

The Case of Mumia Abu-Jamal by Micah Holmquist

For more info see www.mumia.org and <http://mojo.calyx.net/~refuse/mumia/index.html>
Ann Arbor Coalition to Free Mumia Abu-Jamal meets Tuesdays, 7pm in room B129 of the Modern Languages Building at the University of Michigan. Email freemumia@umich.edu

Background
- Born April 23, 1954 in Philadelphia, Pennsylvania.
- Married, father of three, and grandfather of three.

Occupation
- Award winning journalist in both print and radio. During the 1970s and early 1980s his work was featured, amongst other places, on National Public Radio and the Associated Press.
- Elected president of the Philadelphia Chapter of the National Association of Black Journalists in 1980.
- A major focus of his work was on exposing racism and police brutality in the city of Philadelphia. After a 1977 raid by over 600 armed police officers on a black radical group called MOVE, Mumia's work was distinguished for its portrayal of MOVE in a positive light. This greatly displeased the powers that be in Philadelphia. During a press conference Philadelphia Mayor Frank Rizzo warned Mumia that "They believe what you write, what you say. And its got to stop. And one day, and I hope its in my career, that you're going to be held responsible and accountable for what you do."

Political Activities
- Founder of the Philadelphia Chapter of the Black Panther Party. Wrote for its national newspaper, *The Black Panther*.
- In 1968, Mumia was expelled from high school for distributing what was deemed to be calling for "black revolutionary student power."
- Beginning in 1970 the FBI and Philadelphia Police Department began daily monitoring of Mumia's activities, as part of the notorious COINTELPRO (counter-intelligence program) by the FBI, which sought to divide and destroy progressive organizations such as the Black Panther Party, the American Indian Movement, and Students for a Democratic Society.

The Case
- In the Early morning hours of December 9, 1981 Mumia Abu-Jamal came across his brother being beaten by Philadelphia police officer Daniel Faulkner. Rushing to the scene to help his brother, Mumia was shot and critically wounded. Daniel Faulkner was fatally shot.
- Mumia was charged with the murder of Faulkner despite the fact that
1) No witnesses initially identified Mumia as the shooter and in fact some described another individual as the shooter. This other individual does not fit the physical description of Mumia and was described as running from the scene while Mumia was found on the ground severely bleeding and near death.
2) Mumia was legally carrying a gun at the time, but initial forensics tests to determine whether it had fired were not done or not reported.
- At trial the prosecution's case was three pronged:
1) Three witnesses testified at the trial that Mumia was the shooter. All of these witnesses gave testimony at the trial which directly conflicted with previous testimony and all were in legal situations that made them susceptible to police pressure. The "star witness" was a woman named Cynthia White who has since been revealed in court to have been a police informant.
2) The prosecution claimed that Mumia confessed to the crime shortly after the shooting while he was in a hospitable emergency room. The evidence for this were statements from Faulkner's patrol partner and a friend of his working at the hospital. Neither reported this until several months after it supposedly happened and only in response to a civil suit filed by Mumia alleging police brutality. The officer who was assigned to monitor Mumia in the hospital wrote in his notebook that during the night "the negro male made no statement."
3) The third piece of "evidence" was ballistic. As was stated earlier, the police made no effort even to determine whether Mumia's gun had been fired, and the medical examiner believed that the wounds from Faulkner's body had been caused by a gun with a caliber different than the one in Mumia's possession.
- Due to inadequate defense resources and incompetent defense counsel, many of these facts could not be brought up in court and Mumia was thus convicted of first degree murder.
- In the sentencing phase of the trial, the prosecution successfully sought the death penalty and in the process referred to Mumia's past membership in the Black Panther Party and told the jury that they should not hesitate to issue a death sentence as the defendant would get "appeal after appeal." Both of these practices have been ruled unconstitutional in other cases.

