessés par balles. La police les a trouvés tous les deux allongés non loin l'un de l'autre, dans un état critique. Les deux furent opérés : l'officier est mort, Mumia a survécu. La version de la police repose sur une prostituée et sur deux jeunes hommes de race blanche. La femme en question a été arrêtée trente-huit fois, et elle était emprisonnée lors de son témoignage. L'un des jeunes hommes a un casier judiciaire pour avoir lancé une bombe incendiaire contre

une école. Le jury n'en a pas été informé. Le témoignage de l'autre jeune homme est également très douteux. Il y a quatre autres témoins selon lesquels le tireur s'est enfui.

Mais pourquoi n'ont-ils pas témoigné ?
La police n'a jamais enquêté à leur sujet. La police a bien récupéré l'arme de Mumia, pour laquelle il avait un permis, et qui à ce moment n'a jamais été liée à l'assassinat de Daniel Faulkner. Comme le dossier était vide, la police est arrivée avec deux témoins, deux mois plus tard. A les croire, Mumia aurait confessé avoir tué l'officier lors de son transfert à l'hôpital. Mais l'officier qui était responsable de Mumia à l'hôpital, et qui était tout le temps avec lui, a écrit un rapport officiel disant que durant cette nuit : « L'homme de race noire n'a fait aucune déclaration. » Cet homme n'a pas témoigné pendant le procès car il était en vacances.

Que réclamez-vous ?
Un nouveau procès. Il est très difficile de dire si cela sera accepté. Dans l'histoire de l'Etat de Pennsylvanie, personne dans la situation de Mumia n'a obtenu un nouveau procès. S'il l'obtient, il sera le premier. C'est dire combien la situation est difficile.

Quelle est la dimension politique de cette affaire ?
Mumia était le président de l'association des journalistes noirs à Philadelphie. Connue pour ses engagements en faveur de la cause noire, il était hautement considéré et respecté dans la communauté noire mais aussi dans le milieu des écrivains et journalistes et parmi les élus ; un groupe de trente parlementaires de Pennsylvanie a demandé la réouverture de son dossier.

Considérez-vous Mumia comme un prisonnier politique ?
Pour moi, tout condamné à mort est un prisonnier politique, mais Mumia est le seul qui était activement engagé dans des



Mumia Abu-Jamal, journaliste à Philadelphie, rencontre le basketteur Julius Erving en 1980.

organisations et des luttes. Dans cette mesure, c'est le seul militant politique dans le couloir de la mort. Nous venons de recevoir les dossiers accumulés par le FBI à son encontre : ils font 700 pages. Il était fiché par le FBI depuis son adolescence, alors qu'il n'avait aucun casier judiciaire. Quand il a été arrêté, il avait vingt-huit ans et il n'avait toujours pas de casier.

Quelle est votre opinion sur la peine de mort et ses implications racistes ?
Le nombre d'exécutions augmente très rapidement aux Etats-Unis. Il y a 3.000 condamnés à mort, dont la moitié sont des Noirs, peut-être un peu moins, alors que la population afro-américaine correspond à 12 % de la population totale. En Pennsylvanie, le pourcentage est de 60 %. Le juge qui a condamné à mort Mumia avait auparavant condamné à mort 26 personnes, dont 24 noires. La peine de mort est donc, de toute évidence, le produit d'un racisme inhérent à cette société.

Que pensez-vous du traitement de cette affaire par la presse américaine ?
En fait, la presse a pris le parti de la police.

Il y a eu une campagne très bien orchestrée et financée par une organisation policière nationale nommée The Fraternal Order of Police. Ils ont des agents de presse professionnels qui ont donné à la presse des informations afin que Mumia soit exécuté. La presse a donc été très négative et hostile jusqu'à ce que nous rendions publics nos documents le 5 juin, qui incluaient 47 pièces à conviction et 300 pages de documentation. Depuis, la presse est plus neutre.

Qu'attendez-vous de l'opinion internationale ?
Le plus important est de protester contre cet ordre d'exécution qui menace Mumia. On peut également nous aider à équilibrer les dépenses de cette enquête en envoyant des contributions financières à Bill of Rights Foundation (1) à New York en précisant que c'est pour Mumia.

Propos recueillis par notre correspondant Mark Layani

(1) Bill of Rights Foundation Inc.
740 Broadway New York, NY 10003 USA.
Mentionner sur le chèque : contribution for the defense of Mumia Abu-Jamal.

Un appel du révérend Flowers

Président des Eglises méthodistes de Grande-Bretagne et d'Irlande, secrétaire de la Conférence européenne des Eglises méthodistes, le révérend Flowers est connu pour ses positions en faveur de la défense des droits de l'homme. Venant à Paris rencontrer M^{re} Gaillot puis les Eglises protestantes de France, il a été reçu par Georges Marchais au siège du Comité de défense des libertés et des droits de l'homme. Celui-ci lui a fait part de la campagne que mène le Comité de défense pour obtenir la grâce de Mumia Abu-Jamal et l'organisation d'un nouveau procès, comme le souhaitent ses avocats. Rappelons que diverses personnalités américaines dont Jesse Jackson, Ramsay Clark, le congressman Ron Dellums et l'actrice Whoopy Goldberg, se sont déjà prononcées en faveur de Mumia Abu-Jamal.

Le révérend Flowers, qui s'est associé à l'appel lancé par Georges Marchais, nous a fait la déclaration suivante : « Je représente une organisation qui regroupe trente pays. Depuis quelque temps déjà je participe à la Commission de la défense des droits de l'homme des Eglises en tant que rapporteur. Je m'oppose à la condamnation de Mumia Abu-Jamal et je soutiens votre appel, tout d'abord selon un principe élémentaire qui est de refuser la peine de mort, et plus particulièrement la façon extrêmement violente avec laquelle plusieurs Etats américains ont réintroduit la peine capitale. Je tiens à ajouter que ce type de condamnation est profondément inhumain. Il fait appel à des sentiments qui rabaisent les autorités au même niveau que les condamnés ».

« En ce qui concerne le procès de Mumia Abu-Jamal, il apparaît que le procès a été truqué et que l'accusation n'a pas révélé tous les détails de l'affaire. Apparemment, cet homme a été accusé à tort. Un nouveau procès est donc nécessaire. Ma position repose sur des principes moraux qui m'amènent à rejeter la peine de mort en tant que telle, mais qui me conduisent aussi à penser que, dans cette affaire, la justice n'a pas été rendue. »

Propos recueillis par Jean Solbès

Découpez ce coupon et adressez-le à :
Tom Ridge, gouverneur de Pennsylvanie, Main Capitol Building, Room 225, Harrisburg, PA-17120 USA.

Sauvons Mumia Abu-Jamal

Nous vous demandons de gracier Mumia Abu-Jamal
Mr. Governor, save Mumia Abu-Jamal.

Nom :
Adresse :
.....
Pays :



BOOKS & THE ARTS.

The Executioner's Automat

PATRICIA J. WILLIAMS

LIVE FROM DEATH ROW. By Mumia Abu-Jamal. Addison-Wesley. 215 pp. \$20.

While walking to work one day, I passed in front of an idling cop car. I glanced at the driver—white with brown hair, and wearing dark shades. He “smiled,” put his hand out the car window, and pointed a finger at me, his thumb cocked back like the hammer of a gun; bang—bang—bang—the finger jerked, as if from recoil, and the cop gave it a cowboyish blast of breath before returning it to an imaginary holster. He and his pal laugh. Car rolls. Whatta joke, I thought, as I sat down to type up an interview with three women known as the Pointer Sisters, post-“salty peanuts” phase. But it was hard to concentrate. There was only one kind of pointing on my mind. And it wasn't those glitzy sisters.

On December 9, 1981, the police attempted to execute me in the street. This trial is the result of their failure to do so. Just as the police tried to kill my brothers and sisters of the family Africa on August the 8th 1978.

—Mumia Abu-Jamal
Live From Death Row

On July 3, 1982, Mumia Abu-Jamal, radio journalist and MOVE supporter, much of whose reputation was built on criticizing the Philadelphia Police Department in the matter of race relations, was convicted of the first-degree murder of officer Daniel Faulkner. Abu-Jamal, who had no prior record, was a Peabody Award-winning radio essayist and president of the Philadelphia chapter of the Association of Black Journalists. After the conviction, he continued to write from his cell on death row, publishing everywhere from *The Nation* to the *Yale Law Journal*. In 1994, he was at the center of a very visible controversy in which some members of Congress threatened to cut off funding to National Public Radio, which had been set to broadcast a series of his editorials. Amid intense public de-

bate, National Public Radio canceled the broadcasts. “Many believed that NPR was giving a monster a soapbox,” reads the legend on the flap of Abu-Jamal's just-published *Live From Death Row*, in which those never-aired commentaries are printed.

One of racism's many manifestations is the collective wish that blacks were not alive.

Abu-Jamal, who denies killing Officer Faulkner, has become the object of one of those debates that go to the core of the deepest racial divides in this country. Is he the victim of a police conspiracy designed to silence his radical political coverage? Is he, a former Black Panther, in effect a Randy Weaver of the black left? Is he a cold-blooded killer who is now manipulating public sentiment? Does he not deserve a second trial on the substantive merits, given some fairly serious procedural irregularities in the first—or should he be executed summarily in the new spirit of dispatch that swept Pennsylvania's Governor Tom Ridge into power last November? On June 2, Ridge, making good on a campaign-promised “priority,” signed a warrant for Abu-Jamal to be executed on August 17, 1995.

Add to this American drama the passionate grief of Faulkner's widow, Maureen, who, with the help of the Philadelphia Fraternal Order of Police, mounted a concerted effort to prevent publication of *Live From Death Row*, and now to prevent Abu-Jamal from receiving any profits from its sale. Other lobbying efforts have been put in motion to redirect any profits to various victims' rights organizations.

It is impossible to sort out the “truth” of this case at the distance from which I write. Nevertheless, weighing the improprieties of Abu-Jamal's trial (including possible suppression of evidence) against the life-or-death stakes for him, I am convinced that Abu-Jamal deserves an-

other trial. Of course, I don't believe that we should have a death penalty at all, and if we must, it ought never to be employed unless there is *no* doubt—not just beyond a reasonable doubt, but none at all—that the defendant committed the crime. Laypeople, certainly not jaded former prosecutors like me, are the only ones who really believe that trials can resolve much more than probabilities; and probably not too many laypeople share that bright faith anymore, a year into O.J. Simpson's eternal, Sisyphean life-sentence of a trial. In the annals of criminology, the passage of a little time has exonerated too many of the convicted for us to be engaging in the headlong rush toward Quick Death that seems so politically popular these days.

That said, it seems to me that Mumia Abu-Jamal's case presents a particularly pressing set of questions for us as a society. The matter of the death penalty is certainly the heart of what we must think about; but the controversy surrounding Abu-Jamal's book highlights the degree to which many people seem to assume prisoners have no right to speak, no right to be heard, no right to publication and thus, in a very concrete sense, no right to appeal.

It is an interesting and dangerous confluence that politicians like Pennsylvania State Representative Michael McGeehan urge simultaneously the limiting of inmates' ability to write journalistically as well as the limiting of the right of habeas corpus. According to McGeehan, Abu-Jamal “believes he is the Donald Trump of death row. . . . He's trying to get rich by running a little cottage industry while family members of the slain officer suffer.” In March, at the urging of McGeehan and others, Governor Ridge signed House Bill 1, which “requires the governor to sign an execution warrant within ninety days of his receipt of the affirmation of the death sentence from the Pennsylvania Supreme Court. If the governor misses the deadline, the commissioner of corrections must schedule the execution without a warrant.”

It is striking, furthermore, that the discussion of Abu-Jamal's book is so often put in economic terms, filled with metaphoric turns away from the issue of speech: He-who-is-about-to-die is making a “profit,” a “killing,” making money, not an appeal. I have heard some justify this sort of suppression by saying that he's in prison, after all—he has no right of free speech (to say nothing of the free

Patricia J. Williams, a professor at Columbia Law School, is the author of *The Alchemy of Race and Rights* (Harvard).

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market) because he's *lost* his freedom. But this misunderstands the status of prisoners. They do not lose all human rights. And if there ever was a right that is central to our democracy, it is the ability to express, to be heard, to publish, to appeal the matter of state-sponsored life and death. We as a society must be quite careful not to glorify suppression of prisoners' voices in the name of not glorifying violence.

And while in principle the idea of using prisoners' profits for victims' funds seems unobjectionable, we must remember that justice in our society is too often obtained at a very high price. "The Simpson case proved one thing about our system," writes Bella English in *The Boston Globe*. "Money talks. . . . Remember the unemployed immigrant arrested the same week as O.J. and also charged with killing his wife? He was tried, convicted and sent to jail all in a day." In an era when the Legal Services Corporation is on the threshold of Congressional elimination and prisoners' rights organizations operate largely on the charity of the organized bar, the revolving-door justice meted out to the "unemployed immigrant" is unfortunately typical. In Tennessee, for another example, U.S. District Judge John Nixon has come under political fire for vacating the death sentence of a man whose defense attorney had spent only sixteen hours on the case, allowed the defendant to be sedated by jail officers during the trial, failed to raise available defenses and "effectively abandoned representation." In addition to demanding Nixon's impeachment, legislators unanimously voted to eliminate state funding of the Capital Case Resource Center, the organization that uncovered these irregularities. This meant that the Center, overnight, lost nearly 40 percent of its budget.

In a letter of June 6, Abu-Jamal writes:

As you no doubt know, I am on Phase II with an active Death Warrant for Aug. 17 1995: A jail w/in a jail, w/in a jail . . . and about to enter *another* jail. Yesterday, I rec'd a 5-pp. Misconduct Report (#696776) for "engaging actively in a business or profession"—as a "working journalist." In effect, my "misconduct" was writing *Live From Death Row*, and publishing it. . . . They want me to die alone—silently. So much do they fear my words that they want me muzzled as they prepare to garrote me.

There's hypocrisy in it, you have to admit: If Sergeant Stacey Koon, convicted of directing the assault on Rodney King, can publish his rambling rationalizations for the glories of excessive violence in *Presumed Guilty: The Tragedy of the Rodney King Affair*, and if ex-con G. Gordon Liddy can stand on the steps of the Lincoln Memorial and rally gun rights supporters by shouting "just don't obey the damn law"—if the First Amendment protects all that, then it ought to protect Mumia Abu-Jamal's description of "Harry Washington," a death row inmate who

has begun the slide from depression, through deterioration, to dementia. . . .

The conditions of most of America's death rows create Harry Washingtons by the score . . . solitary confinement, around-the-clock lock-in, no-contact visits, no prison jobs; no educational programs by which to grow, psychiatric "treatment" facilities designed only to drug you into a coma; ladle in hostile, overtly racist prison guards and staff; add the weight of the falling away of family ties, and you have all the fixings for a stressful psychic stew designed to deteriorate, to erode, one's humanity.

Abu-Jamal's is hardly an idle "book by a monster" preaching death, teaching death or celebrating violence—it is a book of mourning for the condemned. Mourning the condemned as well as the innocent is something we don't practice a lot in this era. But I think it is central to the project of asking what it is that accounts for the enormous toll of violence at this moment in history. It is a task that requires that we not turn to explanations of genetic inferiority and biological disposition except in the most exceptional of instances; but rather demands that we ask what it is that would make some lives so wildly destructive. It involves seeing even killers as ruined human beings whose potential has been lost to us, and whose loss *means something* to the community, to the increasingly small world we all share. If we feel no loss but only gain, I fear we are indeed on the wrong side of a thin line whose logic leads to the worst kinds of despotism.

We need more writing from inmates, I think, for writing is redemptive for those on both sides of the walls. We need whole jailhouse anthologies. It is worth understanding, this desperation, this cold-bloodedness, this drained hopelessness, this murderous rage. It is worth understanding—a statement that many will read instantly as the equivalent of "worth condoning, worth forgiving, worth being a fuzzy-headed liberal fool."

I appreciate the extent to which my remarks will be interpreted as an apology for nothing less than heinousness. Which surely they are not; I believe in prisons, and in life sentences; too many of us have seen friends murdered senselessly. I recognize the need to confine murderers. No less than Robert Dole and William Clinton do I sorrow for the violence that grips us as a nation. But I do not believe in the death penalty.

I appreciate how hard my point will be to hear in an age when television stations have sued to broadcast executions as part of our constitutional freedom. How much we want to see but not hear death! (Isn't it odd, when executions occur, that the newspapers always print the last supper of the executed rather than his last thoughts? An altogether peculiar obsession, the advertisement of what he consumed, but not what he was thinking. Like reading tea leaves, the publishable but undecipherable clue, that last hamburger and chocolate milk . . .)

I appreciate, in short, how unpopular it is to say that even the destructive life bears lessons whose social value we suppress at our own risk. But I think it is an integral part of never forgetting—to be reminded of how seductive murder is as a solution. How close the killer is to the executioner in the search for ultimate resolution. How like ourselves. How appealing it is to control life and death, and how implicated are those who "assist" in death, in overcoming the body's resistance. Thus, I think it is absolutely vital to allow prisoners to appeal as loud and as long as they can—for, as John Edgar Wideman observes, "People are easier to kill if they come from nowhere. If they have no names, no fathers or mothers." We should never be able to kill without that reminder of the body's resistance.

Let me try to press this difficult point by posing the problem as a broad one about the limits of state force. What is, after all, the purpose in refraining from cruel and unusual punishment even for cruel and unusual crimes? Why didn't we just eviscerate Jeffrey Dahmer when we had the chance, for surely one good evisceration deserves another? Why don't we let the families of victims stone criminals, or slice off their tongues? Why don't we officially entomb prisoners alive, in soundproofed little boxes, a hole for air, a hole for drainage, and just wait for them to die like bugs in a jar?

