Live from death row: this is Mumia Abu-Jamal

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Live from death row: This is Mumia Abu-Jamal

by

Milton Wood McGriff

A thesis submitted to the graduate faculty
in partial fulfillment of the requirements for the degree of

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Major: English (Creative Writing)

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Graduate College
Iowa State University

This is to certify that the Master's thesis of

Milton Wood McGriff

has met the thesis requirements of Iowa State University

Signatures have been redacted for privacy
This work is dedicated to

Joan Colvard Lambright,

who is my inspiration on a daily basis
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INTRODUCTION</strong></td>
<td>1</td>
</tr>
<tr>
<td>1. Six Months in the Black Panther Party</td>
<td>1</td>
</tr>
<tr>
<td>2. December 9, 1981</td>
<td>10</td>
</tr>
<tr>
<td>3. The Criminal Injustice System</td>
<td>14</td>
</tr>
<tr>
<td>4. The Myth of Judicial Objectivity, the Reality of Judicial Politics</td>
<td>22</td>
</tr>
<tr>
<td>and Subjectivity</td>
<td></td>
</tr>
<tr>
<td>5. The Genesis of the Play</td>
<td>27</td>
</tr>
<tr>
<td><strong>LIVE FROM DEATH ROW: THIS IS MUMIA ABU-JAMAL</strong></td>
<td>30</td>
</tr>
<tr>
<td><strong>REFERENCES CITED</strong></td>
<td>86</td>
</tr>
<tr>
<td><strong>ACKNOWLEDGEMENTS</strong></td>
<td>87</td>
</tr>
</tbody>
</table>
INTRODUCTION

If it took the white majority more than two hundred years to understand that slavery was wrong, and approximately one hundred years to realize that segregation was wrong (and many still don’t understand), how long will it take them to perceive that American criminal justice is evil?

Paul Butler

Six Months in the Black Panther Party

I joined the Philadelphia Branch of the Black Panther Party in the spring of 1969. I had just turned thirty, and like many young black men, I was disillusioned with the lie that was the United States of America. Although I hadn’t been active in the civil rights movement, the promise of change had enveloped me as it swept across the country. The 1960s offered hope; the decade exited on a wave of repression, anger and bitterness. For me in 1969, the nation looked less like the dream that civil rights leader Martin Luther King Jr. envisioned and more like the nightmare the warrior/visionary Malcolm X said was with us on a daily basis. Brother Malcolm had been cut down by assassins four years earlier, Brother King murdered only the year before. John and Robert Kennedy, and their illusion of change that had been Camelot, had also died from assassins’ bullets. Only with Malcolm X had there been no pretense of a lone crazed gunman.

The year after Malcolm X was slain, a small band of black men, tired of the random brutalizing of their community at the hands of the police, began armed patrols—policing the

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police, if you will—in Oakland, California. They carried law books and shotguns or rifles as they followed police officers around the city.

In 1966, California law permitted its citizens to carry loaded weapons as long as they weren’t concealed; however, the Mumford Bill, introduced the very next year in the state legislature, shortly after these armed black men began their patrols, would repeal this law since it wasn’t meant to apply to black people in the first place. By that time, the armed patrols, who called themselves the Black Panther Party for Self-Defense, had sparked the imaginations of other young men all across the country. Before the decade ended, the Black Panther Party (BPP)—they had dropped the “for Self-Defense” part of their name—had branches in virtually every major city in the U.S. They spawned ethnic imitators who also donned the signature leather jackets and berets of various colors: the Young Lords Organization in the Puerto Rican communities of New York and Chicago; the Brown Berets in Chicano barrios on the West Coast; the Red Guards among Asian-Americans; and both the White Panther Party and the Young Patriots among poor white refugees from Appalachia in Ann Arbor, Michigan and on Chicago’s North Side (they wore confederate flags on their black berets!). 2 The Panthers and the Patriots coming together in this, the original Rainbow Coalition, illustrated that anything was possible. It has been my belief that the creation of this fledgling union of people of all colors in the Midwest is what made the Black Panther Party, according to FBI director J. Edgar Hoover, the “greatest threat to the internal security

of the Country.” It’s true they affirmed the basic right of self defense, but they also offered a vision that seems to hoorify the ruling elite: poor and working class people of all colors toiling together for substantive political, economic and social change.

I had made one sorry attempt at organizing some teen-agers in 1965 or 1966. It failed miserably because, although I wanted to do something, I had no idea what I was doing, or what I wanted to do. One of the teen-agers in that group was named Wilbur; I bumped into him on the street in early 1969. He wore a black beret and a powder blue T-shirt with the ferocious black panther logo on it. He looked uncommonly proud, uncommon, that is, for a black youth on the brink of adulthood in North Philly.

Wilbur said the BPP was newly established in Philadelphia and had just acquired an office in the 1900 block of Columbia Avenue. (Columbia Avenue has since been renamed Cecil B. Moore Boulevard, after the legendary cigar-smoking, silk suit-wearing, scotch drinking, hell raising president of the local NAACP chapter during that period.) I accepted his invitation to stop by and meet the branch leader, Defense Captain Reggie Schell, a wiry young man whose soft-spoken words belied his toughness. The unassuming storefront, although usually kept clean, nonetheless had a dingy feel about it. If there was brightness, it came from the energy of those young Panther men and women intent on changing the world, or at least the empire that was the United States.

My mother owned a small candy store in the same block. This put me in the area frequently, and I stopped in a few weeks later and told Schell I wanted to be a Panther.

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Reggie took my application and said he would get back to me after they ran a security check. Ironically, Wilbur was the Lieutenant of Security at the time. I was cleared with no problem. I later wondered how thorough the security checks were, since it became known that the FBI and local police had several informants in the branch.

Some Panthers were initially suspicious of me for at least two reasons. First, I was older, possibly the oldest member of the local branch. It may have helped that at the national level, Eldridge Cleaver, the BPP Minister of Information and best selling author, was only three years older than I was. In Oakland, they called him “Papa” because he, too, was an elder on the Central Committee, the BPP governing cadre. Most Panthers were in their early twenties.

Second, I worked as a sales representative for a West Philadelphia appliance wholesaler, a company so conservative that sports jackets with contrasting slacks were unacceptable for the work force. “A businessman wears a business suit” was a company motto. I often showed up at the Panther office wearing one of my glen plaid two-button suits—with cuffed trousers, no less—and wing-tipped shoes. In other words, I looked a lot like a cop. I think what helped, though, was the realization that no undercover cop would show up wearing a suit.

(To digress momentarily, the suits, two of them, along with the shoes, several shirts, ties and a belt, had just been purchased for me by my employers. In 1969, I styled in silk-and-mohair one button, double vented suits then in vogue in the black community. I was the first—and only—black sales trainee the company had ever had. Like many companies at the
time, Raymond Rosen & Co. thought it wise to integrate its ranks above the custodial level. I was it. When the company’s secretary [the son of the owner] took me to center city to buy the wardrobe, I remember thinking as I stood there being fitted that the gesture, no doubt sincere, nonetheless felt to me as if I was being bought. With my politics already veering radically toward the left, I accepted the “payoff” and covertly joined the BPP a few months later.)