The Struggle to Free Mumia
- Since Mumia was convicted and sentenced to death in 1982, the movement to free him has grown tremendously. Demonstrations sometimes numbering as high as in the tens of thousands have occurred in every major U.S. city and throughout the world. There have been demonstrations in Great Britain, South Africa, Italy, and many other countries.
- Notables who have called for a new trial include Jesse Jackson, Whoopi Goldberg, Harry Belafonte, Edward Asner, Ossie Davis, Mike Farrell, Julian Bond, members of the band Rage Against the Machine, and Nelson Mandela. Additionally elected officials and judges in Japan, Denmark, Germany, and other countries have endorsed a call for a new trial.
- Mumia has authored two books, titled *Death Blossoms* and *Live From Death Row*, which address life on death row. They have been published in several languages and have been read by people throughout the world. Mumia also regularly writes columns from death row.
- In June of 1995, Pennsylvanian Governor Tom Ridge signed a death warrant which set a date of execution for August 17 of that year. World wide protest against this forced the courts to issue a stay of execution on August 7.
- With this new support Mumia has been able to hire a new legal team and to pursue appeals of his case. In court documents and hearings considering this appeal new witnesses have come forward to testify that the police attempted to coerce them into testifying against Mumia, that they saw Mumia brutally being beaten by the police at the scene, and that someone other than Mumia had shot Faulkner.
- In the fall of 1995 the appeal was rejected by Albert Sabo who was the same judge who oversaw the original trial. The mainstream legal journal *American Lawyer* said that during the hearings Sabo "flaunted his bias, oozing partiality towards the prosecution." The appeal then went to the Supreme Court of Pennsylvania.
- On October 30, 1998 the Pennsylvania Supreme Court issued a ruling rejecting Mumia's appeals in full. While the appeal does now move towards the federal courts, this decision means that by the laws of Pennsylvania a new death warrant is imminent.

The case of Mumia Abu-Jamal is about many different important issues but central to all of them is that the state has decided to punish Mumia for his activism and resistance to the status quo. Not only do they want to punish him, they want to execute him. If Mumia is executed it means that all who work and struggle against injustice in the U.S. are potentially subject to state murder. For this and other reasons the execution of Mumia Abu-Jamal must be stopped!

THE POOR STILL SUFFER

by Mumia Abu-Jamal
10/11/98

The rich have become so unsocial that those who own property had rather throw their possessions into the sea than lend aid to the needy, while those who are in poorer circumstances would less gladly find a treasure than seize the possessions of the rich.
Isocrates (ca. 366 B.C.)

For several years, during every recent election cycle, we hear various politicians asking the rhetorical question "Are you better off now than you were four years ago?"

For millions of poor people in America, poverty is their daily reality.

Homelessness isn't a thing of the past, it is an enduring, ever-present burden upon the spirit. In a nation predicated upon the preciousness of property, those who are without property are treated as virtual non-people, invisible in the streets, damned to a hell where they are seen, if at all, as worthless itself.

In the ongoing War against the Poor that is politically popular in America today, the poor are truly getting poorer, while the rich are getting it all. There are jobs out there, but at levels that barely approach subsistence.

When income maintenance programs (like welfare) got cut, they had serious societal effects, scholars Frances Fox Piven & Richard A. Cloward noted recently;

Three general effects will follow the reduction of subsistence resources: economic insecurity will be intensified among the unemployed; large numbers of persons now exempted from work will be thrown into the labor market, thus creating additional unemployment; and economic insecurity among the working poor will be greatly worsened.

[fr. *The New Class War: Reagan's Attack on the Welfare State and Its Consequences* (Pantheon Bks: N.Y., 1982/1985), pp. 32-33]

In a macabre twist of words (for which politicians are famous) they called the program one of Welfare Reform, but what was reformed was the life options of the poor.

What was reformed was the ability of labor to resist the encroachment of capital on their living standards, by resisting lower wages.

What was reformed was the power relation between labor and capital, to labor's detriment.

What was reformed was the relationship between the working class and the poor.

What was reformed was the relationship between poor and survival.

In these new series of relationships, capital is strengthened, labor is weakened, and the poor are simply crushed expendable.

This, then is Clinton's gift to the poor. Cutting off their knees, for their own 'good'!

The very same Clinton that is receiving the wealth of forgiveness blinks at the losses of the poor. The Clinton who "feels your pain" doesn't find the pain of the poor worth feeling.

Clinton has always been the darling of the wizards of Wall Street; those who own wealth call the shots, and it is in their interest to keep labor in constant terror of starvation.

Income maintenance programs therefore serves the interest of the workers, for it protects them from the threat of starvation, as well as it protects the very poor.

Whose pain does Clinton really feel?

For millions of people in urban and rural America, are things better than they are four years ago?

For millions of people in America, the rising of the Dow Jones Average, the stocks and bond volumes increasing, the raging markets, mean next to nothing at all. They live a bare and frugal existence, hoping tomorrow will be better than the hellish yesterday.

And they will have good ole Bill to thank for "Feeling" their "pain."

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