Conventions on human rights and prisoners' rights remind us that casting

criminals as subhuman, as animals, as noncitizens, is as much about us as it is "them." They remind us that demonizing wholesale is a risky enterprise. We have not yet reached the point where we are completely unaware of this notion; few politicians could yet suggest that we just stop pussyfooting around and execute everyone convicted of murder, period. O.J. Simpson and Susan Smith. Colin Ferguson and Gina Grant (the young woman admitted to Harvard before it was discovered she had bludgeoned her mother to death with a candlestick). The Menendez brothers. Robert McNamara,

for all those war crimes he's now so willing to take responsibility for. Oh, and Timothy McVeigh, should he ever be convicted. We'd all sleep better afterward. Better yet, we could execute them all at the same time. It could be the biggest, best execution in U.S. history. If we want deterrence, what better way, right? We could make it really special and use that big screen that Disney set up on the Great Lawn of Central Park for the viewing of *Pocahontas*, and we could broadcast it live as a public service. The mothers of the victims could step up and throw the first ball, so to speak, by plucking the eyes

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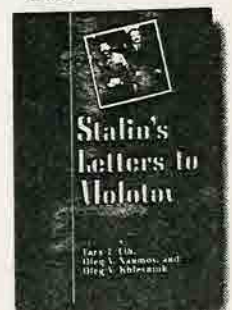
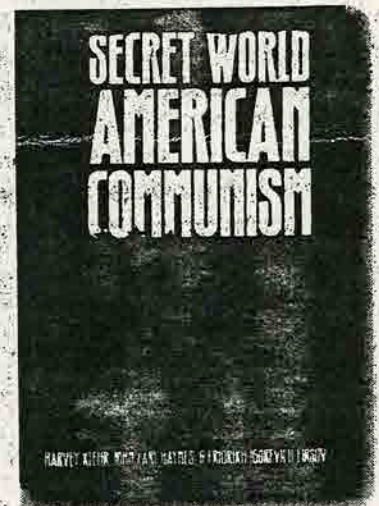
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from the sockets of the condemned. And where once there were baskets into which heads would roll, we could have Dr. Jack Kevorkian with a bucket for the hearts and lungs and livers. (Kevorkian has long been an advocate of "harvesting" the innards of executed prisoners. He wants death row to *move*; shouldn't let all those healthy spare parts shrivel on the vine. What high-tech resurrection potential: death row as the ultimate recycling bin.)

Frankly, the current fashion in calling for what is effectively a public ritual of mockery and crucifixion of criminals is astounding in a nation as largely Christian as ours. It is quite pagan in form, the call for Death—Retributive Zeus and Howling Hera reborn in Bernhard Goetz and Lorena Bobbitt, outlaws no longer but models of the new age of civic virtue, private visionaries of vengeance whose politics have public power these days. When Clinton and Janet Reno invoked the death penalty immediately after the Oklahoma City bombing, it had a hollow, helpless ring—a kind of stunning irrelevance and inadequacy in view of the tragedy already accomplished. The perpetrators will die, we were promised. Why don't I find that comforting? What score could it possibly settle? How futile, how beside the point. Why am I not convinced that a terrorist's date with the gas chamber will do anything but enhance his heroic status to some? And I am absolutely convinced that no execution will do anything to reduce the likelihood of future terrorism.

Yet we have come close to the point, I fear, where all forms of punishment inflicted upon criminals are deemed acceptable as crude but just payback. "Slow bloodletting" is less than what "the criminal slime" deserve, as a law student once put it so succinctly. I suppose we could comfort ourselves with the thought that the clean efficiency of the poison needle, the electric jolt, the quiet waft of gas is ever so much better than they deserve. We could employ the ethics of gang warfare infinitely extended: Kill and be killed. Conceptualizing the suffering of criminals as payback has the extra benefit of removing responsibility from us as voters, taxpayers, fellow citizens, participants in the decision—because, after all, criminals bring it all on themselves. "Automatic" sentencing is an outgrowth of such logic. "Automatic" death.

But it is democracy that dies when we become a nation of heartbroken vengeance-seekers. The seduction of the "string 'em up" mentality is not that it's "frontier" justice in some cruel, cartoon-

ish way. Its appeal is precisely that it is a response of insatiable sorrow, immediate payback; it is heroically grief-stricken rather than reasoned. Moreover, the rage for retribution risks obscuring the possibility of innocence, the need for due process, the presence of mitigating circumstances and the dubiety of crooked informants. And in its most extreme forms, the bloodlust risks being used to justify the state practice of sadism upon all those guilty bodies so *needing* to be beaten, so *asking* to be broken. We despise murderers, we hate. But there is some point at which the despising takes on a life of its own; when the death-dealing actually becomes satisfying and eventually pleasurable. That sense of relief, that rush of goodness is what seems to be growing in this country; what we should resist at all costs; and what Abu-Jamal's essays hold mirrors to with every page.

All this is why we have historically made the prosecutor's role that of representing The People of a state, rather than just the victim of a particular crime. The prosecutor, as surrogate for the interests of the state, is supposed to consider justice in an uninflamed, long-term, social sense.

But the risks of enjoying vengeance too much are troubling enough when we have spectacles like the barbecuing, sunbathing crowds at serial killer Ted Bundy's execution. If one adds race to the brew, we must take history seriously enough to err on the side of extreme caution. The chain gang has made a comeback in Alabama's largely black-populated prisons. Domination fantasies have become disguised as lessons in work ethic. Writes Mumia Abu-Jamal:

In the 1987 case *McCleskey v. Kemp*, the famed Baldus study revealed facts that unequivocally proved the following: (1) defendants charged with killing white victims in Georgia are 4.3 times as likely to be sentenced to death as defendants charged with killing blacks; (2) six of every eleven defendants convicted of killing a white person would not have received the death sentence if their victim had been black; and (3) cases involving black defendants and white victims are more likely to result in a death sentence than cases featuring any other racial combination of defendant and victim. . . .

Does this mean that African-Americans are somehow innocents, subjected to a setup by state officials? Not especially. What it does suggest is that state actors, at all stages of the criminal justice system, including slating at the police station, arraignment at the judicial office, pretrial, trial, and sentencing stage

before a court, treat African-American defendants with a special vengeance not experienced by white defendants.

This is the dictionary definition of "discrimination."

One of racism's many manifestations is the collective wish that blacks were not alive—one can hear this expressed over and over again on talk-radio programs around the country any day of the week. The wish that blacks would just go away and shut up and stop taking up so much time and food and air and then the world would return to its Norman Rockwell loveliness and America could be employed and happy once more. Sometimes it's expressed as an actual death wish, but more often it comes out as a *disappearance* wish. But the sentiment is no less frightening to those of us on the receiving end of such categoric euphemisms. Moreover, the killing wish takes on such public, even joyous legitimacy when blackness is paired with actual outlaw behavior.

There is a relation, I think, between the restraint necessary in law enforcement and the First Amendment cliché about protecting most the speech one hates because it is a test for all the rest of our democratic principles. Should we not, through our government, practice and model the kind of restraint we wish killers could have had? We wish that before they had twisted that knife, pulled that trigger, they had considered the mind they were destroying, the family they were rending, the shattering, spinning loss—the ripped life so suddenly and eternally unrecoverable. Focusing on the crime they have committed reminds us of the need to make sure it never happens again, and we apply varying degrees of punishment, deterrence or rehabilitation. But focusing as well on *who* has committed the crime reminds us that there is a logic in each life. Not so much a logic to be endured or sanctioned, but sometimes a life course that sheds light on what should never have been.

We need to remember that there are prison guards who help prisoners in good and human ways, *and* that there are those who supply them with drugs. We need to know that there are guards who struggle thanklessly to do remarkable jobs under intolerable conditions, *and* those, as Abu-Jamal describes, who put lighted cigarettes in prisoners' ears. We need to know that the sides are not always as clear as night and day—that "Harry Washington," demented on death row, was once a prison guard. We need to consider these as possibilities because some of the people who are in prison will be

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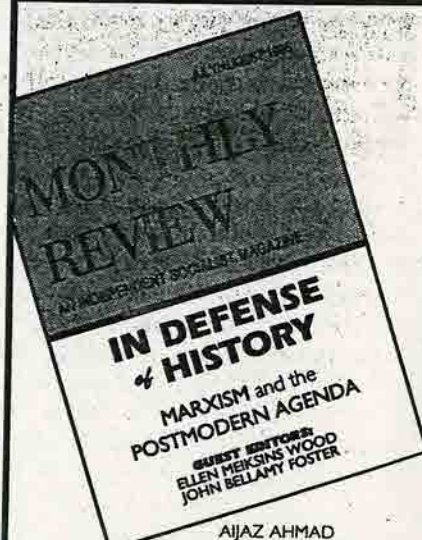
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back among us—we have not yet decided to kill all of them—and if prison ends up spewing out people who are more dehumanized than when they went in, it will cost us dearly.

We need to know because if the officially sanctioned acts of society's guardians turn sadistic, we ought to wonder if there are sadists walking freely among us. We must entertain the unpleasant possibility that perhaps we have lost the ability to distinguish the excess of sadism from the desire for public protection. This does not mean that we have to believe everything every prisoner has to say, any more than juries believe every defendant. But *Live From Death Row* pushes the reader to think about the degree to which the death penalty has become a cipher for all that ails us—no longer the ultimate use of considered collective force but the ultimate draconian barter-machine. "A death for a death, it's only fair," is how I heard one 11-year-old put it, so childishly, so confidently, so chillingly, in an

editorial on a children's radio program. The executioner's automat.

Vengeance is mine, saith the Lord. Vengeance is also the sovereign's, and it is a godlike power. When we send citizens to prison as a way of telling them to go to hell, the state engages in the creation of Good and Evil. It is a powerful art, that magic power over life, a practice that must be approached with care and restraint. For the culture of death is as generative as any life force. Execution is a sacrifice, a religious enterprise. Its unholiness is a powerful agent, never to be approached without a strong sense of taboo. It is a ritual not to be confused with taking out the trash. When the sacrifice of citizens, even reprehensible citizens, degenerates into a bonfire of catharsis and blood feuds, our institutions fuel their own illegitimacy. And when we engage in the public pretense that there are no voices in the bonfires on the other side of prison walls, we conspire only in the ultimate loss of our own. □

a pediatrics ward of a large public hospital, was a threnody of storytelling on the theme of children's suffering. Powers's writing is consistently dazzling in its pyrotechnics and its range of reference—and occasionally exhausting. (Sometimes reading him reminds me of watching Pete Maravich play basketball—the unbroken string of flashy moves unrelieved by solid lunch-bucket play.) In all, he is one of the few younger American writers (he's 38) who can stake a claim to the cerebral legacy of Pynchon, Gaddis and DeLillo, and while he as yet lacks their gravity, sardonic humor and salutary anger, his occasional sentimentality is compensated for by his formal ingenuity and wonderfully stocked mind. To place Powers in this league, however, is also, as we'll see, to suggest what is troubling about the book under review.

Powers's vehicle in *Galatea 2.2* for his exploration of the conundrums of consciousness and artificial intelligence is a straightforward expropriation of the Pygmalion myth and its Shavian updating. A novelist named "Richard Powers"—in every known particular identical to his creator—has retreated to his alma mater, a Midwestern university, to take up a post as a "token humanist" at the Center for the Study of Advanced Sciences. Powers gives us "Powers" as a wounded man: A long-term affair with a woman called only C. has ended badly and as a result his well of novelistic invention has run dry and his earlier work, so linked was its creation with her, begins to smell of failure. ("An ornate, suffocating allegory about dying pedes at the end of history" is how he describes *Operation Wandering Soul*.) Thus blocked and idled, he finds himself drawn to the Center's activities and especially its ur-project, "the culminating prize of consciousness's long adventure: an owner's manual for the brain."

"Powers" falls into the orbit of the most advanced of these researchers, the acerbic Philip Lentz ("Jacob Bronowski's evil twin"), who tags him with the mocking nickname of Marcel and says tauntingly, "Tell us. What passes for knowledge in your so-called discipline?" In the inevitable college bar, over the inevitable beers, amid the inevitable clutch of international double-domes, the wager is struck: Lentz and "Powers" will have ten months to train one of Lentz's neural nets to read and understand the reading list for the Masters Comprehensive exam, circa late seventies, to the point where in a double-blind situation its literary inter-

My Fair Software

GERALD HOWARD

GALATEA 2.2. By Richard Powers. Farrar, Straus & Giroux. 329 pp. \$23.

The debate dates from those long-ago days when the English majors frequented the library and the engineers hung out at the computer center. The English majors, unattractively smug, held that literature represented the highest form of human knowledge and expression, and that its study and mastery conferred a deeper, richer apprehension of life. The engineers, annoyingly arrogant, scoffed that deciphering a poem or novel was no more complex or privileged an exercise than balancing an equation, nothing a computer couldn't be programmed to do as well as an English major—or better. On into the night in campus bars the arguments would rage. Another pitcher of beer?

This Two Cultures face-off provides the plot for Richard Powers's fifth novel, *Galatea 2.2*, and it could not be more timely, as developments in neurology, cognitive science and computer technology accelerate and intersect. Technobooster Kevin Kelly, executive editor, no surprise, of *Wired*, declared bluntly in *The New*

York Times that "the larger convergence of genes and machines [is] a sure thing. The future for many computers will be life." Who's to say he's wrong? Vast electronic "neural nets" process data with massive simultaneity, mimicking the human mind in their ability to learn and develop autonomously through trial and error. DNA-based molecular computers perform hellishly complex computations at a rate that outstrips supercomputers. Backwards reels the wetware.

Mine, that is, not Powers's. No other American novelist now working is better equipped to be less daunted by these developments, or commands the technical expertise and philosophical agility needed to make the debate compelling and convincing in fictional terms. His four previous novels have demonstrated an impressive intellectual reach, a polymath's taste for abstruse and difficult subject matter (genetics, musicology, Flemish art, pediatric surgery), an effortless verbal inventiveness and a metaphorical facility that allow him to weave widely disparate realms of experience into complex and satisfying narrative compositions. His first novel, *Three Farmers on Their Way to a Dance*, spun a multilayered historical fantasia on a haunting photograph by August Sander, in a manner reminiscent of Thomas Pynchon's *V*, while his fourth novel, *Operation Wandering Soul*, set in

Gerald Howard is a book editor in New York City.

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Etats-Unis: pour sauver Mumia Abu-Jamal.

2d/17

■ Le Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP) et le Parlement international des écrivains, basé à Strasbourg et présidé par Salman Rushdie, ont lancé un appel à T. Ridge, gouverneur de l'Etat de Pennsylvanie, aux Etats-Unis. Ils lui demandent de « reconsidérer toute décision concernant les exécutions capitales » dans son Etat et soulèvent, en particulier, le cas de Mumia Abu-Jamal.

En effet, le 17 août prochain, à 22 heures, ce dernier risque d'être exécuté par empoisonnement. Journaliste dans une radio baptisée *La Voix des sans-voix*, ex-membre du Black Panthers Party, Mumia Abu-Jamal, qui n'a cessé de clamer son innocence, a été condamné à mort, le 3 juillet 1982, pour le meurtre d'un policier blanc. Le MRAP et le PIE jugent le procès « bâclé et inique » et estiment que certains témoignages ont été obtenus « à la suite de pressions policières ».

THE REGION

Abu-Jamal's mail copied, lawyer says

By Dennis B. Roddy

Post-Gazette Staff Writer

A state Department of Corrections attorney says prison officials have opened and photocopied confidential legal correspondence between condemned inmate Mumia Abu-Jamal and his attorneys.

In a court filing in response to a lawsuit by Abu-Jamal, Corrections Department attorney David Horwitz said he had received and had on file copies of "privileged mail sent by attorneys to the plaintiff, inmate Mumia Abu-Jamal," as part of a continuing disciplinary investigation of his prison conduct.

While inmate mail is subject to inspection by prison officials, legal correspondence is generally considered privileged from examination.

One of Abu-Jamal's attorneys, Jere Krakoff of Pittsburgh, says he no longer includes legal strategy in mailings to the inmate out of fear that state officials will open and read it.

Krakoff is representing Abu-Jamal in a civil case accusing the Corrections Department of trying to silence him as a writer.

Abu-Jamal, convicted in the Dec. 9, 1981, killing of Philadelphia police Officer Daniel Faulkner, is the author of a book of essays, "Live From Death Row." Its publication sparked a storm of protest from police officials and Faulkner's widow. Prison officials later disciplined Abu-Jamal for operating a business or profession inside a state prison.

Abu-Jamal also received disciplinary custody, which essentially cuts him off from contact with the outside, for unauthorized correspondence with inmates at other prisons.

Ben Livingood, a spokesman for the Department of Corrections, said the department would not comment on pending litigation and that Horwitz's statement "is going to have to speak for itself."

Krakoff said he discovered the copying of letters from attorneys Leonard Weinglass and Rachel

Wolkenstein after filing suit against the department.

One of the letters, Krakoff said, was from Weinglass and outlined post-conviction legal strategy. He called it "quite detailed."

"It went into strategic matters. It went into questioning witnesses and so forth," he said.

Another letter opened and copied, Krakoff said, was from Abu-Jamal to Weinglass, advising him that he believed corrections officials were opening his legal mail.

In his filing, Horwitz says some of the letters were "seen" but not read by a guard at the state prison in Huntingdon.

Another guard, at the state prison in Greene County, where Abu-Jamal is being held, told Horwitz "that he has seen and retains one copy of one letter that I have seen" and that he later "obliterated all arguably purely legal content from the face of the document" at Horwitz's instruction.

Prison officials were attempting to build a case against Abu-Jamal for conducting business while in prison — a violation of prison policy — because of news reports that he had received a \$30,000 advance for his book. They also were seeking to prove he was corresponding with other inmates, also forbidden.

"They photocopied documents that had nothing to do with the so-called engaging in a profession or business," Krakoff said. "When they photocopied this stuff, they could no longer attribute this to an erroneous opening. That was a calculated and deliberate act."

Abu-Jamal is to be executed Aug. 17.

On Friday, Philadelphia Judge Albert Sabo, who presided at Abu-Jamal's 1982 murder trial, declined

to rule on a request to stay the execution and instructed lawyers for both sides to prepare to hold hearings on Abu-Jamal's appeal for a new trial under the state's Post-Conviction Relief Act.