At first, like all Panthers, I purchased Mao Zedong’s “Little Red Book,” a compilation of sayings by the Chinese revolutionary leader, and attended classes that explained several things: how one of our major concerns, possibly our primary concern, was to “Free Huey!” — Huey P. Newton, the BPP co-founder and Minister of Defense, imprisoned on charges that he had killed a policeman; how capitalism had utterly failed black Americans, with slavery having been the purest form of capitalism; how racism and capitalism were intertwined; why Marxist-Leninist theory was correct for the Black Panther Party and the masses of black people; how we were the revolutionary vanguard; how, and why, we were revolutionary nationalists and not black nationalists (no African garb for us); how we were willing to form alliances with people of all races and colors if they, too, were revolutionary nationalists committed to the downfall of the racist and exploitative capitalist system.

I evolved into two jobs during the approximately six months I was a Panther. I drove a Rosen & Co. company car, a light green station wagon, suitable both for its original mission of delivering Whirlpool appliances to customers when necessary, and also for delivering “The
Black panther,” the party’s newspaper, to suburban communities around Philadelphia which found it difficult to get. Virtually every weekend found me and Claudette, my fiancee, who had also joined the BPP, trekking to West Chester, Norristown, York, Chester, and more local stops in Germantown and West Philly to get the revolutionary word out.

Before mentioning the second job that came my way, it’s important to understand the feelings of self esteem and well being that were my constant companions during this time. I recognize it today as the feeling that comes whenever a person does the right thing for the right reasons. Simply put, I felt strongly that the political and economic infrastructure of the United States had never, ever had the best interests of African slaves and African-Americans at heart, and gave no indication of in-depth change in the near future, the Civil Rights Movement notwithstanding. In my little corner of the world, I was resisting. I am absolutely convinced that resistance to oppression, any resistance to any oppression, makes one feel worthwhile.

In late summer, Defense Captain Reggie Schell approached me and Craig, another older member of the BPP whose last name I don’t recall, and told us we would be candidates for two City Council seats in an upcoming election. The two seats had been vacant in two areas of the black community and, although we didn’t expect to win, it would be one more chance to get the word out.

I wanted to maximize our vote getting potential by wearing suits and ties, going to black churches and asking for votes, etc. Craig, who wore his Afro in the uncombed manner fashionable among Panthers, and Reggie disagreed. Churches were out; getting dressed meant
wearing our black leather jackets and powder blue turtleneck shirts. Wearing a 50mm cartridge on a leather thong around our neck was optional. (Several years later, Black Panther Party Chairman Bobby Seale and then-Minister of Information [later Chairman] Elaine Brown ran for mayor and a City Council seat in Oakland using the same conventions eschewed in Philly in 1969. Seale, although eventually defeated, received 40,000 votes and forced a runoff; Brown also ran well and got thousands of votes.)

Craig and I received less than 500 votes between us in a poorly run, rather disorganized campaign. The campaign created two situations for me personally that were both resolved by the ending of relationships. One was with the Panthers; the other conflict came with Raymond Rosen & Co. The first ending came shortly after the election.

We kicked off the campaign with a news conference right after Labor Day. This blew my cover at work. Until then, there had been only one instance when my employers wondered about my outside political activities. My station wagon had been in the shop for repair, and the garage had provided a loaner. I drove myself and several Panthers to a rally one weekend. The FBI diligently collected license plate numbers, traced them, and caused my sales manager to wonder why the FBI had called and was interested in my license plates. I admitted being at the rally but played dumb about the reasons they might have wanted my license plate. When the press conference made the evening news, I had no such choice. The press conference was in September; the election was held in November; in January, I was “laid off during a cutback.” In fairness to the company, I had been doing a miserable job in my volume of sales. In fairness to me, I had the worst territory in the city.
One memory of the press conference has stayed with me. A well-dressed television reporter sat in front of us, legs crossed, hair well coifed. After Craig and I gave our statements and asked for questions, he wanted to know how we planned to implement our several programs: free breakfasts for children, free neighborhood clinics, etc. Whatever I said, I remember giving details about donations and the like. He pressed. Craig tried. He pressed. I tried again. Still, he insisted, supposes these approaches didn't work. What then? Finally, trying to sound like a member of the revolutionary vanguard, I said with some firmness, “You don’t understand. We will implement our programs. And we intend to implement them by any means necessary.”

That evening Philadelphia television viewers saw an anchor man say we were running for council seats on the Black Panther Party ticket. Then: “McGriff was asked how the Panthers intend to make their programs succeed.” Cut to revolutionary vanguard me: “...(B)y any means necessary.”

They didn’t even use the whole sentence.

Reggie asked me at one point to take a day off from work to campaign. Already feeling pressure because of my sub-par performance and my upcoming nuptials with Claudette, I went to work and showed up late that day. Reggie was furious and put me on a working suspension. It was like a trial period of a couple of weeks where I had to show up more, do more, and just generally prove that I was contrite about what happened.

I was contrite, but I also knew that a decision had to be made. Whether it made me bourgeois or not, I did not intend to become a full-time Panther, sleeping on the floor at
Panther houses, eating subsistence level food day in and day out. I left the Black Panther party in late November 1969.

With my cover blown at work, it's an understatement to say that things were different. A colleague told me a flurry of meetings occurred shortly after they learned I was a BPP member. I vaguely remember meeting with the company executive who had bought the suits for me. There were platitudes about this being a democracy and me having the right to any political affiliation I chose but...

I don't remember much about my last two months there except that, ironically, I was no longer a member of the Black Panther Party for the last month or so. Claudette and I were married on January 1, 1970. I was "laid off" two weeks later.

During those brief six months in the BPP, a few personalities stood out. Of those few, one stood out among them, probably because he was one of the local party leaders, and was respected as such, although he was only fifteen or sixteen years old. He was the Lieutenant Minister of Information; his name was Mumia Cook.

Mumia Cook was a beanpole, already hovering around six feet, who wore a good sized Afro usually embellished by an Afro pick stuck in it at a jaunty angle when he wasn't picking the 'fro out to its maximum plumage. He owned a disarming smile, both shy and genuine. His personality synthesized warmth, toughness and intelligence.

I don't remember any lengthy conversations with Mumia, nor can I truthfully say we were really friends. I can honestly say I liked him. I believe on one or two occasions Mumia, Reggie, Craig and I may have sat down and drank a few Bitter Dogs, the unofficial Panther
drink. Bitter Dog was a mixture of port wine and lemon juice, the East Coast variation of West Coast Panthers' Bitter Mothafucka, which used grapefruit juice instead of lemon.

Although Mumia may have been the youngest Panther in the Philly branch, he was one of the oldest when you measured his commitment to the struggle of black Americans. For instance—and I’m sure it’s an illusion—I don’t ever remember going to the storefront Panther office and not seeing him there.