From Here to Death Row

By E. L. Doctorow

Just before 4 A.M. on Dec. 9, 1981, in a rough downtown neighborhood of Philadelphia, Police Officer Daniel Faulkner stopped a Volkswagen Beetle and arrested its driver, William Cook, for driving the wrong way down a one-way street. Expecting or experiencing trouble, Officer Faulkner radioed for assistance. When fellow police officers arrived, they found him lying in the street, shot in the back and the face. A few feet away, slumped in his own pool of blood, was Mr. Cook's brother, a freelance journalist and black activist named Mumia Abu-Jamal (born Wesley Cook).

Mr. Jamal, who moonlighted as a cab driver, later said that he had been driving by and, seeing a police officer hitting his brother, stopped his cab and rushed to his defense. His licensed .38 caliber pistol, which he had bought after having been robbed twice, was found at the scene.

Officer Faulkner died at Jefferson University Hospital an hour after the shooting. Mr. Jamal underwent surgery there, a bullet from the officer's revolver having struck his chest and lodged near his spine.

Protesting his innocence, Mumia Abu-Jamal was charged with first-degree murder and brought to trial in early 1982. The prosecution maintained that he had come up behind the officer and shot him in the back, that the fallen officer had returned fire and that Mr. Jamal, though wounded, had stood over Officer Faulkner and fired the fatal shot into his face. Prosecutors produced two eyewitnesses who identified Mr. Jamal as the gunman and a third whose identification was less certain. They also offered ballistic evidence that the bullet removed from the officer was of the high-velocity type in Mr. Jamal's pistol. Two other witnesses testified they heard Mr. Jamal confess to the shooting at the hospital.

Because he could not afford a lawyer, he chose to represent himself. The presiding judge, Albert Sabo, complained that Mr. Jamal was taking too long interviewing the jurors,

and replaced him with a court-appointed lawyer, who by his own statement was reluctant to take the case. Mr. Jamal objected and was eventually put out of the courtroom, the first of several exclusions that, all told, would absent him from large portions of the trial.

Another problem Mr. Jamal faced was his younger brother's inability or unwillingness to testify on his behalf. Mr. Jamal's lawyers said William Cook had a history of drug problems and was terrified of police retribution. (He is now believed to be homeless and has not been seen in a year.)

On July 2, 1982, Mumia Abu-Jamal was convicted of first-degree murder and sentenced to death by Judge Sabo. Now, after 14 years on death row, his appeals rejected, Mr. Jamal is scheduled to be executed at 10 o'clock on the night of Aug. 17.

Did Mumia Abu-Jamal get a fair trial?

Yet his death warrant, signed by the new Governor of Pennsylvania, Tom Ridge, comes just as substantive doubts about the prosecution's case have been raised by Mr. Jamal's current lawyers, possibly his first competent legal representation. (They serve for minimal fees, paid largely by contributions raised by various defense committees that have formed over the years.)

In papers filed in June the lawyers asked that Judge Sabo — who, according to the NAACP Legal Defense and Education Fund, has handed down more than twice as many death sentences as any judge in the country — recuse himself from the case. They asked for a stay of execution and a new trial. This week, Judge Sabo refused to recuse himself or sign the stay.

A review of the lawyers' petition suggests that the evidence upon which Mr. Jamal was convicted does not hold up under examination. Of the two eyewitnesses who positively identified Mr. Jamal as the gunman,

one was a prostitute with several charges pending against her and the other was a cab driver on probation for a felony arson conviction.

No other witnesses saw the prostitute at the scene. One witness told the defense that she arrived after the incident and asked bystanders what had happened. Nevertheless, she claimed in court she had seen Mr. Jamal wielding a gun. (Subsequently, charges against her were not prosecuted.)

The cab driver's testimony corroborated the prostitute's, but in a deposition taken on the night of the crime he said something else entirely — that the gunman was not the 170-pound Mr. Jamal but a heavyset man of well over 200 pounds who had fled the scene.

Four other witnesses who were never put on the stand, including one woman whose apartment overlooked the intersection, also reported seeing a man running away. Yet no police inquiries regarding another possible gunman were ever made.

An examination of the ballistic evidence reveals that no effort was made by the police to determine if Mr. Jamal's pistol had been fired that night. Moreover, the Police Department's own medical examiner concluded that the officer's fatal head wound was made by a .44 caliber bullet. Mr. Jamal's pistol was a .38 caliber.

The two witnesses who had been in the hospital waiting room with Mr. Jamal, and who testified that he shouted defiantly that he had shot Officer Faulkner, turned out to be the officer's former partner and best friend and a hospital security guard who was also a friend. The partner's log report of that night mentioned no confession. Neither did he report a confession in a statement he volunteered the following week. In fact, neither he nor the security guard said anything about a confession until months later — after Mr. Jamal filed a complaint that he was abused by the police while in the hospital.

Furthermore, another officer who was with Mr. Jamal from the time he was driven from the murder scene to the time the doctors started treating him wrote in his log report immediately after the episode that "the Negro male made no statements." This officer was given vacation leave at the time of the trial and never testified.

The prosecution's claim that Mr. Jamal was shot while standing over

the fallen officer is not consistent with a pathologist's report describing the downward trajectory of his chest wound. A different scenario, which is consistent, is suggested by Mr. Jamal's own account — that he was shot first by the officer as he approached. Furthermore, the third prosecution eyewitness portrayed the two men as facing each other.

Why did the police never pursue obvious leads and investigate the possibility of another gunman? Mr. Jamal had long been a controversial figure. As a teen-ager he helped found a chapter of the Black Panther Party. Later he became a journalist and radio commentator known for his support of the activist black MOVE community and for his condemnation of the city's police force as habitually brutal to blacks. To uniformed men in mourning for one of their own, he was an enemy delivered to their mercies.

During Mr. Jamal's years on death row, he has written cogently of prison life and has attracted many supporters. Groups across a broad spectrum have collected money for his defense. Amnesty International, the PEN American Center and Human Rights Watch have all questioned the fairness of the trial. All this has only strengthened the law-enforcement community's determination to see the "cop killer" executed. And Mr. Jamal's recently published book, "Live From Death Row," has gotten him disciplinary isolation for his trouble, so that what the Fraternal Order of Police hopes are the last 40 days of his life may pass as wretchedly as possible.

If the death penalty must exist in this country, it is the burden of the public servants charged with applying it to do so only from the most unanswerable and awesome judicial imperatives — or state-administered death becomes morally indistinguishable from any other murder. Without a stay of execution and the most scrupulously objective retrial, how can Governor Ridge look at the facts of this case and say that they meet this test? Will the pain of Officer Faulkner's widow, who supports Mr. Jamal's execution, be resolved if it turns out that the wrong man has been executed and her husband's killer still walks the streets? □

N.Y. TIMES FRI. 7-14-95

(OVER)

E. L. Doctorow is author, most recently, of "The Waterworks."

Delay ordered in execution hearing

PHILADELPHIA (AP) — A state Supreme Court justice granted an eight-day delay yesterday in an execution hearing for an internationally celebrated reporter convicted of murdering a policeman more than a decade ago.

The hearing on a petition to block Mumia Abu-Jamal's execution Aug. 17 will take place before Common Pleas Judge Albert F. Sabo July 26. Earlier yesterday, Sabo denied the defense's request for a two-week delay, leading attorneys to appeal to Justice Frank J. Montemuro Jr.

At the hearing before Sabo, defense attorneys accused the judge of being biased against Abu-Jamal, an author and former radio reporter convicted of killing police Officer Daniel Faulkner in 1981.

Prosecutors had pushed for an immediate hearing on the specifics of Abu-Jamal's appeal.

"All we want to do is advance the process, now that we have an execution date," Deputy District Attorney Ronald Eisenberg said. "It shouldn't

Justice's ruling bides more time for appeal by former reporter

be thrown out like a bunch of toilet paper."

But defense attorneys said they needed time to prepare witnesses and arguments, noting prosecutors had responded only Monday to a defense petition filed June 5.

"We're being gradually led to a position where Mr. Jamal's rights are compromised," said Leonard I. Weinglass, Abu-Jamal's lead attorney.

Weinglass also said the defense had not received several documents from the prosecution. Sabo noted Abu-Jamal had been "given everything" during his 1982 trial.

But Weinglass said the evidence was destroyed in the massive fire authorities started with a bomb in 1985 at the radical group MOVE's home in West Philadelphia. Abu-Jamal supported the group.

As he entered the second-floor City Hall courtroom, Abu-Jamal raised his right fist in a show of soli-

The case has drawn the attention of civil rights advocates from around the world who argue that racism tainted Abu-Jamal's trial and that prosecutors suppressed evidence.

arity with supporters who clapped and cheered.

LATER, MANY of those supporters laughed at Sabo's suggestion that defense attorneys should have called him when they were barred from meeting with Abu-Jamal in prison during the weekend to discuss the case.

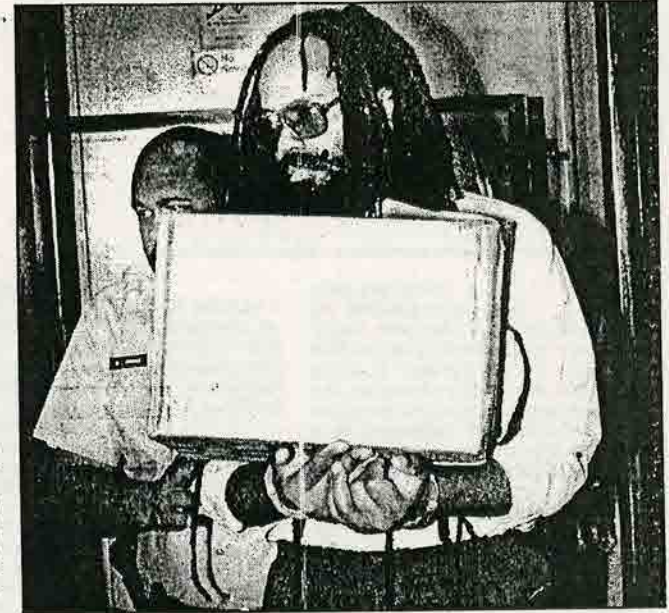
"This court is not going to be pressured by mob pressure," said Sabo, who is under 24-hour protection

from sheriff's deputies after two protests at his home. "No threats, nothing, is going to intimidate this court," he said.

The case has drawn the attention of civil rights advocates from around the world who argue that racism tainted Abu-Jamal's trial and that prosecutors suppressed evidence.

Abu-Jamal, driving a cab early on Dec. 9, 1981, saw his brother, William Cook, fighting with Faulkner. The officer had stopped Cook for driving the wrong way on a downtown Philadelphia street. Prosecutors say Abu-Jamal shot Faulkner, 25, once in the back and the wounded officer fired a bullet into Abu-Jamal's chest as he fell to the ground. Then, prosecutors say, Abu-Jamal stood over the officer, shooting him in the head and face.

Abu-Jamal, now 41, never offered another explanation. The jury convicted him of first-degree murder in 1982.



AP photo

Death-row inmate Mumia Abu-Jamal steps off the elevator in Philadelphia's City Hall yesterday.

LIANE E. NORMAN

Justice must be scrupulous

'Tough on crime' is not an excuse to be unfair

When I was in graduate school, studying English and American Literature, one of my examination fields was the Revenger's Tragedy. That's a genre of 17th- and 18-century drama governed by a code of honor that requires someone greatly wronged to inflict the same or greater injury to get even with the original wrong-doer. Romeo and Juliet and Hamlet are examples.

The code of honor says that if you kill me, then my brother or father or lover or some other affected male of the same class, must kill you. Then your brother must kill my brother, whose cousin must kill your brother, and so on. By the last acts of plays like Romeo and Juliet and Hamlet, there's hardly anyone left alive. The rule for these plays is that the highest-ranking character left living says the last lines. It is the Prince who sums up the story of the young and star-crossed lovers:

... Capulet! Montague!

See what a scourge is laid upon your

That heaven finds means to kill your joys with love!

And I, for winking at your discords too, Have lost a brace of kinsmen. All are punished.

Fortinbras, Prince of Norway, compares the stage at the end of Hamlet to a battlefield:

Take up the bodies. Such a sight as this Becomes the field, but here shows much amiss.

I remember the realization that came to me as I studied the Revenger's Tragedy, that the legal system had taken over in the matter of punishment precisely in order to limit the amount of carnage vengeful individuals could inflict on one another. No one knows for sure where the Montague and Capulet feud began. Each household — family members, relatives and servants — was bound to hate the other, to pick quarrels and to fight to the death over mere insults. The law, when it stepped in to replace this

primitive system, did so on the premise that if the state were to punish a malefactor — say, a Capulet — then a Montague need not.

The idea was that the state could pursue justice impersonally, thoroughly and evenhandedly more convincingly than someone hurt and full of fury. Had the prince punished the first Capulet or Montague to wrong the other, then neither Capulet nor Montague would have needed to bring down the long line of others.

But Hamlet complicates thinking about the law, revenge and justice. For it is the head of state, the king, who is guilty of killing the queen's husband to usurp his throne. If the head of state is guilty, who will hold him to account?

Courts of law were established as neutral forums where the facts of a case could be heard and the laws in existence could be applied to the facts and even the king could be tried and punished.

But if they are to substitute for and replace revenge, the courts must be — and must be seen to be — flawlessly and unflinchingly fair, particularly to those ac-

cused. When a court of law fails to consider the facts, or considers corrupted facts, or facts presented by corrupted witnesses, or if it fails to apply the law with even hand, then you can feel bubbling up from underneath the logic of the revenger's code.

In Pennsylvania, Mumia Abu-Jamal is due to be executed on Aug. 17 for the 1981 murder of a Philadelphia policeman. It is now alleged that Mr. Abu-Jamal was represented by a court-appointed attorney who said openly that he was not trained to handle the case. It is also alleged that questionable evidence was presented and allowed by the judge.

There are those both running for and holding office who seem to think that executing a lot of convicted people is getting "tough on crime." But for the state to execute even one person who might be innocent is to loosen the floodgates of private justice. For if you can't get a fair trial, why not just get the evildoers on your own? And isn't private enterprise, when it comes to punishment, just another name for crime?

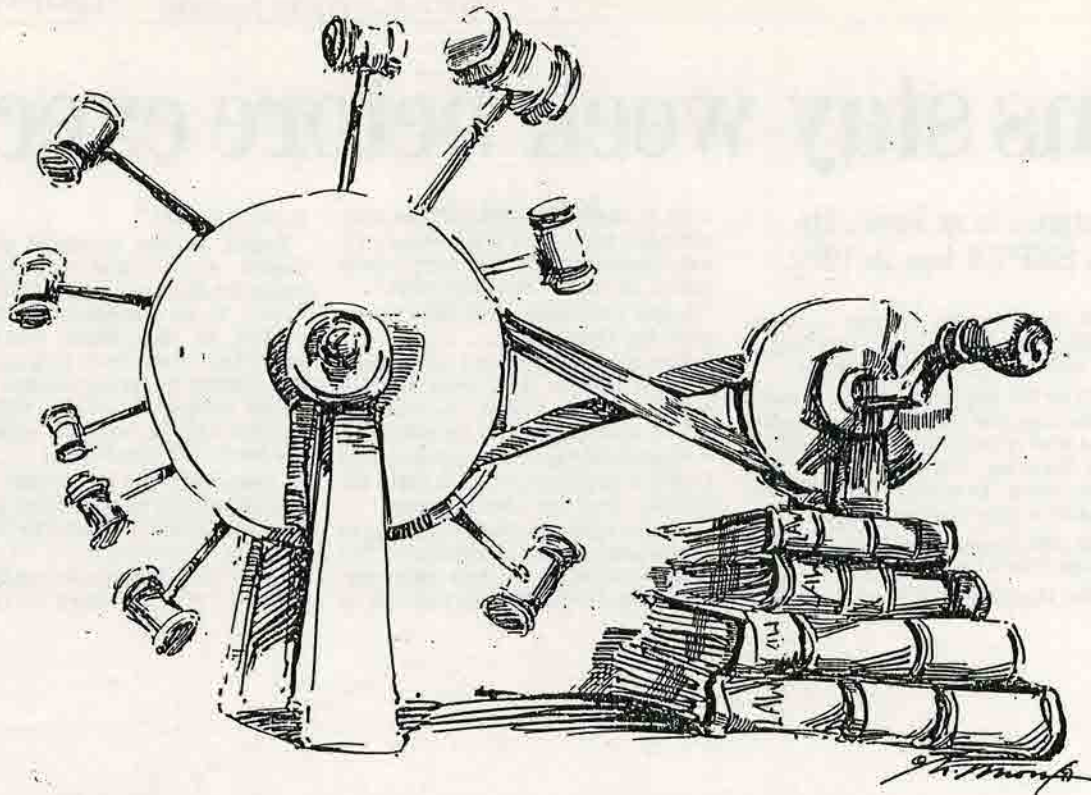
The irregularities in Mr. Abu-Jamal's case must be seen in the context of Pennsyl-

vania's death rows, of which 60 percent are African Americans, though African Americans are less than 10 percent of Pennsylvania's population. If I were African-American, watching the drama of crime and punishment play itself out in Pennsylvania, I would incline to mistrust a system that so often sentences black men to death and which, at least in one case, tolerated imperfect evidence. It would be easy to conclude, in such circumstances, that there is no justice in the justice system.

But if I were the governor of the state of Pennsylvania, I would want to bend over backwards to make it clear that no miscarriages of justice are tolerable in my state. I would stay Mr. Abu-Jamal's execution, ask the Court of Common Pleas of Philadelphia County to vacate his conviction and death sentence so that the circumstances of the crime could be fully investigated and Mr. Abu-Jamal could be fairly retried.

It is not "tough on crime" to execute someone wrongly convicted — if that is the case — nor to let the real malefactor go free.

Liane Ellison Norman, a writer and pacifist, lives in Squirrel Hill.



Judge in Abu-Jamal's case is under 24-hour protection



Judge Albert F. Sabo: In international spotlight.

SABO from B1
nalist convicted in 1982 of the murder of Philadelphia Police Officer Daniel Faulkner, is one of at least 31 cases tried in front of Sabo that ended in the death sentence.

Abu-Jamal is scheduled to be executed Aug. 17 unless Sabo or some other judge or judges step in. A hearing is scheduled for today in front of Sabo on Abu-Jamal's contention that he did not get a fair trial before Sabo in 1982.

The case has captured the attention of celebrities and death-penalty opponents from around the world, and Abu-Jamal has big-name legal talent working on his behalf.

There have also been rallies on his behalf in a dozen cities and even other countries. More than 200 people packed City Hall for a hearing last week on the matter — including two lawyers from Germany and three from Japan who were there to monitor the case.

At the urging of MOVE leader Pam Africa, there have been two small demonstrations outside Sabo's home. On Sunday, 11 demonstrators were arrested after they paraded in front of his house for about two hours.

Elected to the Philadelphia Common Pleas Court bench in 1973, Sabo became the first city judge of Slovak heritage after serving for 16 years as undersheriff of Philadelphia, advising the sheriff on legal matters.

He quickly became known as a passionate law-and-order judge, and for 14 years, he presided over nothing but homicide cases.

Some lawyers, however, say that he became too prosecution-oriented, and defense lawyer Richard A.

Sprague once referred to him as a "prosecutor in robes."

"He is somebody who is regarded as not simply a prosecutor's judge, but ... somebody who gets actively involved in the trial and demonstrates a prosecutorial bent," Temple University law professor Edward D. Ohlbaum said yesterday.

Sabo presided over the 1988 trial of mob boss Nicodemo Scarfo and a group of mob subordinates who were ultimately acquitted of murdering mobster Salvatore Testa, and defense lawyers accused him during that trial of failing to control prosecutor Barbara Christie.

When the verdict finally came, Sabo was wearing a tie that repeated "Law and Order" over and over again.

Those more taken with Sabo refer to him as no-nonsense and resolute. They tend to see him as not so much pro-prosecution, as unwilling to let the minutiae of the courtroom slow down the pursuit of swift justice.

Sabo once explained that he learned to deal with courtroom pressures by playing solitaire during breaks.

"The tension and the pressure, this is the only way you can relax," the judge said.

During another interview, Sabo called himself a "tough judge," but emphasized that he also is fair and impartial and has always followed the law.

"I didn't commit the crime," he said. "I was only the mechanic through which the jury verdict was carried out."

Yesterday, Sabo answered his own telephone in his court chambers

across from City Hall but politely declined to be interviewed, suggesting that it would be inappropriate to speak publicly while the Abu-Jamal case is before him.

During his 1982 trial, Abu-Jamal referred to Sabo as a "hangman," and after the death sentence was announced, he shouted at Sabo, "Judge, you have just sentenced yourself to die."

While Lawrence and other court officials would not discuss specifics, they did confirm that security had been stepped up for Sabo because of the Abu-Jamal case.

"We have had to take some measures to assure the judge's safety," said Deputy Court Administrator Joseph A. Cairone. "We have provided security for the judge in the courtroom and outside."

Chief Inspector Jerry Sanders of the Philadelphia Sheriff's Office said that, in the aftermath of the protest outside of Sabo's home on Sunday, the judge now has 24-hour protection from sheriff's deputies.

"In this day and age, when so much is going on, we just can't afford not to take these things seriously," he said.

One of the judge's colleagues, Judge David Savitt, said he was concerned about the protest by about 50 of Abu-Jamal's supporters.

"A judge has to decide these cases fairly and impartially," said Savitt. "When people are at his home demonstrating ... that's improper and inappropriate."



Judge Albert Sabo

SABO MUST GO

Even if he's not at fault, columnist Jill Porter says, justice in Mumia case will benefit: Page 3



Columnist Jill Porter

WEDNESDAY, JULY 19, 1995

THE PHILADELPHIA DAILY NEWS

Sabo should quit to end bickering

Appearances can be deceptive. And statistics can be misconstrued.

So I don't know if senior Common Pleas Judge Albert F. Sabo is the biased, unfair judge that Mumia Abu-Jamal's attorneys have portrayed him to be.

When the defense cites Sabo's evicting Abu-Jamal from his murder trial as evidence of prejudice — and the reality is that Abu-Jamal got himself thrown out because he continually disrupted the proceedings — you get skeptical of the portrayal of Sabo as a demon in robes.

Not to mention that statistics citing his high number of death sentences can be interpreted as something other than evidence of prosecution bias.

But it's clear after watching the contentious courtroom proceedings yesterday that Sabo ought to deprive Abu-Jamal's defense of its primary rhetorical weapon: himself. Sabo has become such an inflammatory symbol in the case that nothing he does can be judged objectively.

The ill will between the defense and the court is palpable and poisonous. Sabo's peevishness and the defense's self-righteous petulance make for a tense, combative atmosphere that undermines the proceedings.

One of Abu-Jamal's attorneys complained yesterday, for instance, that she was unable to get prison permission to see her client over the weekend.

"Why didn't you call me?" Sabo demanded, whereupon scores of Abu-Jamal's supporters in the audience scoffed in loud laughter at the idea of Sabo intervening on the defense behalf.

Sabo lashed out quickly and firmly, silencing the outburst and declaring that mob passions would not influence the court.

"No threats, nothing, is going to intimidate this court," he said with vehemence.

When loud chants from protestors demonstrating outside City Hall filled the second-floor courtroom with cries of "Justice Now!" and "Sabo must go!" — giving one the feeling of being inside the Bastille on the day it was stormed by revolutionaries — Sabo ignored them and proceeded without comment.

But Sabo and the defense exchanged barbs all morning as Abu-Jamal's attorneys argued they needed more time to prepare for a hearing into allegations that Abu-Jamal had been deprived of a fair trial when he was convicted in 1982 of the murder of Police Officer Daniel Faulkner.

"If I give you until Aug. 1, you're still going to have problems," Sabo said, skeptical of the defense declaration that they'd be ready to proceed by that date.

And when the defense maintained that Sabo had balked when

his approval was sought to allow a spiritual adviser to visit Abu-Jamal in prison, he sharply retorted:

"I did not give you a hard time! I signed the order!"

And so it went for two hours. And how could it be otherwise?

Sabo may believe his comment to the defense that they could be "as insulting as you want, that's not going to move the court."

But he is, after all, only human.

It seems impossible for Sabo not to be influenced by the defense portrayal of him as a pro-prosecution, death-dealing judge who railroaded an innocent man.

Defense attorney Leonard Weinglass — or, as I think of him, Leonard Weingassbag — has portrayed this proceeding as a clash between good and evil, as a challenge to a conspiratorial system that deliberately framed Abu-Jamal because of his radical racial philosophy.

That's how his supporters have made his case an international cause celebre.

That's how they've managed to rally so much support, despite the fact that Abu-Jamal has never explained what happened the night Faulkner was killed.

They've politicized this case in the hopes that politics would proclaim Abu-Jamal's innocence when the facts could not.

Indeed, Weinglass portrayed every prosecution argument yesterday, not as an act of advocacy on behalf of the state, but as an effort to deprive Abu-Jamal of his rights.

"Here we go again with the intimidation tactics of the prosecution," Weinglass whined, accusing the DA's office of subpoenaing a defense witness "in the dark of night."

Sabo sharply chastised him when the prosecution said the subpoena had been issued a week before during the light of day.

"Don't deliberately tell me something that's not true!" he barked at Weinglass.

"I won't tolerate it."

Clearly, Sabo and Abu-Jamal's attorneys are adversaries in this case.

And that's not conducive to an objective hearing, nor a ruling that will carry the moral weight this case requires.

Obviously, the defense will appeal any ruling that any judge makes that goes against them.

But another judge would have an assumption of objectivity and a credibility that Sabo simply can't provide.

Although defense allegations about Sabo may be utterly false, his continued involvement in the case allows the defense to engage in more self-righteous posturing.

It would be worth having him step down to shut them up — and to allow the case to proceed with decorum and dignity, rather than bickering and bad blood. ■



JILL PORTER



Mumia Abu-Jamal is escorted into City Hall by sheriff's deputies for hearing on his murder conviction

Mumia hearing delayed a week

Defense asks for more time

by Valerie M. Russ

Daily News Staff Writer

A state Supreme Court justice intervened in the Mumia Abu-Jamal case late yesterday afternoon, temporarily blocking a hearing on his death row appeal — which had been set to resume today — until next Wednesday.

Supreme Court Justice Frank J. Montemuro Jr. acted after Abu-Jamal's defense lawyers implored Common Pleas Senior Judge Albert F. Sabo to discontinue a hearing at noon yesterday so the defense could appeal to the high court.

Lead defense attorney Leonard I. Weinglass jumped to his feet to object to the hearing's going forward as Assistant District Attorney Charles "Joey" Grant said he was ready to call the state's first witness.

"We're being gradually led to a position where Mr. Jamal's rights are compromised," Weinglass said.

Defense attorneys and lawyers from the district attorney's office locked horns during a two-hour argument before Sabo yesterday on whether Abu-Jamal's hearing should begin immediately.

"Why can't you present at least one witness?" Sabo asked. "As long as we can get this thing moving."

"That, your honor, with all due respect, is a prescription for disaster," Weinglass responded.

Abu-Jamal, 41, a former radio journalist, was convicted of killing Philadelphia Police Officer

Daniel Faulkner 14 years ago. But his case has attracted national and world attention by supporters who claim police and prosecutors unfairly targeted Abu-Jamal as the murderer. They claim evidence that someone else shot Faulkner and ran from the scene had been suppressed.

Weinglass told Sabo the defense team was not adequately prepared to present its case yesterday and asked for a two-week delay until Aug. 1.

He and other defense lawyers said they had not had time to meet with Abu-Jamal over the weekend, and even though they had some witnesses present, Weinglass said, the defense had not met with them to prepare for the hearing.

When defense lawyer Rachel Wolkenstein told Sabo prison officials had not permitted her to meet with Abu-Jamal on Sunday, Sabo asked her, "Why didn't you call me? You could have called the City Hall switchboard."

Wolkenstein said she didn't believe that the judge would be available.

But Sabo, referring to a demonstration outside his Mount Airy home on Sunday, quipped: "You brought a parade to my house, you knew I was home."

Early in the hearing yesterday, defense lawyer Jonathan Piper detailed the problems the defense has had.

Piper said the defense has been unable to subpoena former police officer Gary Wakshul, whom the defense contends could challenge

testimony at Abu-Jamal's original murder trial that Abu-Jamal confessed in the hospital that he had shot Faulkner.

"He [Wakshul] called in sick to work yesterday," Piper said. And when an investigator went to Wakshul's home to serve subpoena papers last night, Wakshul wasn't there, Piper added.

"This was the man who was sent on vacation at the time of the [1982] trial and not allowed to testify," he said.

But the DA's office contends that Wakshul, now a Common Pleas Court officer, would actually make a better witness for the prosecution than the defense. Last week, assistant DA Hugh Burns said Wakshul's police report that Abu-Jamal made "no statements" referred only to the period of time that Wakshul was guarding him.

Also yesterday, Assistant DA Grant told Sabo that defense witness Dessie Hightower was subpoenaed by the DA's office and instructed to be in court yesterday, but had not shown up. Grant asked Sabo to issue a bench warrant for Hightower's arrest.

Weinglass told Sabo that the prosecution was "engaging in the same kind of intimidation" tactics that it says occurred during the 1982 trial.

Deputy DA Ronald Eisenberg said, "What the justice ordered is that the hearing is going to start, and it's going to start in the very near future. They [the defense lawyers] have made many assertions, it's time to test them in court."

Abu-Jamal's execution is set for Aug. 17. ■

Raucous appeal hearing aborted in Abu-Jamal case

The high court granted a delay — but did not stop the execution clock.

By Marc Kaufman
and Julia Cass
INQUIRER STAFF WRITER

The judge said he would not be "intimidated by mob pressure," the defense complained that important papers had been burned in a famous Philadelphia fire, and the gallery cheered "We love you, Mumia" as Mumia Abu-Jamal's appeal hearing began at full volume yesterday. Then stopped.

A few hours after the hearing got off to a testy start in the court of Senior Judge Alfred F. Sabo, a state Supreme Court justice imposed a one-week delay on the proceedings to give the defense more time to prepare witnesses who will be testifying in Abu-Jamal's effort to win a new trial.

But the Supreme Court has apparently refused — for now — to grant a defense request to put off Abu-Jamal's scheduled Aug. 17 execution.

Yesterday's hearing, like the two others last week featuring the death-row inmate who has become an international cause celebre, drew an

See **HEARING** on A7

Wednesday, July 19, 1995

THE PHILADELPHIA INQUIRER

Raucous appeal hearing aborted in Abu-Jamal case

HEARING from A1

erflow crowd and a lot of heated oric.

Sabo began the proceedings by rerring to weekend demonstrations his Mount Airy home, where 11 ople were arrested.

"No threats, no mob pressure will timidate this court," Sabo said of ose protests as well as one that ntinued in and near the City Hall urtyard during yesterday's hear- g. "If the day comes when the urt responds to that, we are truly dire straits."

The hearing also featured the re- ergence of MOVE leader Pam Af- a as a key member of the large and owing defense team.

After Abu-Jamal entered the court cries of "We love you, Mumia" and e strong," he sat next to lead de- ise lawyer Leonard Weinglass. on after, Africa squeezed her chair tween the two. She sat there dur- g the entire hearing, her arm fre- ntly around the defendant's oulder. Sometimes she massaged s muscles.

Meanwhile, the defense sought to nvince Sabo that it needed more ne. It said some of Abu-Jamal's ps and records from the original al had to be replaced and re- ewed.

Weinglass said Abu-Jamal — who s described himself as a MOVE mpathizer, rather than a member the organization — had stored me of those records in the MOVE

house on Osage Avenue after his conviction. The papers burned in the 1985 MOVE fire that left 11 people dead, Weinglass said.

Sabo, who said he was under state Supreme Court pressure to speed up post-conviction appeals such as Abu-Jamal's, spent much of the morning urging the defense to begin calling witnesses for the hearing. He said the defense had had years to put together its appeal and so should be prepared to call witnesses on relatively short notice.

Weinglass and fellow lawyer Jonathan B. Piper contended that the defense needed at least two more weeks to subpoena and prepare witnesses.

Deputy District Attorney Ronald Eisenberg argued against a delay and said witnesses should be called immediately — in large part because the defense was taking its case to the press, which was reporting "a lot of unsubstantiated allegations," he said.

"It is time to air those allegations in court rather than in the media," he said.

After State Supreme Court Justice Frank J. Montemuro Jr.'s decision, Eisenberg said: "The important thing is the court ordered the hearing to proceed. We have been asking and asking to have these allegations tested. . . . Now, that is going to happen."

Abu-Jamal, a radio journalist and political activist, was convicted of



The Philadelphia Inquirer / PAUL HU

Outside City Hall yesterday, Cyrus Esaf and other supporters of convicted murderer Mumia Abu-Jamal again rallied to his cause.

killing police officer Daniel Faulkner in late 1981. During the trial, prosecutors said Abu-Jamal had seen Faulkner scuffling with Abu-Jamal's brother at 13th and Locust Streets and had run up and shot the officer, then shot him again as he lay on the ground. The jury deliberated four hours before finding Abu-Jamal guilty.

Sabo, who has been strongly and personally attacked by the defense, had sharp words for defense lawyers yesterday.

When Piper spoke at length of Sabo's alleged unfairness, Sabo replied: "You can be as insulting as you wish. It will not sway the court."

Later, Sabo lectured Weinglass about what he called the lawyer's false statements. "Don't deliberately tell me something that is not true," he said. "I'm expecting you to be honest and true with me."

Also in the courtroom yesterday,

Weinglass accused prosecutors of attempting to intimidate a witness — a man named Dessie Hightower who had been at the scene of the shooting. Like several other defense witnesses, he was subpoenaed last week by the prosecution to appear yesterday.

Hightower failed to appear, and prosecutor Joey Grant asked Sabo for a bench warrant for Hightower's arrest. Weinglass said that bench warrant constituted "intimidation."

Yesterday's Supreme Court order did not address several other defense motions — that Sabo should step down, that prosecutors should have to turn over police logs and documents not produced during the trial, and that the execution should be stayed.

Legal experts say an execution is unlikely to occur as scheduled next month, because Abu-Jamal's federal appeals have not been exhausted.

VIE SAUVE POUR MUMIA ABU-JAMAL

Chaque jour des personnalités de France et d'Europe, s'associent à l'appel lancé par Georges Marchais : "Vie sauve pour Mumia Abu-Jamal", journaliste noir américain condamné à mort à l'issue d'un procès inique et dont l'exécution a été fixée au 17 août. Nous avons publié le texte de cet appel et une première liste de signataires le 7 juillet. Voici une nouvelle liste.