The following year his leadership skills earned him a transfer to the Oakland national headquarters office, where he worked on the BPP newspaper. In *Live from Death Row*, he speaks of working on a security team for Minister of Defense Huey P. Newton after he was released from prison in 1970.

My marriage ended in divorce in 1971 and I moved to Los Angeles two years later to pursue an unsuccessful acting career. When I next heard anything about Mumia, it was in the mid-1980s. He was on death row.

**December 9, 1981**

When the Constitution and the Declaration of Independence were written, Africans were perceived as three-fifths of a person. When one speaks of ‘we the people,’ we were certainly not speaking of you. And therefore we cannot now give you the rights and appurtenances that apply to ‘we the people.’ The Constitution has no relevance to you and your kind, or to your descendants should they ever become free. (emphasis added)

A Negro has no rights that a white man is bound to respect.

U.S. Chief Justice Roger Brooks Taney

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Through the news media over the years, I learned that Mumia’s full name was now Mumia Abu-Jamal (“father of Jamal” or, in Arabic, “father of beauty.”) In his words, he found himself a “burnt-out Panther” about a year or so after I left the BPP and he moved on, too. His interests remained in communication and he moved into broadcast journalism as a radio commentator, one that remained committed to helping the underprivileged. His advocacy earned him the sobriquet, “The Voice of the Voiceless.” His leadership skills placed him in the presidency of the Philadelphia chapter of the Association of Black Journalists. The January 1981 issue of Philadelphia magazine said Mumia was “one of the people to watch in 1981.”

One group that caught his attention used the name MOVE. The name is “(n)ot an acronym ...(but) simply expresses its members’ belief that life is movement; that all things exist “on a move.” Small in numbers but fierce in attitude, MOVE represents spiritual as well as political opposition to orthodoxy. Led by the doctrines of a man named John Africa, MOVE advocates a natural life style that rejected many conventional artifices.

“Bold beyond belief, and so fearless they seemed reckless, these men and women burned with the zeal of a new, rebellious faith, and spread the revolutionary teaching of John Africa far and wide,” Mumia says of John Africa’s followers.

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6 Abu-Jamal, Live p. 112.
7 Abu-Jamal, Live.
Mumia abandoned his Afro hairstyle for the dreadlocks favored by MOVE. He also used his radio talk show to give more balanced news accounts of MOVE’s clashes with city officials, mostly in the form of the Philadelphia Police Department.

His defense of MOVE eventually put Mumia at odds with management at his radio station and he was dismissed. Mumia started driving a cab to make ends meet and provide for his family. During the early morning hours of December 9, 1981, Mumia Abu-Jamal drove his cab through downtown Philadelphia and into history as a political prisoner in a nation that doesn’t admit to having political prisoners.

Both the authorities and Mumia’s eventual defense team agree on certain facts. At about 3:30 a.m., near 13th and Filbert streets, Officer Daniel Faulkner stopped a battered Volkswagen car driving the wrong way on a one-way street. One occupant of the Volkswagen was William Cook, Mumia’s brother. For reasons not clear, Faulkner and Cook exchanged heated words; Faulkner started beating Cook with his flashlight. Mumia, between customers, happened to be standing across the street and ran toward the struggling men when he saw the attack.

Both sides agree that Mumia was armed that early morning. Having been robbed twice, Mumia had a license to carry a gun, and on December 9, he carried a loaded .38 caliber revolver. From this point on, Mumia and the authorities disagree. Eyewitnesses make the picture murkier, for reasons that will be explained below.

Shots crackled, Faulkner fell, mortally wounded. When other police officers arrived, Mumia sat on the curb in a pool of his own blood, seriously wounded in the chest by a bullet
from Faulkner's gun. He was beaten by police, arrested and charged with murdering
Faulkner. William Cook and the other occupants of the Volkswagen disappeared.

Although he was convicted, Mumia insists he didn't shoot Faulkner. A curious
contradiction supports his claims of innocence. Although his .38 caliber revolver was
found at the scene, the Police Department's own medical examiner testified that the bullet
that killed Faulkner was a .44 caliber, not a .38 caliber. 8

Authorities say Mumia ran to the scene and shot Faulkner in the back, who fell, then
fired and wounded Mumia. An angered Mumia, they say, then stood over the wounded
Faulkner and fired the fatal shot into Faulkner's face.

The star witness for the prosecution was a prostitute who recently recanted her
testimony, saying two Philadelphia detectives coerced her into testifying. A cab driver first
told police in a deposition he saw a gunman run from the scene. However, at the trial the cab
driver, on probation for a felony arson conviction, corroborated the testimony of the
prostitute. Four other witnesses, who were never called to testify, also said they saw a
gunman flee the scene. 9

Critics of the legal system believe Mumia was convicted because the district
attorney's office built their case on Mumia's past affiliation with the Black Panther Party.
Mumia was anti-police, they said, acting out Panther rhetoric that identified police as "pigs"
and issued a battle cry to "off the pig."

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8 E. L. Doctorow, "From Here to Death Row," In Defense of Mumia, S.E. Anderson and Tony Medina, ed.
What seems clear to most evenhanded observers is this: Mumia Abu-Jamal did not receive a fair trial. From the blatant biases of trial Judge Albert Sabo to the public defender who, by his own admission, was unwilling and unprepared, the criminal injustice system took a black man’s life and forced him to run the gauntlet that masquerades as a fair trial. But they didn’t count on the spiritual resources of Mumia Abu-Jamal, resources that have attracted and magnetized an international movement determined to gain his release.

Sabo, a former undersheriff and member of Philly’s Fraternal Order of Police, not only handled the original trial in 1982 but the entire 15-year appeals process and has refused to recuse himself or grant a new trial despite new testimony about police misconduct. *

Sabo, 79, was forced to retire on December 31, 1997, along with two other senior city judges, as part of a plan to reduce their number from 14 to 10. Known as “the king of death row” and “the hanging judge,” Sabo sentenced 31 men to death in a 14-year-period, the highest of any judge in the nation. 10

The Criminal Injustice System

Since 1900, thousands of African-Americans have been either executed by prison officials or police, or lynched by white mobs—all for the defense of white supremacy. In the past century, the total number of white Americans executed for either the murder of a black person, or the rape of black women, is fewer than five.

Manning Marable 11

What is logical to the oppressor isn’t logical to the oppressed.

Malcolm X 12

* According to Philadelphia newspapers, Sabo was one of three judges forced to retire on December 31, 1997.
10 The Washington Post, Nov. 27, 1997. p. A-17. (Taken from the Nexus News Service)
Nearly one-third of all young black American males between the ages of 18 and 29 years old are either in prison, on probation or parole, or awaiting trial. African-Americans—and Latinos—who are convicted receive much longer prison sentences than whites for the same crime as a matter of routine. This alarming statistic creates no panic among the citizenry, regardless of color, as it most probably would if it applied to young white American males. “If that [one out of three somewhere in the penal system] were America, instead of only Africa-America, I’ll bet people would blame the system as much as the young men,” said Paul Butler, an associate school professor and former federal prosecutor. “I think many of them would adopt radical positions like mine, because then they would understand that the system requires radical change.” I firmly believe that many well-meaning white Americans blind themselves to the kind of institutionalized racism these kinds of statistics represent. I also believe that this blindness is rooted in the woof and fabric of the nation’s history.