André Albertini, Henri Alleg, journaliste ; **Francis Arzalier**, "Aujourd'hui l'Afrique" ; **Gérard Astor**, Directeur du théâtre de Vitry ; **Jacques Atlan**, distributeur de films ; **J. Audoir**, réalisateur télévision ; **Eva Aurich**, peintre ; **Christophe Auxerre**, "Avant-Garde" ; **Horia Bahri**, journaliste ; **René Ballet**, écrivain ; **Maurice Baquet**, violoncelliste ; **André Barbillat**, gérant de société d'ingénierie ; **Barizier**, réalisateur télévision ; **Michel Bataillon**, conseiller artistique TNP ; **Maxime Benoît-Jeannin**, écrivain, scénariste (Belgique) ; **Pierre Bercis**, Président "Nouveaux droits de l'Homme" ; **Francine Bergé**, comédienne ; **Michel Berlemont**, scénographe ; **Bertrand-Moulin**, peintre, secrétaire général du Salon de Mai ; **Didier Bezace**, comédien, directeur du Théâtre de l'Aquarium ; **Joël Biard**, Directeur de recherches au CNRS ; **François Biot**, prieur du couvent des Dominicains (Eveux sur l'Arbresle) ; **Marcel Blondeau**, prêtre ; **Alain Bocquet**, Député, Maire de Saint-Amand-Les-Eaux ; **Dr Alain Boissonade**, psychiatre ; **Jean-Louis Bonnin**, Directeur de Scène nationale ; **Roger Bordier**, écrivain ; **Jules Borker**, avocat ; **D. Bourde**, Directrice de théâtre ; **René Bourdet**, artiste ; **René Boyer**, avocat ; **Pierre Brandon**, Médaille de la Résistance, avocat honoraire ; **Patrick Braouezec**, Député, Maire de Saint-Denis ; **Danielle Brault**, avocat ; **François Brault**, avocat honoraire ; **Michel Brault**, avocat ; **Raoul Brondy**, avocat honoraire ; **Paul Brouzeng**, Professeur d'Université ; **Georges Buisson**, Directeur de Scène nationale ; **Antoine Casanova**, historien ; **Gilbert Chambouvet**, Directeur du Festival A Vaulx Jazz ; **Alain Clary**, Maire de Nîmes ; **Claude Cléro**, enseignant, chercheur ; **Patrice Cohen-Seat**, avocat ; **Vincent Colin**, metteur en scène, Directeur de Scène nationale ; **Gérard Combès**, sculpteur ; **Jeremy Cronin**, dirigeant du Parti Communiste d'Afrique du Sud ; **Dr Ali Dalloul**, immunologiste à la Pitié-Salpêtrière ; **Yvan Dautin**, artiste ; **Philippe Delaigue**, Directeur de "Travaux 12" ; **Henri Deluy**, écrivain ; **Nicole Desailly**, comédienne ; **Maria Dèze**, peintre ; **M. Djohnine**, de "Nana Beurs" ; **Charles Dobzynski**, écrivain ; **Francis Donovan**, journaliste à "Témoignage Chrétien" ; **A. Doucet**, veuve du peintre Jacques Doucet du groupe Cobra ; **Nicole Dreyfus**, avocat ; **Sylvain Dreyfus**, avocat ; **François Du Castel**, ingénieur général des Télécom ; **Michel Dugay**, membre du Conseil national des Universités ; **Maryse Dumas**, Secr. gén. de la Fédération CGT des Postes et Télécommunications ; **Mr Florent Duperrin**, Directeur commercial (Londres) ; **Pierre Durand**, journaliste, historien, ancien déporté-Résistant ; **Martine Durlach**, Conseiller de Paris ; **Dr Pierre Duterte** ; **Daniel Edinger**, réalisateur de télévision, syndicaliste ; **Bernard Epin**, critique, écrivain ; **Claude Esnault**, artiste ; **Laurence Février**, metteur en scène, comédienne ; **Suzanne Flon**, comédienne ; **Claude Fonfrede**, artiste ; **André Fougeron**, peintre ; **Luc Foulquier**, ingénieur en écologie, chef de laboratoire au CEA ; **Jean Frapat**, Producteur de télévision ; **Jacqueline Frayssé-Cazalis**, Sénateur, Maire de Nanterre ; **Gilles Fromontel**, sculpteur ; **Pr R. Galinski**, médecin hospitalier ; **Antoine Garcia**, avocat ; **Jacques Gaucheron**, écrivain ; **Jean-Claude Gaysot**, Député ; **Olivier Gébührer**, Université de Strasbourg ; **Jacques Girault**, Professeur, Université Paris-Nord ; **Gérard Gosselin**, peintre ; **A.-M. Goux**, avocat ; **Juliette Gréco**, artiste ; **Moni Grégo**, auteur, metteur en scène ; **François Gros**, Professeur au Collège de France, membre de l'Institut ; **Maurice Guigue**, membre du Conseil économique et social ; **André Guillou**, Directeur d'études E.H.E.S.S. ; **Xavier Guyon**, Professeur, Université Paris I ; **Christophe Guyot**, pilote moto ; **Alberto Guzman**, peintre ; **Brita Guzman**, sculpteur ; **K. H. Hansen**, ancien parlementaire (Allemagne) ; **Frédéric Harlez**, International visual Théâtre ; **Jacques Henric**, écrivain ; **Judith Henry**, comédienne ; **Maurice Hérin**, Université du Maine ; **Raymond Huard**, professeur émérite à l'Université de Montpellier ; **Abbé Jean-Marie Hubert**, aumônier diocésain ; **Muguette Jacquaint**, Vice-Présidente de l'Assemblée Nationale ; **Hubert Jappelle**, metteur en scène ; **Raymond Jean**, écrivain ; **Jean-François Jenny Clark**, musicien ; **Gérard Jouannest**, musicien ; **Joël Jung**, Professeur ; **Pierre Kaldor**, avocat honoraire ; **Jean-Jacques Kirkyacharian**, Professeur ; **Hans Kuffer et Solveig Jonsson-Kuffer**, architectes-urbanistes ; **Abdellatif Laabi**, écrivain ; **Annie Lacroix-Riz**, Professeur des Universités ; **Roger Lafosse**, Directeur du Festival SIGMA ; **Roland Lagache**, metteur en scène de l'Eolienne Cie Théâtrale ; **Jacques Laloe**, Maire d'Ivry-sur-Seine ; **Michel Laurent**, "Regards" ; **Jean Lebeau**, Directeur du C.D.N. de Montpellier ; **Claude Lécaille**, Secrétaire général du SNESUP-FSU ; **Pascal Lederer**, chercheur, Physique des Solides ; **Claude Le Lay**, avocat ; **Danièle Linhart**, Directeur de recherches au CNRS ; **Françoise London**, cinéaste ; **Dr Ida Lounsky**, psychiatre (Belgique) ; **René Loyon**, Directeur du C.D.N. de Franche-Comté ; **Hélène Luc**, Sénateur ; **Dr Jean-Charles Madre**, psychiatre honoraire des Hôpitaux ; **Bernard Malgrange**, membre de l'Académie des Sciences ; **Roger Maria**, éditeur ; **Gérard Maro**, Directeur du Théâtre de l'Oeuvre ; **Jean-Louis Martinoty**, metteur en scène ; **François Mathieu**, traducteur littéraire ; **Marion Mazaurat**, Directrice littéraire ; **Armand Meffre**, comédien ; **Albert Memmi**, écrivain ; **Daniel Mesguich**, Directeur de théâtre, metteur en scène ; **Serge Mésonès**, journaliste, ancien footballeur professionnel ; **Christian Meyze**, journaliste France 3 ; **Bernard Michaux**, philosophe ; **Jacques Miquel**, Directeur, Théâtre du FIL ; **D. Moncinoux**, avocat ; **Henri Montias**, Président de "Fraternité sans Frontière" ; **Claudia Morin**, Directrice, Théâtre Cassiopée ; **Raoul-Jean Moulin**, critique d'art ; **Jean-Louis Moynot**, ancien membre du Conseil Economique et Social ; **Patrick Murphy**, Architecte d'intérieur (Londres) ; **Martial Murray**, concertiste ; **F. Netter**, Docteur ès Sciences ; **L. Netter**, Docteur ès Lettres ; **Tchen Nguyen**, ingénieur urbaniste ; **Marc Ogeret**, chanteur ; **Claude Ollier**, écrivain ; **Louis Oury**, écrivain ; **Mme Oussekiné**, de "Nana Beurs" ; **Robert Pac**, journaliste ; **François Pacôme**, artiste dramatique ; **Maria Pacôme**, artiste dramatique ; **Raymond Perrot**, peintre, critique d'art ; **Monique Picard-Weyl**, avocat ; **Michel Pigenet**, Professeur des Universités ; **André Prenant** ; **Suzanne et Georges Ravis**, Professeurs d'université ; **Claude Rich**, comédien ; **Etienne Roda-Gil**, auteur ; **Max Rongier**, chanteur-compositeur ; **Jacques Rouffio**, cinéaste ; **Jean-Paul Roussillon**, acteur ; **Jean-Paul Roux**, réalisateur télévision ; **Yves Saint-Jours**, Professeur à l'Université de Perpignan ; **Françoise Salmon**, sculpteur ; **François Salvaing**, écrivain ; **Jean Sanitas**, écrivain ; **Norbert Schappacher**, Professeur, Université de Strasbourg ; **Christian Schiaretti**, Président du SYNDEAC, metteur en scène ; **Jean-Paul Serandon**, avocat ; **Françoise Sève**, traductrice ; **Lucien Sève**, philosophe ; **M. Siégl**, Préfet honoraire ; **Jean-Pierre Simeon**, écrivain ; **Francesca Solleville**, chanteuse ; **Jean-Marie Sonay**, directeur du festival ECLAT ; **Prof. Klaus Staeck** (Allemagne) ; **Andrée Tabouret-Keller**, Professeur, Université de Strasbourg ; **Andrée Tainsy**, artiste dramatique ; **Boris Taslitzky**, peintre, déporté, Résistant ; **Josie-Henri Texier**, musicien ; **Viviane Théophilidès**, metteur en scène ; **Bernard Thibault**, Secr. gén. de la Fédération CGT des Cheminots ; **Michel Thion**, producteur de musique contemporaine ; **Philippe Torretton**, Sociétaire de la Comédie Française ; **Hervé Tourniquet**, avocat ; **Germain Trugnan**, Directeur de recherches INSERM ; **Michel Vadée**, universitaire ; **Manuel Vazquez Montalban**, écrivain ; **Camille Verdier**, Directeur d'Ecole nationale de Musique ; **Catherine Violet**, peintre ; **Daniel Voguet**, avocat ; **Michel Vovelle**, Historien, Professeur émérite à l'Université Paris I ; **Hugh Weiss**, peintre ; **Sabine Weiss**, photographe ; **France Weyl**, avocat ; **Frédéric Weyl**, avocat ; **Christa Wolf**, écrivain (Allemagne) ; **Francis Wurtz**, Député européen ;

Pour vous joindre à cet appel, vous pouvez vous adresser à : Georges Marchais, 2 pl. du Colonel Fabien - 75019 Paris

PENNSYLVANIA CAPITAL CASE MONITORING PROJECT

PENNSYLVANIA DEATH PENALTY FACT SHEET

BACKGROUND The United States Supreme Court banned the death penalty in 1972 because of its "freakish and arbitrary" application. Most states then rewrote their death penalty statutes, attempting to follow guidelines drawn from the Court's opinion in *Furman v. Georgia*. Pennsylvania's current statute became effective in 1978 and soon people were again being sentenced to death in the Commonwealth. In February of 1990 the U.S. Supreme Court ruled that the Pennsylvania death penalty statute was constitutional and thus cleared the way for executions to resume in Pennsylvania.

DEATH ROW As of January 1, 1995, there were 182 men and four women sentenced to death in Pennsylvania, making it the fourth largest death row in the United States. They are currently incarcerated in the Restricted Housing Units of various state prisons but are in the process of being moved to the new State Correctional Institution at Greene, which is in the far southwestern corner of the state.

EXECUTIONS There have been a total of 1040 executions in Pennsylvania over the course of four centuries. The last execution in Pennsylvania took place in 1962. In 1990 the method was changed from electrocution to lethal injection. Executions are scheduled to take place at the State Correctional Institution at Rockview (close to Penn State University). There have been twenty-nine warrants signed in the last nine years. The power to schedule an execution is currently at the discretion of the Governor although some legislators are attempting to change that provision.

RACIAL FACTORS Approximately 60% of those sentenced to death in Pennsylvania are African-Americans. Of those sentenced to death in Philadelphia (which accounts for the majority in the state), over 80% are African-American. This is a much larger percentage than most other states and far greater than the percentage in the population at large.

OTHER FACTORS There is no minimum age limit and no prohibition against executing people with mental retardation in Pennsylvania. At least four people with mental retardation have been sentenced to death in Pennsylvania. There are also three on death row who were juveniles at the time of the crime. All three are African-Americans.

ALTERNATIVE TO THE DEATH PENALTY Once a defendant is found guilty of first degree murder in Pennsylvania, the only possible sentence is death or life in prison without parole. A life sentence can only be commuted by the Governor upon recommendation of the Board of Pardons. This happens rarely.

Death penalty politics in Pennsylvania nears a flash point with the case of Mumia Abu-Jamal, convicted of killing a policeman.

An angry divide at death row

By Dennis B. Roddy
Post-Gazette Staff Writer

PHILADELPHIA — Inside Courtroom 653, 11 lawyers argued the fate of a man slumped in a wooden chair, rows of dreadlocks tumbling nearly to his waist.

Outside, it started. The rumbling chants seemed to climb the six stories to the courtroom windows. "Mumia! Mumia! Mumia!" In the halls, partisans who couldn't squeeze into the courtroom joined in the mantra.

On one side of the courtroom, Mumia Abu-Jamal's backers smiled. On the other, members of the Fraternal Order of Police, one of whose ranks Abu-Jamal was convicted of gunning down, grimaced. Two hours later, they bumped menacingly in the hallway, amid angry screams.

"Free Mumia! Free Mumia!" The chants kept time to a drum, and filled the hallway and drowned out speakers from both sides.

FOP President Richard Costello tried to speak with reporters. An Abu-Jamal supporter broke in.

"How can you live with yourself?" she demanded.

The chants built.

"Let's go. We don't want a fight here," another cop urged Costello.

It was another day when the gears of justice ground angrily against each other.

Viewpoints of contention

In the same city where the eviction of a radical group deteriorated to the point that police dropped a bomb on the house and burned down a neighborhood, Abu-Jamal has become a focal point for competing grievances.

His backers see him as the victim of persecuting police, devious prosecutors and a hanging judge.

"Mumia's case is the kind of case that illustrates and highlights what's wrong with the death penalty," said Leonard Weinglass, Abu-Jamal's lawyer.

Detractors see Abu-Jamal as a master of manipulation who has joined forces with members of the radical group MOVE, soft-headed celebrities and the usual suspects from the political left.

"I'm looking forward to discussing him posthumously," said Costello, whose members have taken to counter-demonstrating at some Abu-Jamal events.

The FOP last year lobbied then-gubernatorial candidate Tom Ridge for a commitment to sign a death warrant for Abu-Jamal.

On the other end of the equation are people like Richard M. Thomson, a New York member of the Hutterite Community called the Bruderhof. On July 5, he wrote to the judge in Abu-Jamal's case asking to be executed in his place.

Which side you're on depends on which story you accept. Both are weighted with hard-to-fathom elements.

First, there is the official story: Mumia Abu-Jamal, then known as Wesley Cook, a former radio reporter and one-time Black Panther, rushed to aid his brother in the wee hours of Dec. 9, 1981, during a traffic stop that had turned into a brawl with arresting officer Daniel Faulkner. Abu-Jamal then pulled out his .38-caliber revolver and shot Faulkner in the back. Faulkner turned around, hit Abu-Jamal with one shot and fell onto his back. Abu-Jamal then stood over Faulkner and emptied his gun, loaded with fragmenting, hollow-point bullets. A shot caught Faulkner between the eyes, killing him. Three eyewitnesses identified Abu-Jamal at an often raucous trial presided over by Albert Sabo, who holds the national record for the number of defendants on death row — 31.

There is the other version, espoused by Abu-Jamal's supporters: Abu-Jamal rushes to the scene of the fracas. Faulkner shoots him. Someone jumps out of a nearby car, shoots Faulkner, then runs away. Philadelphia police, obsessed with silencing Abu-Jamal, who had been a longstanding critic on the airwaves, seize the moment to arrest,

try and convict an innocent man. Witnesses are intimidated or ignored, and evidence is hidden from the defense. Abu-Jamal, who demanded to represent himself with the aid of MOVE leader John Africa, was given an unwanted court-appointed attorney who failed to subpoena key witnesses.

Both sides agree that, at the sentencing phase of the trial, Sabo allowed prosecutor Joseph McGill to raise the issue of Abu-Jamal's past membership in the Black Panthers for the jurors' consideration.

Both versions have internal problems. An initial medical examiner's report of the bullet fragments — they were too small for detailed analysis, prosecutors said — suggested they came from a .44-caliber. Three people who later told police they had heard Abu-Jamal declare he had shot Faulkner and hoped he died, weren't interviewed by investigators until weeks afterward.

But the intricate theory tossed about by Abu-Jamal's supporters is predicated on the idea that the Philadelphia police, whose union is actively lobbying for his execution, would be willing to let the real killer of one of their own go loose in order to convict and silence a journalistic critic whose career already appeared to be on a downward spin. At the time of the killing, Abu-Jamal was a taxi driver.

And if Sabo was unaccommodating to Abu-Jamal's demands to represent himself, even some of Abu-Jamal's supporters conceded the defendant did himself no favors by repeatedly disrupting proceedings. At points, Sabo banished Abu-Jamal from the courtroom in which his fate was being decided. After Abu-Jamal offered a strongly political line of defense during the penalty phase of the trial, Sabo ruled that he could be cross-examined by the prosecutor. Assistant district attorney Joseph McGill raised Abu-Jamal's past membership in the Black Panthers — something his defenders say served no purpose except to inflame the jury.

Typical of the theatrics was Abu-Jamal's response when the jury sentenced him to death and Sabo confirmed the verdict. He told the judge he had just sentenced himself to death and shouted "Long Live John Africa!"

Since then, the voice of Mumia Abu-Jamal has become a leitmotif in the politics of the death penalty. At a hearing seeking a stay of execution last week, Weinglass noted the widespread attention the case is getting and called attention

(OVER)

to the presence of lawyers from Japan and Germany who are there as international observers of human rights groups.

Abu-Jamal has a book of essays, "Live From Death Row," in the stores. Prominent entertainers have signed on in his behalf. Demonstrations have stretched outside Pennsylvania to places like London (a rally), Dublin (a march), Leipzig (a small bomb), San Francisco (270 arrested and a couch burned in the street). It was Abu-Jamal's supporters, not abortion rights proponents as initially reported, who shouted out then-Gov. Robert Casey when he attempted to speak in New York City three years ago. The governor later agreed to meet with both prosecutors and Abu-Jamal's supporters.