As of December 1994, black Americans constituted some 40 percent of men on death row. In Pennsylvania, where Mumia Abu-Jamal is housed, 111 of 184 men on death row—over 60 percent—are black. When we consider that African-Americans are just over 9 percent of Pennsylvania’s population and 12 percent nationally, I submit that the decisions placing them there were political as much as they were judicial.

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13 Marable, p. 38.
14 Butler, p. 15.
15 The national figures come from the NAACP Legal and Defense Fund, Fall 1994. The state figures come from a document, the Pennsylvania Department of Corrections Persons in the State Correctional System.
Historically, outspoken African-American men like Mumia Abu-Jamal routinely suffer a similar fate. There are few outspoken black men in U.S. history who acquired national or international stature without subsequently suffering imprisonment, exile or death. The exceptions I can think of had one thing in common: for all their outspokenness, they did not attempt to organize people, nor did they acquire large personal followings, despite their high profile acclaim.

For instance, Frederick Douglass, for all his brilliant oratory, was not an organizer. It can also be argued that he had the protection of white abolitionists. Likewise, writers like Richard Wright or activists like humorist and civil rights agitator Dick Gregory did not acquire followings. Boxing legend Muhammad Ali joined the Nation of Islam in 1964 and refused to be drafted for military service ("No Vietcong ever called me nigger!"). We should remember he was convicted and sentenced to five years in jail before having the conviction reversed on appeal.

However, a partial list of outspoken African-American males who spoke out and suffered prison, exile (self-imposed or forced), or death—sometimes a combination—is long, whether they were warriors, activists, politicians or apostles of peace: Nat Turner, Denmark Vesey, Gabriel Prosser, W.E.B. DuBois, Marcus Garvey, Paul Robeson, Elijah Muhammad, Adam Clayton Powell, James Baldwin, Robert Williams, Malcolm X, Martin Luther King Jr.,

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* It's interesting to note that Turner, Vesey and Prosser all led uprisings and were executed. Jefferson Davis and Robert Lee led the rebellion of the Confederacy, which killed many more thousands, but they were pardoned.
Huey P. Newton, Bobby Seale, Eldridge Cleaver, Maulana Karenga, Kwame Toure (Stokely Carmichael), H. Rap Brown, Mumia Abu-Jamal ...

(This is not to say that outspoken black women, especially during the Sixties, haven’t been similarly persecuted: Angela Davis, Assata Shakur of the Black Liberation Army, Black Panther Party leader Ericka Huggins and numerous other women from the Black Panther Party suffered a similar fate.)

This repressive stance was codified in 1857 by the infamous case, *Dred Scott v. Sanford*, known colloquially as the “Dred Scott Decision.” Most of us recognize Chief Justice Roger Taney’s tyrannical edict that “a black man has no rights that a white man is bound to respect.” Although the Fourteenth Amendment came a decade later to end legal slavery, Taney’s view has never been challenged by a successor on the Supreme Court, according to Mumia. To put it another way: *judicially, it has yet to be overturned.* 16

Lesser known — and arguably more chilling — are Taney’s other comments in that decision while responding to the issue of the descendants of slaves, should emancipation ever come. Would they be full citizens of the United States?

Taney said no. “We think they are not, and that they were not intended to be included, under the word ‘citizens’ in the Constitution, and can therefore claim none of the rights and privileges of the United States ...”

“A perpetual and impossible barrier was intended to be erected between the white race and the one which they had reduced to slavery, and governed as subjects with absolute

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and despotic power, and which they then looked upon as so far below them in the scale of created beings, that intermarriages between white persons and negroes or mulattoes were regarded as unnatural and immoral, and punished as crimes.”

According to Mumia, the decision also says the following: “When the Constitution and the Declaration of Independence were written, Africans were perceived as three-fifths of a person. When one speaks of ‘we the people,’ we were certainly not speaking of you. And therefore we cannot now give you the rights and appurtenances that apply to ‘we the people.’ The Constitution has no relevance to you and your kind, or to your descendants should they ever become free” (emphasis added).

We may try and respond to Taney by pointing to the thirteenth, fourteenth and fifteenth amendments, which ended slavery and gave the franchise to males of African descent, but we must also point to Plessy v. Ferguson (1896), which rescinded the amendments de facto for more than half a century by giving the nation “separate but equal” and then allowed white citizens to forget the “equal.” We may also refer to the Civil Rights Act of 1964 and say things have changed, but we must then refer to the 1978 Bakke decision.

The U.S. Supreme Court concluded that Alan Paul Bakke, a white male, had been discriminated against after twice being rejected for admission to the University of California Medical School at Davis. Out of 100 seats (and 3,737 applicants), 16 were reserved for

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18 Abu-Jamal, Death Blossoms 139.
people of color and the court said this was unfair to Bakke. This was the first step in eroding
the modest gains derived from the Civil Rights Act of 1964.

We must refer also to Proposition 209 in California, which was upheld by a now arch-
conservative federal Supreme Court in 1997 when it declined to review it. The decision
effectively bans affirmative action efforts in California and may well prove to be *Plessy v.
Ferguson* revisited, since clones of the legislation are pending in several states.

In 222 years of living under the laws of the United States, African-Americans can
only point to one Supreme Court decision favorable to their lives: *Brown v. Board of
Education* in 1954. Every other landmark decision by these august jurists, in one way or
another, has assisted in institutionalizing racism in this nation. I speak specifically of the
Paradoxically, black Americans have turned repeatedly to the judicial system for redress
instead of seeking redress through rebellion as the Founding Fathers did. As Malcolm X once
said, going to the U.S. courts is like taking your case to the criminal.

Just as the courts have helped enforce Justice Taney's view that black people have
no rights a white person is bound to respect, the law enforcement system historically has
reinforced this view with brutality. During 246 years of slavery, law enforcement was given
to plantation overseers. After a dubious emancipation, hooded night riders assisted local law
enforcement and usually served as judge and jury as well. Marable's epigraph at the
beginning of this section underscores the effectiveness of their policing powers. With the
coming of civil rights legislation guaranteeing equal treatment under the law, night rider robes
have been retired but night rider attitudes persist, particularly in urban areas across the U.S. The horrendous beating administered to Rodney Glen King in March 1990 was representative, not an aberration, and only unusual because a citizen captured it on videotape.

At least two symbols of resistance have emerged during the twilight and nightfall of the nation’s second Reconstruction period, known more familiarly as the Civil Rights Movement: Geronimo ji jaga (a/k/a Geronimo Pratt) and Mumia Abu-Jamal, both former warriors in the Black Panther Party (BPP).

Two key factors kept Geronimo imprisoned from his arrest in 1970 until his release in 1997, and both factors involved insidious deceptions by law enforcement agencies. First, FBI wiretaps came to light several years ago, wiretaps that documented phone calls Geronimo made from Northern California at the same time he is accused of murdering a woman on a Santa Monica tennis court in Southern California in December 1968. (Egos and internecine warfare between two factions of the BPP also prevented Geronimo’s release. Panther leader Huey P. Newton refused to let members who could have documented Geronimo’s whereabouts testify at his trial; Newton felt that Geronimo’s allegiance was to Panther Minister of Information Eldridge Cleaver and the faction supporting him. 19)

Second, the key witness against Geronimo was an FBI informant named Julius Butler; a judge eventually said this fact was sufficient evidence to release the former Panther leader

19 Pearson, Shadow of the Panther 308.
until he can have a new trial. 20 Although Geronimo could be retried, it seems doubtful that the prosecution will do so.

Apparently Geronimo’s real crime was his ability, acquired in the jungles of Vietnam, to train young Panthers in the finer points of armed struggle. When police attacked a Los Angeles Panther office, Panthers trained by Geronimo held them off in broad daylight for more than five hours without suffering a casualty. It has been theorized that these skills also caused Newton to consider Geronimo a rival for BPP leadership.

In Mumia’s case, police first tried to frame him for two murders in another country while he was still a teen-ager. In a 1996 interview, Mumia said an hourly work record documented his whereabouts and saved him. “They also tried to frame me when I went to college in Vermont for a robbery of some sort,” he added. He became aware of these attempts years later while reading his FBI dossier released under the Freedom of Information Act.

They finally succeeded in physically removing him from the street on July 3, 1982, when he was convicted of murder and sentenced to death. They have been far less successful in restraining his spirit.

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20 Pearson 308. Although the wiretaps are not mentioned in this account, I know of their existence from news accounts I personally read.
The Myth of Judicial Objectivity, the Reality of Judicial Politics and Subjectivity

The fact that millions of people take part in a delusion doesn’t make it sane.

Erich Fromm 21

From the earliest days of the republic, U.S. citizens have deluded themselves about the impartiality of the judicial system, a system that has never shown impartiality to people of African descent. It was biased during slavery and has remained so since slavery was legally abolished, as statistics quoted in several places earlier demonstrate. People on death row are always poor, and usually are people of color; wealthy citizens simply do not have to contend with the specter of capital punishment, regardless of the horrendous nature of any crime they may commit.

Recently, verdicts rendered in several high profile murder cases demonstrated the apparent racial biases of justice, U.S. style. These cases did not even involve rich white Americans, but white Americans who were viewed much differently than Mumia Abu-Jamal, despite the viciousness of their crimes.

- Terry Nichols, a co-defendant in the Oklahoma City bombing case, where 168 people died in the 1995 bombing of a federal building, received life imprisonment after a jury recommended against the death penalty.

- Jamie McMahon and Christopher Kauffman, two Iowa teen-agers, plea bargained for life without parole in a case tried in federal court. They cold-bloodedly executed two

unresisting women by shooting them in the head during a crime spree that included a bank robbery in which they stole $65,000.

- Theodore Kaczynski, dubbed the Unabomber by the news media, plea bargained for life without parole after an “18-year reign of terror—bombs that killed three men and injured 29 people, including one who had his arm blown off,” according to an article in the *Des Moines Register*. “Reportedly, the federal government didn’t want to be perceived as trying to execute a mentally ill man.

Kaczynski was diagnosed as competent to stand trial although he suffered from paranoid schizophrenia. 22

- The Michigan Supreme Court ordered a new trial for Walter Budzyn, a white Detroit police officer convicted of beating to death a black man named Malice Green. The reason? During a break in deliberations at the first trial, the jury watched the movie *Malcolm X* and the court said the film’s opening, which shows the videotaped beating of Rodney King with a voice-over by Malcolm X charging the white man with being “the greatest murderer on earth,” might have undermined the jury’s ability to examine the defendant’s credibility impartially. The court said, “The power of these words might have triggered an emotional response by the jury, because defendants’ conduct, as alleged, could arguably fit the description given by Malcolm X’s character.” 23

With the exception of Budzyn, there are several similarities in the above cases. First, all the defendants were tried in federal court. Second, two of the cases—Nichols’ and

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Kaczynski’s—involved premeditation, which traditionally is treated more harshly in court, or so we are led to believe. The other case involved no spontaneity, simply a cold-blooded decision to murder. Finally, all the defendants are white.

Budzyn, as a police officer in Michigan, deserves a new trial because of a movie viewed by the jury; Mumia, as a defendant in Pennsylvania, cannot get a new trial despite questions about the gun involved, the recantation of witnesses, and the denial of testimony from reliable witnesses, including at least one police officer who was placed “on vacation” during Mumia’s trial. To those who would say they are different state jurisdictions, I respond that nothing in the history of American jurisprudence suggests things would be different if Budzyn were in Pennsylvania and Mumia was in Michigan.

Mumia’s Pennsylvania justice offers a stark contrast to Nichols et al. It seems overwhelmingly obvious that he did not receive a fair trial. His life has been at the mercy of Judge Sabo, who for 16 years has demonstrated near-palpable bias without being censured by the Pennsylvania or U.S. Supreme Court. Considerable evidence, suppressed in the first trial, points toward Mumia’s innocence. Even if Mumia is guilty, by no stretch of the imagination was Officer Daniel Faulkner’s death on December 9, 1981, either premeditated or the result of a cold-blooded decision. Yet as an African-American male convicted by the use of both tainted witnesses and the absence of credible favorable witnesses, he lingers on death row.

This contrast is not intended as a pro-death penalty argument in the cases of Nichols et al. Kaczynski, for instance, may very well be mentally ill. However, the decision to

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23 The Buffalo News. August 1, 1997. (Taken from the Nexus computer service)
execute, as these cases show, seems arbitrary and in no way based on justice. If Kauffman and McMahon don’t deserve the death penalty for cold-bloodedly murdering two women who in no way resisted them, who does? If Mumia doesn’t deserve a new trial based on a veritable mountain of information pointing toward his innocence, who does?

The Unabomber case and the Nichols case have been national news and covered thoroughly. By contrast, although Mumia has an international movement seeking his freedom, he is hard-pressed to get local coverage. I know personally of two experiences that demonstrate this.

During the fall of 1997, I received a news story from the Philadelphia Daily News from my fiancee. In the article, the City Council president, John Street, was taken to task by reporter Mark McDonald for inviting a “curious collection of Mumia supporters” to meet with other city councilmen after the group requested the meeting. Disdain for Mumia filled the story, so much so that McDonald didn’t bother to name the supporters, whose identity I subsequently learned via e-mail.

The “curious collection” included the daughter and grandson of novelist Richard Wright, the son of the legendary W.E.B. DuBois, and the son of Kwame Nkrumah, the former president of Ghana. A curious collection indeed!

The subjective tone of the story makes one wonder if, in a similar situation, he would have written about the offspring of, say, novelist Ernest Hemingway, philosopher Jean Paul Sartre and former French president Charles de Gaulle with the same attitude.
Later in the year, a tribunal in a North Philadelphia auditorium presented evidence in Mumia’s defense and attracted 2,000 people. The event received a virtual news blackout, both by print and television agencies. At least one editor told a reporter from the *Philadelphia Tribune*, an African-American owned newspaper, said that his paper failed to cover it because it was a “publicity stunt.”