In Pittsburgh, local activists including Molly Rush and Dennis Brutus, the South African expatriate and poet, have joined in readings of "Live From Death Row," and Jamila Levi, a nurse from Virginia, has relocated here as a full-time volunteer coordinating efforts on Abu-Jamal's behalf.

He's the only man on death row with his own E-mail address and a page on the worldwide web.

He also has an Aug. 17 execution date that his lawyers are scrambling to delay while they argue for a new trial.

The killing night

Garry Bell remembers the night Danny Faulkner was shot. Most nights, Bell and Faulkner would be sharing a squad car, but manpower was limited that night, so the commander sent Faulkner out to patrol Downtown Philadelphia by car, and Bell was on foot a few blocks away.

Bell and Faulkner had become best friends since the day in 1976 when they met at an FOP meeting. Every summer they had shared a vacation house in the Jersey shore town of Avalon and, predictably, Faulkner would drive Bell a little nuts by rushing back to "the neighborhood" — that would be Southwest Philadelphia — on Labor Day to organize a fund-raiser softball game for the Muscular Dystrophy Foundation.

Since the arrival of "Live From Death Row," with its unflinching accusations of brutality and racism in the prison system, its fierce criticism of the Philadelphia police and American society, Bell has done a slow burn. Faulkner's widow became so enraged she started a campaign against Addison-Wesley, the Massachusetts publishing house that printed the book.

"It's all you hear, is Mumia, Mumia, Mumia," Bell said. "It's as if Danny was never part of it."

Garry Bell is at the heart of the official version, because the night he heard the radio report of an officer down, he knew it was Danny Faulkner. He rushed toward the scene, saw a police wagon speed away toward the hospital, and grabbed a passing cab to be there just as his best friend was declared dead.

Jack Hefter, one of the cops who brought Danny in, stood outside the emergency room when Bell tried to rush past.

"Garry, you don't want to go in there," he told him.

Not comprehending, Bell assured him he did, and pushed on past.

"I didn't even recognize him," Bell said.

Numb, he said, Bell walked into the hallway and heard someone say "They're bringing the shooter in."

"I thought, 'Great, they got the guy that killed Danny.'"

Bell walked toward the stretcher on which lay a young, black man, bleeding at the abdomen. According to Bell — and this is central to part of the dispute in Abu-Jamal's appeal — there was also a security guard, Priscilla Durham, and a third person, a nurse, standing nearby.

Bell says they all stood within hearing distance of Abu-Jamal.

"That's when he said, 'I shot that ... I hope he dies.'"

Bell said he replied, "He shouldn't be the one that dies. You should." Just as quickly, he volunteered that Durham recalls a different version of Bell's reply. "The security guard said she heard me say something else, that I said, 'If he dies, you die.'"

Maybe yes, maybe no, Bell said. But he has no doubt about what

Abu-Jamal said.

But that delay — from Dec. 9, 1981, to Feb. 25, 1982 — in reporting what was, in effect, a confession has brought some of the most skeptical and caustic language from Abu-Jamal's defenders.

Bell, today says he didn't mention hearing this confession because he was so deeply traumatized, and had spent the next two weeks focused on helping Maureen Faulkner arrange the funeral and settle her husband's affairs.

Prosecutors insist that Durham, though, made a report the next day to her hospital supervisor.

Death row differences

Intimations of crimes past and present manifest themselves in fascinating ways in Pam Tucker's West Philadelphia neighborhood. Fences that enclose back yards and gardens are often topped with razor wire. One street is accented by the imposing walls of the now-closed Eastern Penitentiary.

A Pittsburgh native, Tucker has been at the center of anti-death penalty politics in Pennsylvania for more than a decade. She once ran a passport photo business Downtown, and now works as a mitigation specialist for the Philadelphia public defender. It is her job to research the life histories of defendants facing death penalty charges with an eye toward assembling enough background to convince juries to opt for life sentences instead of death penalties. She is the longstanding secretary of the Pennsylvania Coalition to Abolish the Death Penalty and has visited Mumia Abu-Jamal for years.

What struck her first was Abu-Jamal's opposition to the death penalty.

"Not everybody on death row is an abolitionist," Tucker explained. Surprise number two was that Abu-Jamal wasn't interested in pleading his own case with her. He has plenty of people on that already, but urged her to visit two other inmates who were having a bad time in prison.

"That's rare. Usually when I visit prisoners on death row, if I have any help to offer they want it for themselves," Tucker said.

There was the "Calvin and Hobbes" matter.

The daily comic strip, about a precocious child and his stuffed tiger Hobbes is Abu-Jamal's favorite and the fact that Tucker wasn't reading it perplexed him.

"He said, 'You must have a hole in your soul if you don't appreciate "Calvin and Hobbes."'"

Then there were the coupons.

"I just remembered this recently," Tucker said. "He used to send me coupons. Like store coupons. I'm thinking 'here's this big, political figure and he's sending me store coupons?' At first I thought I should go and buy the things because he had gone to the trouble to clip them."

Tucker also remembers Abu-Jamal tossing his head back and forth during visits, trying to elude a pesky fly. His philosophy, the MOVE philosophy, wouldn't fit with swatting it, she said.

"Someone explained to me, you know, Mumia would never consider killing that fly."

'Live from Death Row' gives outsiders a look inside

EXCERPT FROM PAGE A-1

electrocuted?" a prisoner asks. "They must be afraid if we do get electrocuted by lightning, they won't have any jobs and won't get paid," another adds.

A few guffaw, and the trail from cage to cell thickens.

Although usually two hours long — in contrast to 22 hours a day in the cell — today's yard time lasts barely 10 minutes for fear those condemned to death by the state may perish instead by fate.

These are America's condemned, who bear a stigma far worse than "prisoner."

These are America's death row residents — men and women who walk the razor's edge between half-life and certain death in 38 states or under the jurisdiction of the United States.

For about 2,400 people locked in state and federal prisons, life is unlike that in any other institution.

And at the heart of this country's death penalty scheme is the crucible of race.

As a black journalist who was a Black Panther in my teens, I've studied America's long history of legal lynchings of Africans. I remember a front page of the Black Panther newspaper bearing the quote: "A black man has no rights that a white man is bound to respect."

It was attributed to U.S. Supreme Court Chief Justice Roger Taney, of the infamous Dred Scott case, in which America's highest court held that neither Africans nor their "free" descendants were entitled to the rights of the Constitution.

As of July 25, 1988, the state court administrator's office had recorded 107 people on Pennsylvania's death row. Of that total, 50 from Philadelphia alone. Of the 50, 40 were of African blood, with seven whites and three Hispanics.

Statewide, blacks, only 9 percent of the population, emerge as a clear majority on Pennsylvania's death row.

The largest death row stands in Texas — 324 people: 120 African-Americans, 144 whites, 52 Hispanics, four Native Americans and four Asian-Americans.

The smallest are in Connecticut,

with two whites; New Mexico, with one Native American and one white; and Wyoming with two whites.

You will find a blacker world on death row than anywhere else. African-Americans, a mere 12 percent of the national population, compose about 40 percent of the death row population.

Long-termers on the row, those here since 1984, recall a small but seemingly significant event that took place back then.

Maintenance and construction staff — forced by a state court order and state statute to give men at least two hours' daily outside exercise, rather than 15 minutes every other day — erected a number of cyclone-fenced steel boxes, that strikingly resemble dog runs or pet pens.

Staff assured inmates that the pens would be used only for disciplinary cases, but after construction ended, the assurances were put to the test.

The first day after completion of the cages, death cases, all free of any disciplinary infractions, were marched out to the pens for daily exercise outdoors.

Only when the cages were full did recognition dawn that all the caged men were African.

Where were the white convicts of death row?

A few moments of silent observation proved the obvious. The death row block offered direct access to two yards: one composed of cages, the other free space, water fountains, full-court basketball spaces with hoops and an area for running.

The cages were for the blacks on death row. The open yards were for the whites on the row.

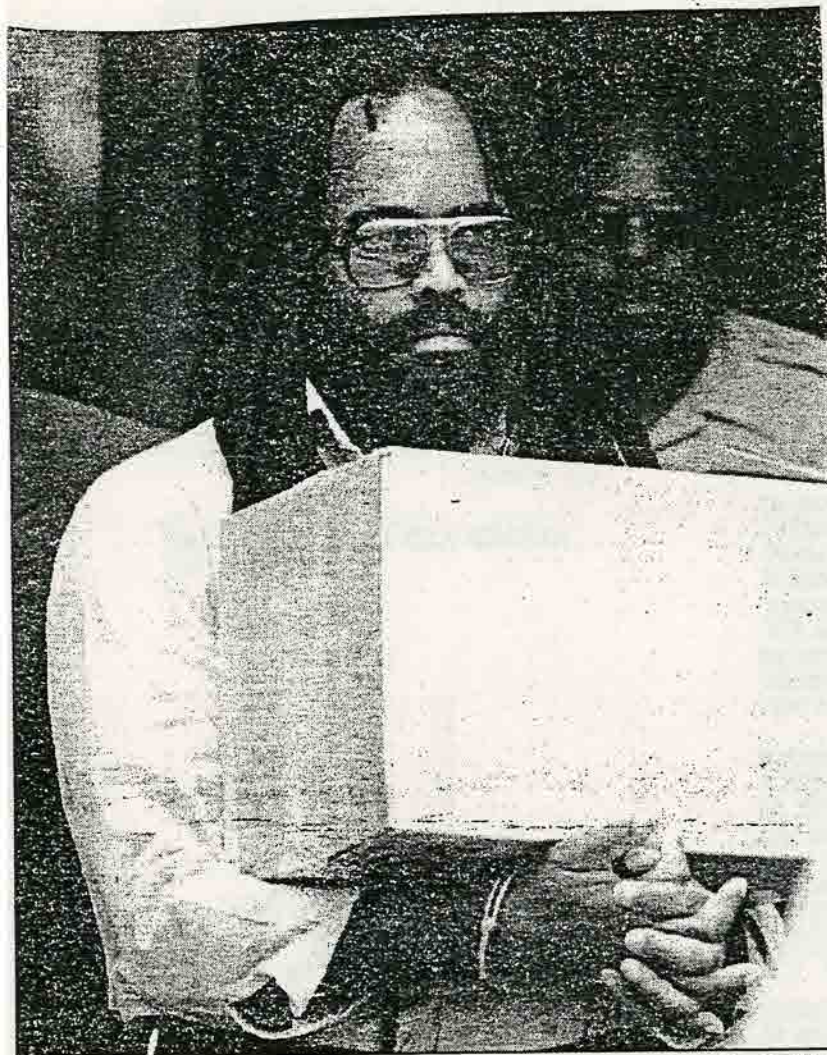
The blacks, because of racist insensitivity and sheer hatred, were condemned to awaiting death in indignity.

The event provided an excellent view, in microcosm, of the mentality of the criminal system of injustice, suffused by the toxin of racism.

More than 133 years after Scott, and we are still unequal in life, as in death.

Adapted from "Live from Death Row," published by Addison-Wesley. Distributed by New York Times Special Features.

SEE EXCERPT, PAGE A-8



Chris Gardner/Associated Press

Mumia Abu-Jamal leaves Philadelphia's City Hall after a hearing last week.

An excerpt from "Live from Death Row" by Mumia Abu-Jamal

The last yard of the day is finally called.

"Capitals! Fourth, fifth and sixth tier — YARD UP!" the corpulent correctional officer bellows, his rural accent alien to the urban ear.

One by one, cells are unlocked for the daily trek from cell to cage. Each man is pat-searched by guards armed with batons and then scanned by a metal detector.

Once the inmates are engaged, the mid-summer sky rumbles, its dark clouds swell, pregnant with power and water.

A bespectacled white-shirt turns his pale face skyward, examining nature's quicken-

ing portent. The rumbles grow louder as drops of rain sail earthward, splattering steel, brick and human.

"YARD IN!" the white-shirt yells, sparking murmurs of resentment among the men.

"Yard in? We just got out here!"

The guards adopt a cajoling, rather than threatening, attitude.

"C'mon, fellas — yard in, yard in. Ya know we can't leave ya out here when it gets ta thunderin' an' lightning."

"Oh, why not? Afraid we're gonna get

Painful portraits

A wall greets visitors to Lodge 5 of the Fraternal Order of Police, on a worn-out corner of South Broad and Spring Garden Road. Fifty-two black-and-white photos of past members line that wall and the first impression is that these are past presidents of the lodge.

They are, a secretary corrects the visitor, members who have died in the line of duty between 1964 and Dec. 4 of last year. Danny Faulkner is there, a 26-year-old kid whose mustache barely had time to grow in.

Rich Costello, the lodge president, turns absolutely sulfurous at the recollection of the morning's raucous hearing before Judge Sabo.

His temper reaches near volcanic status at the mention of some of the celebrities who have lined up on behalf of Abu-Jamal: Actors Ed Asner and Mike Farrell are there. Writers E.L. Doctorow and Sonia Sanchez have joined as well.

Behind Costello is a painting of St. Michael the Archangel, patron saint of police officers, driving Satan back into a fiery mouth of hell.

Costello pulls out his St. Michael the Archangel medal and shows it to a visitor.

"Call me Irish or what, but the only night I wasn't carrying that was the night I was shot," he says. It was 1973. Costello was patrolling a neighborhood and someone stitched two bullets into his face. A caller to the station later told them he'd gotten the wrong guy.

"I don't remember getting any get-well cards from Ed Asner," Costello says.

The FOP is deeply angry at Abu-Jamal, first because it genuinely believes he killed Faulkner, and then because of the political and legal activism that has sprung up around him. Costello complained that Abu-Jamal's supporters were given 20 reserved seats in the courtroom to the FOP's 10, that Weinglass, in saying it was important to the peace of the city that the Abu-Jamal case be reviewed, was threatening the kind of discord that cops like Costello would be sent out to quell.

Costello won't even refer to Abu-Jamal by his chosen name. He prefers Wesley Cook, the name with which the defendant was born before changing it.

"First they killed a cop. Now they're trying to kill the justice system here," Costello fairly growled. "I was really touched when Weinglass introduced the lawyers from Japan and Germany. The last thing we had to contend with in them was their navies."

Neighborhood support

Outside of 4506 Kinsessing St., an increasingly irritated woman is trying valiantly to start up a car that exhibits no interest in running. An out-of-the-neighborhood visitor asking directions to the local MOVE house is not a welcome diversion.

"I don't know nothing about it, honey," she declares.

Never mind. Consuewella Africa — all MOVE members take Africa as a surname — comes to the locked, chain-link fence of a tight, city-size yard to explain MOVE. Another member, Carlos Africa — no relation — joins her.

A remnant of a turbulent 1970s, MOVE — the letters don't stand for anything — has been a nightmare for official Philadelphia and an impenetrable ideological puzzle for everybody. Members won't cut their hair, compost everything, including human waste, and advocate a deep-running respect for life, notwithstanding a fascination for weapons and willingness to use them.

Sometimes described as a radical back-to-nature group, they nonetheless have become a regular feature on computer internets on behalf of Mumia Abu-Jamal and, in a crowning irony, the driveway of the Kinsessing Street house features an icon of white suburbia, a late-model Volvo station wagon, replete with luggage rack.

It was MOVE member Theresa Brooks who relayed messages from the organization's leadership to Abu-Jamal when he crafted his own defense in the 1982 murder trial.

"Mumia attended the federal trial at which John Africa was charged, and he had the faith and belief in John Africa to help free him," Consuewella Africa said.

MOVE members have no faith in the justice system. Consuewella Africa was in the home in Powelton Village in 1978 where police tried to evict them after constant neighbor complaints. It ended with a shootout that killed one Philadelphia police officer before a small tank was brought in to drive them out. While Consuewella Africa was serving a 16-year sentence in connection with that incident, her daughters Tree and Netta were living in a MOVE home along Osage Avenue. It was that house that burned, along with much of the neighborhood, in 1985 during a daylong siege. Tree and Netta died along with John Africa, MOVE's leader, the man Mumia Abu-Jamal wanted to defend him.

The odd conjunction of a "belief in life" and the call to arms can seem perplexing. Carlos Africa explained how MOVE members define life: "Life is freedom, justice, equality." The first rule of life, he added, is survival.

As Carlos spoke, Consuewella Africa gently shooed away small gnats that were taking over the evening air.

Unjustly convicted

We were very much disturbed by a subheadline used on the June 28 article on Mumia Abu-Jamal. The article was well written and conveyed significant information about legal efforts to provide interview rights to Mr. Abu-Jamal while in prison. However, the subheadline unfortunately said, "First he killed a Philadelphia police officer . . ."

The point being made by Mr. Abu-Jamal's supporters is that he was deprived of a fair trial and was unjustly convicted of this crime, of which he continues to maintain his innocence. There is much evidence of racial bias and judicial misconduct in that trial. Mr. Abu-Jamal's case is currently being publicized in an effort to obtain a new trial in which he can be properly defended. Therefore the overline was misleading, to say the least. We would expect better editing by the Post-Gazette.

ALFRED AND GENEVIEVE MANN
Highland Park

(OVER)

MANIFESTATION

«Sauvons Abu-Jamal»

●●● Après le Parlement international des écrivains, un collectif strasbourgeois prend la défense de Mounia Jamal, un noir américain condamné à mort pour le meurtre d'un policier blanc.

Une vingtaine de manifestants du collectif strasbourgeois «Sauvons Abu-Jamal» se sont symboliquement réunis, hier soir, aux alentours de 18 heures, devant le consu-

lat général des Etats-Unis pour solliciter un rendez-vous. Ils ont accroché une banderole noire et rouge sur les grilles du bâtiment et ont brandi des portraits d'Abu-Jamal.

Ex-rédacteur en chef du journal des Panthères noires, journaliste de radio surnommé «la voix des sans-voix», Mounia Abou-Jamal a été condamné à mort en Pennsylvanie (USA) et doit être exécuté le 17 août à 22 heures (locales). Ce militant noir a été déclaré coupable en 1982 du meurtre d'un policier blanc.