The Genesis of the Play

In 1994, I began work on a novel whose working title is *I’ve Longed and Searched for My Mother*. Mumia Abu-Jamal appears as a minor character, although the story, and the chapter he appears in, is fictional. When I created the scene, I deliberately made the choice as a very small tribute to him. I knew of his incarceration, but only in general terms.

In the spring of 1996, I received funding as a Ronald E. McNair Scholar to do research on the novel. I decided to go to Philadelphia, both for research and also to try and visit Mumia imprisoned near Pittsburgh on the other side of the state. In the novel, the central character joins the Black Panther Party in 1970 and witnesses the decline of the Philadelphia Branch. In truth, there had been a rift between visiting leadership from national headquarters in Oakland, California, and the local office; although I invented scenes to describe this schism, I wanted historical accuracy about the causes. I thought Mumia could verify what

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24 I did an unsuccessful Nexus search for the *Tribune* article. I read the column in December 1997 while on Christmas break.
happened; I also knew it would be good to see him again, despite the conditions imposed on his life by the Commonwealth of Pennsylvania.

However, a series of letters and e-mails failed to produce permission for me to be added to his visitor’s list. The meeting never materialized.

I followed whatever news I could get about his case which, in mid-Iowa, came mostly through the Internet. Media coverage of his case was almost non-existent in Iowa. The more I learned, the more it became obvious that he deserved a new trial. I also became convinced of his innocence and wondered how I could help him.

A year passed. During spring semester 1997, I took an English literature course, “Political Theater,” with Prof. Susan Carlson. For my final paper, I originally intended to write a portion of a fictional play about the Civil Rights Movement in the summer of 1964, “Freedom Summer.” This all changed on a flight to Philadelphia for spring break.

En route, I read Mumia’s latest book, *Death Blossoms: Reflections From A Prisoner of Conscience*. The preface by Julia Wright, novelist Richard Wright’s daughter, seized my attention. Her description of Mumia’s appearance at a 1995 hearing, and how it stunned courtroom onlookers into silence, made me want to show that moment to anyone I could. I wanted to sit people down and have them see Mumia, have them meet him. I wanted them to feel what Julia Wright felt, and made me feel:

> There are all sorts of silences — as many perhaps as there are textures to our sense of touch or shades of color to the eye. But I will always remember the extraordinary silence that fell over a Pittsburgh courtroom on October 13, 1995, when an African-American journalist and world-known author walked
in slow motion, his feet in chains, to present testimony in his own civil suit against his prison (SCI Greene) and Pennsylvania’s Department of Corrections for violation of his human rights. His name — Mumia Abu-Jamal.

Ripples of silence froze in his shackled footsteps. As if on’a move waves could be stilled, this was a silence of total paradox: the volatile, scarcely hidden presence of loaded police weapons targeting the reined-in love of members of the family in the courtroom — men, women, and children who have been unable to touch him for fourteen years. I was reminded of Coleridge’s uncannily arrested sea: a spell cast against the forces of life. Having at last reached the stand in hi-tech noiselessness (America now produces silent chains for her prisoner’ feet), a gentle giant spoke and was unbound by his own words.

Then, his testimony:

Did he know he was violating prison rules when he wrote his book, *Live From Death row*?

“Yes.” Quietly. (A tremor through the silence.)

Did he know he was violating prison rules when he accepted payment for articles, commentaries, etc. ...?

“Yes.” (The silence stirs.)

Did he know that the current punishment for entering into “the illicit business of writing” behind bars was ninety days in the “hole” and a prison investigation justifying the monitoring of his mail and limited access to all categories of visitors including family, paralegals, spiritual counselors, the press?

“Yes.” Patiently, wearily.

“Why then, if you knew, did you go ahead and write that book?”

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25 “On’a Move!” is an expression used by MOVE, the organization which Mumia belongs to, which was founded by John Africa.
“Because, whatever the cost to me, I knew I had to offer to the world a window into the souls of those who, like me, suffer barbaric conditions on America’s death rows ...”  

Wright’s riveting description placed me in that Pittsburgh courtroom. Sitting on the plane that day, I knew I would not be content until I sat others down in that courtroom as well. And when I got them there, I figured they might as well get to know this beautiful man, Mumia Abu-Jamal, “the father of beauty,” who sits as a political prisoner on death row in the land of the tree and the home of the slave.

Ames, Iowa
April 12, 1998

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27 Arabic translation, according to a graduate student colleague.
LIVE FROM DEATH ROW: THIS IS MUMIA ABU-JAMAL

A
Play by Milton McGriff

Based on the writings of
Mumia Abu-Jamal and others

TIME: FROM MID-1960S UNTIL PRESENT ALTHOUGH, SPIRITUALLY, FROM 1619 UNTIL THE PRESENT

PLACE: VARIOUS U.S. LOCATIONS

Cast of Characters (in order of appearance)

(ALL CHARACTERS EXCEPT MUMIA AND THE BLACK POET DOUBLE AS PRISON GUARDS. ALL GUARDS ARE WHITE MALES EXCEPT THREE WHO, IN THE INTERESTS OF DIVERSITY, ARE A WHITE FEMALE GUARD, A BLACK FEMALE GUARD AND A BLACK MALE GUARD)

POLICEMAN
MAN (who is Mumia’s brother)
MUMIA ABU-JAMAL
SEVERAL POLICE OFFICERS; SMALL CROWD
BLACK POET
JUDGE
ATTORNEY
GUARD #1
MCKEITHEN
GUARD #2
WOMAN JUROR
REPORTER
JUDGE SABO
DEFENSE ATTORNEY
PROSECUTOR
TRIAL AUDIENCE
SECURITY GUARD
COP
EYEWITNESS
Cast of Characters (continued)
VERONICA
DEFENSE ATTORNEY #2
BILL
COP #1
COP #2
COP #3
SYMBOL OF JUSTICE
BAPTIST PREACHER
GIRL IN CHURCH
MEN IN SYNAGOGUE
RABBI
CATHOLIC CONGREGATION
PRIEST
BENJAMIN X
MUSLIM SISTER
EDDIE
ALVIN
GEORGE WALLACE
COP #1
COP #2
REVOLUTIONARIES, BLACK PANTHER PARTY MEMBERS
FRED HAMPTON
REGGIE SCHELL
REPORTER #1
REPORTER #2
FBI SPOKESPERSONS
J. EDGAR HOOVER
REPORTER #3
REPORTER #4
REPORTER #5
GERONIMO PRATT
PROGRAM DIRECTOR
DELBERT AFRICA
COUNTRY PREACHER
MOVE MEMBERS (SEVERAL)
MUMIA'S BOSS
MOVE MEMBER (FEMALE)
MAYOR RIZZO
(Image and Voice of) MUMIA'S YOUNG DAUGHTER
(Image and Voice of) MUMIA’S FATHER
VOICE OF JOHN AFRICA
ANCHORWOMAN
NEWSCASTER
VOICES (OFFSTAGE)
JUDGE REHNQUIST/JUDGE POWELL (PLAYED BY SAME ACTOR WHO PLAYS
JUDGE SABO)

(BLACK. THE CRACKLE OF A POLICE RADIO. POLICEMAN'S VOICE IS HEARD,
AMPLIFIED:)

POLICEMAN
Officer needs backup. Say again, officer needs assistance.

(LIGHTS UP SLOW. WE SEE THE FOLLOWING ACTION SILHOUETTED
THROUGH A SCRIM. SURREAL ALMOST, AS IF IN SLOW MOTION, WITH
VOICES DISTORTED. TWO MALE FIGURES. BY HIS WHEEL HAT, WE KNOW
ONE IS A POLICEMAN. HE POKES THE OTHER MAN WITH A LARGE
FLASHLIGHT.)

MAN
I told you, I didn’t see no fuckin' one-way sign! Get off me!

POLICEMAN
And I’m telling you to get your black ass up against the wall. Now, goddammit!

(THE POLICEMAN POKES; THE MAN TRIES TO BRUSH IT ASIDE. THE COP
STARTS TO BEAT THE MAN WITH THE FLASHLIGHT. MUMIA ABU-JAMAL
ENTERS.)

MUMIA
Man, what the fuck are you doing? Leave my brother alone!

(THE POLICEMAN, GUN OUT, TURNS TOWARD MUMIA, FIRES ONE SHOT.
ANOTHER SHOT IS HEARD, THEN ANOTHER. TWO MORE SHOTS. THE
POLICEMAN FALLS; MUMIA SLUMPS, SITS. SEVERAL POLICE OFFICERS
ENTER AS SCRIM LIFTS. ORGANIZED CHAOS: FURIOUS FLASHING POLICE
LIGHTS, OFFICERS PUTTING UP YELLOW TAPE, CRACKLE OF POLICE
MESSAGES, ETC. AFRICAN-STYLE DRUMMING BEGINS UNDER IT ALL.
BLACK POET ENTERS, PROWLS DOWNSTAGE AREA AS HE RECITES IN THE
STYLE OF THE 1970s GROUP, "THE LAST POETS.. AS HE RECITES, FIRST THE
COP, AND SOMETIME LATER, MUMIA, ARE TAKEN OFF ON STRETCHERS. A SMALL CROWD GATHERS, WATCHES. THE BLACK POET RAPS:

BLACK POET

... what if the day your life began was the day it ended, would you think it was real, as real as a cold december morning on the 9th day of the 12th month of your 27th year, would this be real, as real as a car going the wrong way on a one-way street in the middle of the dark in the middle of the cold, would you be in the twilight zone if you come upon a car turned the wrong way on a one-way street in the middle of that dark in the middle of that cold, and stopped to see yourself, stopped to see your self, out in that cold up against that hood, getting beat, getting beat, by some cop, would it be real if on that night you saw your self, you saw yourself, your brother appeared to take those blows, to take those blows against the hood of that car turned the wrong way on a one-way street, and you ran to his defense to take those blows, to take those blows against the hood of that car turned the wrong way on a one-way street, and you ran to his defense to take those blows, to take those blows to the chest, the blood ringing in your ears, your eyes rolling back your ribs sucking blows on a cold december morning in the darkness of a philadelphia night and four bullets from a gun you never owned wound up in the bloody cop’s bleeding back, would you think you were back in time would you think you were in the deep deep south in johannesburg would it be real as real as the cops punching you in your chest punching you in your wounds in the emergency room would you think you were back in time would you think you were huey newton in a hospital bed with lumps on your head your mouth twisted shut would you think you were emmitt till layin up in a wooden box while your mama cried cause she couldn’t recognize her boy cryin cause she can’t recognize her boy ...

(POLICE LIGHTS, BACKGROUND SOUNDS FADE, SLOW, STOP. SLOW FADE TO BLACK. MUMIA’S VOICE IS HEARD DURING THE FADEOUT, AMPLIFIED, FROM OFFSTAGE)

MUMIA

From death row, this is Mumia Abu-Jamal on your public radio station. I’m a journalist, a husband, a father, a grandfather, and an African-American. I live in the fastest growing public housing tract in America. In 1981, I was a reporter for WUHY and president of the Philadelphia Association of Black Journalists. Currently I’m a writer and a public radio commentator. I’ve been a resident on Pennsylvania’s death row for 15 years.

OVER THEIR HEART THAT HAVE BEEN CUT FROM A STARS AND STRIPES PATTERN, AND POLICE HATS WITH A SIMILAR BADGE IN FRONT. [WHEN THEY PLAY OTHER CHARACTERS, THEY REMOVE HATS AND BADGES.] MUMIA ENTERS FROM THE REAR OF THE AUDITORIUM, WEARING SHACKLES ON HIS LEGS AND HANDCUFFS CONNECTED TO A WAIST CHAIN. HIS SHACKLES DO NOT MAKE NOISE AS HE WALKS. HE MOVES ALMOST AS IF IN SLOW MOTION BECAUSE OF THE CHAINS. HIS BEARING IS ERECT, PROUD BUT NOT HAUGHTY. THE TWO GUARDS CLOSEST TO THE STAGE GO ON-STAGE WITH HIM, STANDING ON EITHER SIDE. MUMIA GOES TO C., FACES AUDIENCE)

MUMIA
(BREAKS INTO SUDDEN GRIN. DESPITE HIS CUFFS, HE THRUSTS A CLENCHED FIST UP AS FAR AS HE CAN) Ona Move!

GUARD/JUDGE
(ONE OF THE GUARDS REMOVES HIS HAT AND BADGE, GOES UPSTAGE C., SITS, BECOMES A JUDGE) Mister Cook, will you please be seated?

MUMIA
My name is Mumia Abu-Jamal.

GUARD/JUDGE
Please. Be seated.

(MUMIA SITS IN WITNESS CHAIR)

GUARD/JUDGE
This hearing has been convened to hear testimony in the case of Wesley Cook, also known as Mumia Abu-Jamal, in his lawsuit against the State Correctional Institution Greene County, the Pennsylvania Department of Corrections and the Commonwealth of Pennsylvania that alleges the plaintiff has had his human rights violated by aforementioned defendants. Defense attorney for State Correctional Institution Greene may question the plaintiff.

(GUARD/ATTORNEY ON STAGE REMOVES HIS HAT AND BADGE, PICKS UP PAPERS FROM JUDGE’S BENCH, BECOMES ATTORNEY, READS AS HE QUESTIONS MUMIA)

GUARD/ATTORNEY
Mister Cook, were you aware when you wrote your book ____
MUMIA

My name is Mumia Abu-Jamal.

GUARD/ATTORNEY

were you aware when you wrote your book, Live From Death Row, that you were violating prison rules at SCI Greene County?

MUMIA

Yes.

GUARD/ATTORNEY

You knew, but you wrote the book anyway?

MUMIA

That’s correct.