Mobilisation des intellectuels

Mounia Abou-Jamal a toujours nié les faits. Ceux qui le soutiennent dénoncent «un procès inique et bâclé et des témoignages obtenus sous la pression policière». Il n'y a pas eu d'exécution dans l'Etat de Pennsylvanie depuis 1964, mais le nouveau gouverneur est un partisan de la peine capitale.

Le collectif strasbourgeois qui soutient le condamné (Ligue des droits de l'homme,

SOS Racisme, Ras l'front, L.C.R., UNEF, P.C.F., Les Verts), a officiellement demandé au Consul américain la révision du procès d'Abu-Jamal et a réaffirmé son opposition à la peine de mort.

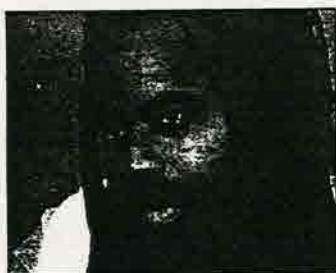
Le Parlement international des écrivains qui siège à Strasbourg, présidé par Salman Rushdie, a formulé une requête identique. Cinq cents écrivains et intellectuels sont associés à cette initiative. Parmi eux, Pierre Bourdieu, Jacques Derrida, Gunter Walraff et Toni Morrison. M. Ga.

Dernières Nouvelles d'Alsace - Vendredi 21 juillet 1995

● **Perspectives:** Linda Grant

Black Panther Mumia Abu-Jamal will be executed next month after 14 years on Death Row. He is being held incommunicado in his final weeks. A comrade, who was himself unjustly jailed for 19 years, tells his story

A lawful lynching



● **A matter of politics:** Mumia Abu-Jamal (above, in a video shot in jail) was convicted of murdering a policeman in 1981 — no murder weapon was found, but because Mumia had been a Black Panther since he was 14, he was considered predisposed to be a cop-killer. Dhoruba Bin Wahad (left) was released from jail after 19 years when his conviction for attempted murder of a police officer was overturned

Portrait by Steve Pyke

ON AUGUST 17 the first explicitly political US execution since the judicial murder of Julius and Ethel Rosenberg in 1953 is scheduled to take place. Mumia

Abu-Jamal is in isolation on Death Row in Pennsylvania. The evidence linking him to the death of Officer Daniel Faulkner in 1981 is weak, but because he was once a member of the Black Panther Party he was considered by the court to have a predisposition for cop-killing.

What does America care about the case of Mumia Abu-Jamal? Not a lot. It is utterly engrossed in the trial of another black man. It watches TV and believes that everyone gets O J Simpson's kind of justice — armies of lawyers on the defendant's side, private investigators, forensic experts, international publicity. If there is one black man in America the US government is nervous of executing if convicted, it is OJ, not Mumia. The death of a member of a long-forgotten movement of black revolutionaries, still banging on about capitalism and colonialism — who cares? With OJ Simpson, we're talking about a film-star, sporting hero, role model for black Americans after 25 years of conservatism. These former Panthers with their African names, their Muslim names, what do they sound like to the average American? Like foreigners. Mumia Abu-Jamal? Who he? Was he the Arab terrorist who blew up the World Trade Centre?

Dhoruba Bin Wahad, also a former Black Panther who served 19 years in prison for the attempted murder of a policeman before FBI files were opened to reveal how the District Attorney's office had manipulated the evidence to get a conviction, is safely sitting drinking coffee and being photographed at the Academy Club, a Soho literary watering hole owned by Auberon Waugh. "Of all

the Panthers in New York," Wahad said, "you would have thought Mumia Abu-Jamal would be the last one to wind up on Death Row for shooting a policeman. But in the Black Panther Party we were all faced with this."

It could be Dhoruba himself on death row. He felt that the liberation of African people depended on the ability of himself and his comrades to pursue a vision of a new world, of a new political and cultural order. Both men consider themselves American revolutionaries. Both were targets of the FBI's anti-insurgency campaign, COINTELPRO. They are products of an older black America, before rap and hip-hop and crack and Mike Tyson and OJ Simpson, men who believed that American blacks had to seize power to determine their own future and never, ever depend on the system however many records it could sell for you.

It was a warm evening and Dhoruba had just flown in from Ghana to speak about Mumia's impending execution. Now 51, he arrived — as the barman remarked in awe — "like a lion", bare-armed in a white African shirt and necklace and wide trousers, slightly grey and grizzled around the ears. The interview had been suggested, from jail, by Brigitte Mohnhaupt, a member of the German Red Army Faction, and conveyed to me through a very unusual channel which indicates that support for imprisoned political activists can be found deep inside some surprising institutions.

I had met Dhoruba once before, in the spring of 1990 at the Foley Square courthouse in New York where I was interviewing his lawyer about another of her clients, one of three women activists serving grotesquely lengthy sentences of up to 58 years for possession of explosives. Not even Myra Hindley could expect to spend so much of her life in prison, and these women did not kill anyone. There are

Continued overleaf



PHOTOGRAPH: RANGEBETT/ANUUP

more than 60 men and women in American jails defined by their supporters as political prisoners because their convictions arose out of actions involving their political beliefs. The lawyer was in court engaged in the interminable legal fall-out of Dhoruba's wrongful conviction that began in his early twenties when he first became a Black Panther in New York City. Then, Malcolm X was not long dead and the most revolutionary text of black consciousness was by James Baldwin.

He went into jail in 1971 when the papers were full of Eldridge Cleaver, Huey Newton and Bobby Seale. He came out in 1990 to Mike Tyson and gangsta rap. Dhoruba Bin Wahad is not now a particularly angry man. He talks a lot, one question starts him off. He frequently digresses into long rhetorical speeches about the nature of the state; given a preference, he will always move from the particular to the universal, a characteristic of autodidacts and those who have got their education late in life, in jail. They love ideas that tell you that your pain is bigger than yourself, is out there in the world and is a condition not of the personal but of society. The particular you can leave to the middle classes.

I hit on his rage when I mentioned Mike Tyson. "Mike Tyson wound up turning on his own people, black women," he cried. "There was a whole thing about Mike Tyson having a homecoming in New York. How come Al Sharpton didn't say they were calling for a march to save Mumia Abu-Jamal? Who cares whether Mike Tyson gets a parade? Who's Mike Tyson? He's a fucking fighter. He's never struggled for nobody's integrity. Why should we have a homecoming parade for him?"

THE following events led to Mumia's arrest, trial, conviction and the imposition of the death penalty. In 1968, at the age of 14, he joined the Panthers in his home town of Philadelphia after being beaten up by the police while protesting at a Goldwater rally. Mumia specialised in communications, in graphics, newspaper layout and then he began to write. In

1970, aged 16, he became communications director for the Philadelphia Panther chapter. Through COINTELPRO, as documents released under the Freedom of Information Act demonstrate, the FBI was waging a covert war against the Panthers, planting agents, spreading disinformation and dissent and exhausting the movement in the legal defence of its members arrested on dubious charges. No one knew who could be trusted. The Party finally disintegrated in the early Seventies, its leadership having fled the country or been killed or strung out on drugs.

In Philadelphia the end came in August 1970 when the mayor, Frank Rizzo, personally led a strikeforce complete with SWAT team on a nocturnal raid of the Panther headquarters, dragging members into the street, forcing them to strip at gunpoint and lining them up naked against a wall. After the collapse of the Panthers as an organisation, Mumia began to write in earnest and by 1979 was president of the Association of Black Journalists, had a talk show on several Philadelphia radio stations and, still in his twenties, was profiled by the Philadelphia Inquirer as a man to watch.

HE WAS still not making a living as a reporter because, he said, he wasn't prepared to temper his views for the mass market. So he began to moonlight as a cab driver. On the night of December 9, 1981 he was driving his taxi when he saw a black man, stopped for driving the wrong way up a one-way street, being beaten by a policeman. He pulled over to intervene and found that the man was his brother. What happened next is not clear. By the time more police arrived on the scene Mumia was shot in the stomach by a police revolver and Officer Faulkner was dead, killed by a weapon that was never recovered. Mumia did own a licensed weapon but the bullets inside Faulkner were so badly damaged that no ballistics test could establish whether they came from his gun.

Supporters of Mumia assert that the following extract from the cross-examination at the trial shows how the state got its conviction. Mumia was asked by the prosecutor whether he had ever said "All power to the people". He agreed that he had. He was then questioned about whether his philosophy was consistent with the Panther phrase, "Political power grows out of the barrel of a gun." He answered: "I believe America has proven that quote to be true." Despite conflicting evidence from witnesses, some of whom claimed to see a fourth man flee the scene, the jury of 10 whites and two blacks convicted him and the death penalty was imposed by Judge Albert Szabo, who has sentenced to death 31 people, more than any other judge in the country. All but two were black. Mumia's death sentence depended on him being depicted as a violent black nationalist. Because he had been a member of the Black Panther Party he had, in the eyes of the court, Dhoruba says, "a disposition, a premeditative mind to kill this officer. Even if he was guilty of shooting him, clearly he wasn't guilty of first degree murder."

Mumia cannot be interviewed. What was once a loud and vociferous voice is now silent, though he remains alive for a few weeks longer. Last year National Public Radio offered him a regular slot to broadcast from prison but, after protests from the police union, that was quickly withdrawn. Last month he published a book, *Life On Death Row*, a collection of his journalism and essays written in jail. A few days later the governor of Pennsylvania signed the death warrant. "They moved him immediately to an isolation unit, cut off all his ties to the public," Dhoruba says. "Then they charged him with a disciplinary infraction, saying that he wrote this book and it was a violation of his status as a prisoner, making money off his crime. Of course when you read the rules you see that an inmate cannot pursue a profession and make money off his criminal activities or pursue writing as a livelihood unless that's what they were doing before they came to prison." The

● Another time, another place: When Huey Newton went on trial in 1968, Black Panthers circled the court house — a stark contrast to the apathy concerning Mumia's plight now

prison refused to recognise that Mumia had been employed as a journalist.

The virtual silence which has accompanied Mumia Abu-Jamal's arrest, conviction and sentence is very different from the years between 1969 and 1971 when the Panther 21 trial was going on, in which Dhoruba was a co-defendant, accused of conspiracy to overthrow the state. While it was taking place he believed that there was an attempt to assassinate him and he jumped bail. When the case was eventually thrown out he was acquitted in absentia but in the meantime the Party had been infiltrated and set up by the FBI for internecine warfare. In Dhoruba's version of events, Panther leader Huey Newton accused him of purloining Party funds. When the FBI files were opened it turned out that it was Newton himself, by now "cracked out on drugs" who was the thief. Dhoruba was rearrested and sent to prison in 1971 for the attempted murder of two policemen which took place while he was at liberty.

"To someone who hasn't spent that amount of time in prison, one of the difficult things is to not make prison become your ultimate reality," he says. "Of course it's your reality, you'd be a goddamn fool not to make like you're in prison when you're in prison. But not to make it your ultimate reality in that you cannot see yourself outside, you can't project yourself outside. Prison is designed to prevent you from projecting yourself outside which is one of the reasons why Mumia is on Death Row. First of all, if you're a political person the prison system is bent on reducing you to a common criminal. It tells you on the one hand that you're no better than a common criminal, but on the other hand it treats you differently. You are constantly isolated from other inmates, you are transferred to the most remote prisons, you are subject to

Continued on page 27

the isolation unit more than anybody else, your visits are monitored.

"Okay, so there's that struggle to maintain your integrity on a daily basis, your links to the outside on a daily basis, which is one of the reasons why it's so important to support these political prisoners. It was a struggle not only to maintain my integrity but it was also an attempt to maintain my sanity as a human being, my sense of being in this world, as someone who had some worth."

Whether the Black Panther Party would have self-destructed anyway is one of the roads history didn't take. In all likelihood, like most other revolutionary movements of the Sixties, it would have lost its energy and impetus as black capitalism set itself up in opposition to class politics, part of the conservative agenda from the late Seventies onwards. God knows how the Panthers would have taken to feminism and gay liberation. But they never had the chance to find that out. The FBI did it for them. "When I first went to prison in 1971 there was a relatively high consciousness among prisoners," Dhoruba remembers. "There was the Attica Rebellion, there was the Auburn rebellion, there were strikes, there were moves for unionisation of inmates, there were demands for an inmate minimum wage, there were a plethora of programmes that were developed. There was also Long Kesh, the Red Brigades, there was this enormous amount of understanding that there were people's movements that result in political prisoners. By 1978 this consciousness had all but disappeared."

THE vacuum that was left has been partly filled by Louis Farrakhan's Nation of Islam. Farrakhan, Dhoruba says, "is not a revolutionary, he's not even a militant. His message is conservative, it could be the message of the right. Black capitalism, pull yourself up by your own bootstraps. Which is not to say that that may not be a viable way to go but Farrakhan's movement is messianic and the attraction that black folks have to him is that we desperately need a movement. The repression of the black liberation movement left a vacuum for militancy. One segment of the community is repressed and marginalised, there's a movement to the right and no moderating force, nothing to pull it back, to give it some kind of progressive dynamic. Farrakhan speaks to a certain spiritual need for a disciplined movement."

Then there's rap. Eldridge Cleaver's *Soul On Ice* is a handbook of political incorrectness (sample — "If a lesbian is anything she is a frigid woman, a frozen cunt, with a warp and a crack in the wall of her ice."). But Dhoruba believes that black Americans should have moved on from these crude, fearful put-downs: "The reactionary, misogynist, homophobic music that we have come to associate with rap has been promoted by white males in the music industry. They have promoted the most reactionary music, given it airplay so that it has become the cutting edge of class struggle. What the rap artists are saying is — this is my reality: run-down dilapidated houses, no education, no recreation, dead at 16 or 17 with a bullet in your brain, either a drug dealer or in jail. The black bourgeoisie don't want to hear that shit. But it's not revolutionary. Music is revolutionary when it comes from a mass movement. The problem now is that young people are cut off from older generations of people that are relevant to them."

The release of films like Spike Lee's *Malcolm X* and Mario Van Peebles' *Panther*, which comes to Britain in the Autumn, are feeding off a rediscovery of a revolutionary past. The script for Pan-



ther was written by Melvin Van Peebles, the director's father, the first black independent film-maker whose early work, *Sweet Sweetback's Baadassss Song*, a story of a hustler turned revolutionary, was made mandatory viewing for party members by Huey Newton. Though never a member of the Panthers himself, Melvin had a close relationship with its leadership and held benefit concerts on the party's behalf. The script comes from a novel on which he has been working for more than 15 years.

The film's weakness, according to one critic, is that it depicts the Panthers as simple heroes, role models for the ghetto of today, without addressing the centre of the Panther's political philosophy, the war on capitalism, and the class struggle. It stops in 1969 — before the FBI's intervention — never depicting what happens to heroes under pressure. Although we see the beginnings of a rivalry between the forces loyal to Huey Newton and Bobby Seale and the followers of Eldridge Cleaver, we don't see how that rivalry would escalate to a point where former comrades would train their guns on each other.

Instead, a depiction of the complex forces that destroyed most activism from inside is displaced on to conspiracy theory: the popular idea that an insidious troika, composed of the FBI, organised crime and the police, conspired to flood black communities with drugs. Who is to say it didn't happen? Plenty of sophisticated Americans believe it did, but conspiracy theories are always a product of the oppressed, who see their oppressors like swimmers diving under a glass-bottomed boat, the air that's pressing down on them magnified bigger than it actually is. Only superhuman power can explain their own powerlessness.

For Dhoruba, an old friend of Melvin Van Peebles, the film, if not a triumph, is at least superior to Malcolm X. "Spike Lee hasn't got an ounce of politics, so how can we expect him to do a movie on Malcolm X that has some insightful benefit for youth? I think Panther is a good film. First of all, we know there are going to be enough people coming forward with a negative portrayal of the Black Panther Party. The film has been criticised for not being balanced, but it's not a documentary. It gives African-American youth the idea that they can change their community themselves. It shows how young we were, how we tried to take matters into our own hands and organise our own community, which is something these kids haven't got a clue about. It shows that once the Panther Party started, the government perceived it as a threat and went after it. Finally, it shows how brutal and racist the police are."

The real inheritance of the Black Panther strategy of war against the state is

● The word: Mumia Abu-Jamal (above, taken from old film) was a budding journalist when he became communications director for the Black Panthers at age 16

found today in the white militias. But their treatment by the federal government has been very different, Dhoruba argues. "If we went back to the Sixties, do you think that the leadership of the Black Panther movement would have been summoned to Congress to discuss our programme and why we were armed, like the militia were? They were invited to Congress and the Congressmen were apologising to the militiamen and saying, 'We're not saying you don't have the right to be armed and run up and down in the woods with uniforms on. What we are saying is that the few among you who are lunatics, who have this ideology, they make it bad for everybody.' Can you imagine them telling Huey P Newton and the Black Panther Party, 'Look we understand why you want to wear your black uniforms and why you are carrying guns and why you don't particularly like the police, but hey, there are a few of you who are criminals who are destroying the image of the entire Black Panther Party and we're concerned about that.'"

Meanwhile, the clock is ticking in Philadelphia. Will Mumia Abu-Jamal die next month? He does have high-profile support, from Mario Van Peebles, Whoopi Goldberg, Ed Asner, Harry Belafonte, E L Doctorow, Alice Walker, Tony Benn, Stephen J Gould and John Edgar Wideman. Dhoruba is not optimistic: "I don't want to put out a negative expectation but I think that the United States will execute Mumia Abu-Jamal if it thinks it's in its interests at this time, just like it did the Rosenbergs and there was a massive movement to save the Rosenbergs. They did not have to be executed, they could have been imprisoned for life, but the State felt it was necessary to execute them."

Mumia's lawyer, Leonard Weinglass, is making a last-ditch attempt to get a stay of execution and a new trial. The application turns on his assertion that the prosecuting attorney had suppressed eyewitness testimony in favour of his client, while at the same time encouraging witnesses to testify against him by means of inducements, and suppressing other evidence. In a fax to supporters he writes: "Among the numerous outrageous positions put in print by the DA is that the stay of execution for Mumia should not be granted on the grounds that he will not be 'irreparably damaged' because 'the carrying out of a valid death sentence cannot constitute irreparable injury'... We will be pushing in both the Pennsylvania Supreme Court and the federal court

for the stay of execution. But it is our estimation that neither court will decide on the stay of execution until the last minute."

The first execution for 33 years in the state of Pennsylvania took place last month and, Weinglass told me, "now they want to do a lot of them. But I've done a series of death penalty cases and I must immodestly say that I've lost none. The prospects ought to be good, but the climate is terrible. Two years ago a man was executed in the state of Utah for whom the Pope had made a personal intervention. Clinton is a believer in capital punishment. When he was running for President he left the campaign trail to personally oversee the execution of a man in Arkansas who was mentally defective. He's probably closer to the police than any other president. He doesn't want to look like liberal because he's trying to win votes he'll never get."

The last time Weinglass spoke to Mumia he was, he said, "strong, but aware of his situation". He has now been taken from his cell on Death Row into an isolation tract where prisoners awaiting their execution are kept: "In the new cell he has nothing. His legal papers were kept from him. He has neither radio nor television. He has no contact with any other prisoners or the outside world. Only his lawyers are admitted as visitors. He is the only candidate for the death penalty in the United States who is confronted with a co-ordinated, well-financed well-organised campaign whose aim is to see him executed. When Mumia's book was published at the beginning of May the trade union, Fraternal Order of Police, chartered an aeroplane and circled over the publisher's house trailing a banner with the slogan 'This publishing house pays cop-killers'. The FOP called on people to boycott the publishing house and to lobby politicians in Pennsylvania. We really are confronted with a very strong enemy."

The draining away of the Panthers' political status has relegated them to the archives of a quaint and derided era of hippies and flower power and Woodstock and posters of Che Guevara on student bedroom walls. Too many young American blacks don't care, don't want to know, don't want to remember. The consequences of the defeat have been dreadful. At the end of *Soul On Ice*, published in 1968, Eldridge Cleaver wrote prophetically from jail: "And we had thought that our hard climb out of that cruel valley led to some cool, green, and peaceful sunlit place — but it's all jungle here, a wild and savage wilderness that's overrun with ruins."

I asked Dhoruba what sadness he felt when he saw the Panthers' dreams of justice smashed, ground up, no more than spit in a jailer's eye. "It's traumatic to come out of prison after having gone through that process. When I went in we were calling each other brother and sister and when I came out we were calling each other bitches, whores and niggers. That is disheartening. That is being disappointed. But it's to be expected."

Mumia Abu-Jamal is the last Black Panther. His execution will be the United States government's final piece of work in the destruction of that brief moment of insurgency. Huey Newton was gunned down in the street in Oakland, California, in August 1989, after an argument with a drug dealer. Bobby Seale was last heard of working as a cook in Memphis. Eldridge Cleaver, after years on the run, became a born-again Christian and is now a registered Republican. Dhoruba Bin Wahad fared better: he has established a pan-African policy development institute based in Ghana.

By Thursday August 17, before 10am, Mumia Abu-Jamal will be dead (or earlier, if the police union succeed in bringing forward the date) and I wonder if in Los Angeles, in his cell, OJ Simpson will raise a fist in the old salute to mark his murder. ☐

→ Naïve - Agnès Combesques

**Press release
25 July 1995**

**Salman Rushdie and over 500 International Writers
to hold emergency press conferences
to save Mumia Abu-Jamal**

The International Parliament of Writers, whose president is Salman Rushdie, is holding an emergency press conference to save Mumia Abu-Jamal in Paris on 1 August at 11 A.M at UNESCO, in conjunction with a press conference by the PEN American Center and the Committee to save Mumia Abu-Jamal on the same day in New York at 1 PM at PEN.

Bei Dao, Breyten Breytenbach, Jacques Derrida, Edouard Glissant, Christian Salmon, Julla Wright (Committee to save Mumia Abu-Jamal), Marie-Agnès Combesques (Mouvement contre le Racisme et pour l'Amitié des Peuples : America Commission) will speak in Paris. William Styron, John Edgar Wideman and others will speak in New-York. In the United States, E.L. Doctorow, Howard Fast, David Mamet, Toni Morrison, Sonia Sanches, Alice Walker, and Cornel West have expressed their support for Jamal.

The International Parliament of Writers circulated an appeal which over 500 of its members have signed, including Adonis (Libanon), Jorge Amado (Brazil), Bei Dao (China), Pierre Bourdieu (France), Breyten Breytenbach (South Africa), Bo Carpelan (Finland), Jacques Derrida (France), William Gass (U.S.A), Victoria Glendinning (Great-Britain), Edouard Glissant (West Indies), Juan Goytisolo (Spain), Günter Grass (Germany), Jürgen Habermas (Germany), Peter Handke (Austria), Mohamed Harbi (Algeria), Elfriede Jelinek (Austria), Jaan Kaplinski (Estonia), Abdellatif Laabi (Morocco), Jean-François Lyotard (France), Claudio Magris (Italia), Javier Marias (Spain), Pierre Mertens (Belgium), Toni Morrison (U.S.A), Harold Pinter (Great-Britain), Salman Rushdie (Great-Britain), Juan Jose Saer (Argentina), Christian Salmon (France), Jose Saramago (Portugal), Anton Shammas (Palestine), Henrik Stangerup (Denmark), William Styron (U.S.A), Satoshi Ukai (Japan), Adriaan Van Dis (the Netherlands), Günter Wallraff (Germany), Andrea Zanzotto (Italia).

Author of *Live from Death Row* and an award-winning radio and newspaper journalist known as the "voice of the voiceless", Mumia Abu-Jamal is scheduled for execution August 17 at 10 P.M. in order to silence him forever. He was wrongfully convicted on charges of killing a police officer in 1981 in a trial fraught with constitutional errors. Jamal's new attorneys have petitioned the state of Pennsylvania for a new trial.

In an unprecedented series of recent moves aimed at what even death-penalty supporter U.S Senator Arlen Specter terms a "rush to judgement", Judge Albert F. Sabo, Jamal's original judge, has refused to recuse himself from the proceedings, denied a defense motion for discovery, and has refused to either grant or deny a defense motion for a stay of execution, effectively blocking appeals to higher courts. As Cornel West remarked after observing Judge Sabo's courtroom on July 12 : "I've never seen a Jim Crow Court until today. The whole atmosphere of this court is Mississippi 1955". One cannot assume that any court will automatically grant a stay of execution for Jamal. His attorneys are prepared to fight all the way to the United States Supreme Court.

For further information please contact Fred Horstmann (1 212 560 10 22) of the Committee to save Mumia Abu-Jamal, Lamia Mata (1 212 334 16 60) of the PEN American Center; or Christian Salmon (33 1 60 43 15 74) of the International Parliament of Writers.

20.07.1995. TAZ Nr. 4674 Seite 10. Ressort Meinung und Diskussion

■ Appell des internationalen Parlaments der Schriftsteller

Retten wir Mumia Abu-Jamal!

Das Verbrechen, das Abu-Jamal in die Todeszelle brachte, geschah am 9. Dezember 1981. Der schwarze Journalist, schon damals wegen seiner kritischen Reportagen bekannt, versuchte bei einer Straßenkontrolle in Philadelphia zu vermitteln. Es entwickelte sich eine Auseinandersetzung, bei der Abu-Jamal durch einen Bauchschuß lebensgefährlich verletzt, ein Polizist getötet wurde. Obwohl die Tatwaffe nie gefunden wurde, entschieden Richter und Geschworene auf schuldig. Trotz Protesten von Bürgerrechtsorganisationen wurde eine Berufung im Mai 1989 vom Obersten Gerichtshof in Pennsylvania abgewiesen. Seit Anfang Juni 1995 ist die Vollstreckung angeordnet. Seltener sind die Proteste aus aller Welt nicht abgerissen. Jetzt haben auch mehr als 500 AutorInnen einen Appell des internationalen Schriftstellerparlaments in Straßburg unterzeichnet, das wir im folgenden dokumentieren:

Am 17. August 1995 um 21 Uhr Ortszeit wird Mumia Abu-Jamal, amerikanischer Journalist und ehemaliger Aktivist der Black Panther Party, im Staatsgefängnis von Pennsylvania durch Gift exekutiert werden.

Mumia Abu-Jamal, der bei einem Radio arbeitete, das von seinen Hörern die „Stimme der Sinnlosen“ genannt wurde, ist schuldig gesprochen worden, einen weißen Polizisten ermordet zu haben, und wurde am 3. Juli 1982 zum Tode verurteilt. Der Prozeß war nachlässig und unfair gegenüber dem Angeklagten geführt worden. Das Urteil basierte auf Zeugnisaussagen, die unter Polizeidruck abgegeben worden waren.

Mehr als 500 Schriftsteller haben einen Appell unterschrieben, um Mumia Abu-Jamal zu retten. Sie haben an den Gouverneur des Staates von Pennsylvania T.Ridge einen Brief geschrieben, in dem sie ihn auffordern, das Hinrichtungsdatum aufzuheben und eine Wiederaufnahme des Prozesses zu betreiben.

Unter anderen haben unterschrieben: Adonis, Libanon; Jorge Amado, Brasilien; Pierre Bourdieu, Frankreich; Breyten Breytenbach, Südafrika; Bu Cappelan, Finnland; Jacques Derrida, Frankreich; Edouard Glissant, Antillen; Juan Goytisolo, Spanien; Jürgen Habermas, Deutschland; Peter Handke, Österreich; Mohamed Harbi, Algerien; Elfriede Jellinek, Österreich; Abdellatif Laabi, Marokko; Jean-François Lyotard, Frankreich; Javier Marias, Spanien; Pierre Mertens, Belgien; Toni Morrison, USA; Harold Pinter, Großbritannien; Salman Rushdie, Großbritannien; Juan Jose Saer, Argentinien; Jose Saramago, Portugal; Henrik Stangerup, Dänemark; William Styron, USA; Günter Wallraff, Deutschland

An/To: Alexandra Freund
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Zellen 53
 Bemerkung (DATA)AS10)UNTHN

Leuchtende Nacht

Bernhard Strigels Salemer Altar steht zum Verkauf

Der Markgraf von Baden verkauft, wie er mehrfach berichtet, seinen Kunstbesitz: ausgenommen sind Gegenstände von persönlichem und die Geschichte der Familie betreffendem Erinnerungswert. Die Leitung der öffentlichen Hand, das ehemals regierende Haus zu sanieren, ist zugezogen. Das Land Baden-Württemberg hat die Absicht, das Schloß in Baden-Baden, dessen Einrichtung weitgehend aus dem 19. Jahrhundert stammt, zu erwerben. Die Masse der kunstgewerblichen Arbeiten und Gebrauchsgegenstände, herablassend als „Kürstennippes“ subsumiert, weist kein hohes Ansehen, doch befinden sich herrliche Zeugnisse frühen Böttcherporzellans darunter. Das Land wird eine Reihe prominenter Stücke aus der renommierten markgräflichen Kunstkammer erwerben, das Badische Landesmuseum in Karlsruhe bevorzugter Nutznießer des Ankaufs sein. Man muß dieserart gescheitete fürstliche Sammlungen ja auch unter dem Gesichtspunkt der Landesgeschichte sehen. Was an Schätzen übrigbleibt, kommt vom 1. bis zum 21. Oktober 1995 bei Sotheby's zur Auktion - 6300 Objekte, die in einer Folge von fünfzehn Tagen „in dieser größten Auktion seit Beginn des Jahrhunderts“ an den Mann gebracht werden sollen.

Zum Angebot des Auktionshauses zählt mit Vorbehalt - auch der sogenannte Salemer Altar, den der Memminger Bernhard Strigel in den Jahren 1507/08 für die Marienkapelle des Zisterzienserklosters Salem malte; die Bilder stehen auf der Liste des nationalen Kulturgutes und dürfen das Land nicht verlassen. Der Vertrag des Klosters mit dem Künstler hat sich erhalten. Das Mittelstück des Altars, ein geschnitzter und vergoldeter Schrein mit dem Tod der Maria, wurde dem Badischen Landesmuseum 1881 als Geschenk des markgräflichen Hauses übergeben. Die zugehörigen vier gemalten Flügelbilder mit der Verkündigung an Maria, der Heimsuchung, der Geburt des Kindes und der Anbetung der

Könige und die querformatige Predella mit der Grabtragung der Maria blieben in markgräflichem Besitz. Die Malereien sind von großer Schönheit. Spätgotische Geste und realistische Ansätze durchdringen sich, der ausdrucksstarke Zeichnung und Modellierung verbindet sich eine Farbigkeit von intensiver Leuchtkraft.

Quanz ungewöhnlich ist das hier abgebildete, als „Nachtstück“ aufgefaßte Weihnachtsbild. Das vom Kind ausgehende Licht trifft auf die Menschen und Gegenstände und verliert sich im Dunkel. Albrecht Dürer, Strigels großer Zeitgenosse, hatte sich die heilige Nacht nur taghell erleuchtet vorstellen wollen. Die Niederländer haben solche Nachtbilder gemalt und dann wieder die barocken Meister. Unter den prachtvoll gekleideten Königen, die dem Kind huldigen, erkennt man Kaiser Maximilian I. an seinem unverwechselbaren Habsburger-Profil.

Bevor die Gemälde des Salemer Altars auf den Markt kommen, sollte schon vorher alles getan werden, sie in der Bundesrepublik zu halten. Aber das Kulturministerium des Landes Baden-Württemberg zögert. Das vom Besitzer des Altars dem Land eingeräumte Vorverkaufsangebot läuft mit dem 2. September dieses Jahres ab. Bis dahin müßten sich Sponsoren gefunden haben, die bereit sind, das Land finanziell zu entlasten. Erfüllt sich diese Hoffnung nicht, kommen die Bilder zur Auktion und werden eines Tages womöglich auseinandergerissen. Die einmalige Chance, Schrein und Flügel eines der großartigsten Altäre der Dürerzeit wieder zusammenzufügen, wäre veran.

Bernhard Strigel, der Schöpfer des Altarwerks, war einer der führenden Künstler seiner Zeit und als Memminger Ratmitglied ein politischer Kopf. Der Salemer Altar gehört zu seinen bedeutendsten Werken, und er ist wunderbar erhalten. Er wäre bekannter, stünde er in Creglingen oder Rothenburg an einer der Heerstraßen des Tourismus, und wäre er nicht in einer fürstlichen Privatsammlung im abgelegenen Salem verwahrt gewesen. Ernsticht und Verantwortungsgefühl sollten sich zusammen tun, den Gemälden in einem deutschen Museum zu der ihnen angemessenen Wirkung zu verhelfen. Der angesetzte Preis von fünfzehn Millionen Mark ist nicht zu hoch. Etwa soviel zahlte die National Gallery in London vor einer Reihe von Jahren für ein religiöses Gemälde Albrecht Altdorfers. Es wäre der Ausdruck einer überzeugenden Kulturpolitik, wenn sich die baden-württembergische Landesregierung mit dem Erwerb des Salemer Altars freudig zu einer der großen Epochen der deutschen Kunst- und Geistesgeschichte bekennen würde. KURT LÖCHER

Der Autor ist Direktor am Germanischen Nationalmuseum in Nürnberg.

verbreiten, won er sich als KANALISIERUNG... Ein höchstes Kopenhagener Konzil wird mit allem dogmatischen Ernst die Frage nach der wahren Natur des Nikolauses zu stellen haben. Sonst glaubt bald keiner mehr an den Weihnachtsmann. dsch

Mumia Abu-Jamal

Unterstützung für den Todeskandidaten

Die öffentliche Unterstützung für den in den Vereinigten Staaten zum Tode verurteilten amerikanischen Journalisten Mumia Abu-Jamal wird immer stärker. Nach einem Aufruf in Frankreich, der ursprünglich von kommunistischen Kreisen ausging und den unter anderen der Filmator Claude Lanzmann, die Regisseure Jorge Lavelli und Jean-Pierre Vincent sowie die deutschen Schriftsteller Christa Wolf und Günter Wallraf unterzeichnet haben, hat sich nun auch das Straßburger Schriftstellerparlament mit einem Aufruf an T. Ridge, den Gouverneur von Pennsylvania, gewandt. Er wird darin aufgefordert, den Befehl für die Vollstreckung des Todesurteils, die für die Nacht vom 17. auf den 18. August angesetzt ist, aufzuheben und eine Revision des Prozesses zu veranlassen. Mumia Abu-Jamal, der Mitglied der „Schwarzen Panther“ war und später als Moderator beim Rundfunksender „Stimme der Stimmlosen“ bekannt wurde, ist im Juli 1982 wegen Mordes an einem Polizisten zum Tode verurteilt worden.

Unterstützungskomitees für den Verurteilten machen hingegen geltend, daß das Verfahren in tendenzloser Weise geführt worden sei. Einige Zeugen seien bei der Vernehmung unter massiven Druck gesetzt worden, andere habe man sogar ganz ausgeschlossen. Zu den mehr als fünfshundert Unterzeichnern des Straßburger Schriftstelleraufrufs zählen Adonis, Jorge Amado, Pierre Bourdieu, Breyten Breytenbach, Jacques Derrida, Elfriede Jelinek, Juan Goytisolo, Jürgen Habermas, Peter Handke, Mohamed Harbi, Abdellatif Laabi, Pierre Martin, Toni Morrison, Harold Pinter, Salman Rushdie, José Saramago, Henrik Stangerup und William Styron. han.

Vertikale

agen,

er sich
spruch nehmen?
tülle aussprechen.

Frankfurter Allgemeine

Feuilleton heute

Reich und stolz - Das holländische Haarlem erinnert sich Seite 29
Neugierig und zäh - Gerd Albrecht hat sechzigsten Geburtstag Seite 29
Quadratisch und praktisch - Die moderne Architektur von Zllo Seite 30
Irre und blutig - Hauptmanns „Iphigenie in Delphi“ in Mannheim Seite 30

F.A.Z. 19/7/95