GUARD/ATTORNEY

When you accepted royalties for the book, and payment for magazine articles, radio commentaries and other endeavors, were you aware that you were violating similar prison rules?

MUMIA

Yes.

GUARD/ATTORNEY

Still you persisted?

MUMIA

(SMILES) I persisted.

GUARD/ATTORNEY

You have said we violated your human rights. When you entered into the illicit business of writing while a prisoner of the commonwealth, did you know the punishment for this illicit business of writing was ninety days in the “hole?”

MUMIA

Yes.

GUARD/ATTORNEY

You also knew there would be a prison investigation, didn’t you?
MUMIA

Yes.

GUARD/ATTORNEY

You also knew the investigation would give us justification to monitor your mail and limit your access to all categories of visitors, including, but not limited to, family, paralegals, spiritual counselors and the press, didn’t you?

MUMIA

You say it was justified - yes, I knew you would do all those things.

GUARD/ATTORNEY

Well, Mister Cook - Mister Abu-Jamal! - if you knew these things, why then, if you knew, did you go ahead and write the book?

MUMIA

Because, whatever the cost to me, I knew I had to offer to the world a window into the souls of those who, like me, suffer barbaric conditions on America’s death rows ...

(LIGHTS DIM, EXCEPT ON MUMIA, AS GUARDS COME ON STAGE AND FORM HUMAN ROW OF CELL “BARS” DOWNSTAGE. THE JUDGE AND ATTORNEY PUT ON THEIR HATS AND BADGES, JOIN THEM)

MUMIA

(WALKING TO HIS CELL BUNK) There is a newspaper known as Inside Journal, which is published by the National Prisoner Foundation, I think, out of Washington, D.C. Every prison in the United States distributes it through their religious communities, Christian communities for the most part. The articles in there are written exclusively by prisoners and ex-prisoners, but no one has been written up for writing to this journal, and no one has been written up for writing for any other prison journal - except myself.

(TURNS HIS BACK TO AUDIENCE)

GUARD #1

(GUARD #1, TO AUDIENCE) In 1981, the United States of America ranked third among the nations of the world in the percentage of its citizens it imprisoned. Only Russia and South Africa surpassed us.
Who would have guessed that, thirteen years later, the powerful governments of two of the top three incarcerating nations would have been overturned by internal revolutions. We’re number one now. And in spite of the warning implicit in the fate of governments that choose repression over reform, we’re building more prisons as fast as we can.

Don’t tell me about the valley of the shadow of death. I live there in SCI Greene, one of the nation’s new supermaximum, or control unit, prisons. I and some seventy-eight other men spend about twenty-two hours a day in six- by ten-foot cells. The other two hours may be spent outdoors in a chain-link-fenced box, ringed by concertina razor wire, under the gaze of gun turrets. Welcome to Pennsylvania’s death row.

I’m a bit stunned. Several years ago the Pennsylvania Supreme Court affirmed my conviction and sentence of death, by a vote of four justices. Three, including the African-American Chief Justice, did not participate. Now, as a black journalist who was a Black Panther way back in my yon teens, I’ve often 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,” attributed to U.S. Supreme Court chief justice Roger Taney, of the infamous Dred Scott case, where America’s highest court held that neither Africans nor their “free” descendants are entitled to the rights of the Constitution. Deep, huh? It’s true. Now, understand what Dred Scott was saying: “I live in a free state, where there is no slavery, and therefore my slave status should be invalidated as a matter of law.” But the overwhelming majority of the Supreme Court, of Justice Taney’s court, said: “Uh-uh, you’re wrong.” What they said was: “When the Constitution and the Declaration of Independence were written, Africans were perceived as three-fifths of a person. When one speaks of ‘we the people,’ we were certainly not speaking of you. And therefore we cannot give you the rights and appurtenances that apply to ‘we the people.’ The Constitution has no relevance to you and your kind, or to your descendants should they ever become free.” Now, I know, some of y’all are saying, “Well, the Fourteenth Amendment surely overruled that case.” But if you look at that case and you examine its precedent, you will find that to this day, that case has yet to be judicially overruled. And where humans actually come in contact with their government is not in the voting booth - I mean, that’s an empty formality for many - but it’s in the courtroom. And for all intents and purposes, if one is poor, if one is African-American, if one lacks influence and power, then you come into that courtroom without the hope that you will walk out a free man. That is the undeniable reality in America.
I said earlier that I wanted to offer you a window into the souls of those who, like me, suffer barbaric conditions on America’s death rows, a window into the souls of men like Dennis “Solo” McKeithen ...

(TURNS HIS BACK TO THE AUDIENCE. THE BLACK GUARD REMOVES HIS CAP AND BADGE, BECOMES McKEITHEN, AND CROSSES BEHIND THE HUMAN BARS, WHO TURN AND FACE FRONT.)

BLACK MALE GUARD/McKEITHEN
From June 1985 to November 1, 1989, I never went to the hole while in prison and never had a misconduct more serious than two sticks of reefer. I went three years without any kind of misconduct while engaging in studies, being a literacy tutor and all. In March 1992, all that changed. They said I hit a nurse.

(FOUR OF THE GUARDS TAKE OUT CLUBS AND MOVE TOWARD McKEITHEN. THEY BEAT HIM IN A MANNER THAT CLEARLY RESEMBLES THE VIDEOTAPE OF RODNEY KING BEING BEATEN IN MARCH 1991. THEN THEY RETURN TO BEING HUMAN BARS. MUMIA TURNS AROUND, SEES McKEITHEN, WHO HAS STAGGERED UP STAGE AND IS LYING ON BUNK.)

MUMIA
Damn, Solo, whassup? What they do to you, man?

BLACK MALE GUARD/McKEITHEN
They said I hit a nurse.

MUMIA
(TO AUDIENCE) In an astonishing, unexpected event, Solo was tried and acquitted - Yes! - on November 13, 1992, by an all-white, rural Huntingdon County jury, who disbelieved the white nurse’s tale. Nevertheless, four days later, despite the acquittal, Solo was shipped to the special management unit - they call it the SMU - and locked down. During the next ten months he lost eighteen pounds on SMU while battling for his freedom and dignity, against a system designed to deny both.

(“McKEITHEN” RESUMES BEING A GUARD, PUTS CAP AND BADGE BACK ON)
GUARD #2
(ONE OF THE GUARDS BEING HUMAN BARS, TO AUDIENCE) Since 1900, thousands of African Americans have been either executed by prison officials or police, or lynched by white mobs - all for the defense of white supremacy. In the past century, the total number of white Americans executed for either the murder of a black person, or the rape of black women, is fewer than five.

MUMIA
... A window into the souls of men like William Henry Hance ...

(WHITE FEMALE GUARD REMOVES HER CAP AND BADGE, BECOMES WOMAN JUROR.)

WHITE FEMALE GUARD/WOMAN JUROR
(SOUTHERN ACCENT) I served on the jury that tried William Hance the second time. He’d been convicted of killing a prostitute here in Georgia in 1978. Our jury gave him the death penalty, but it was not unanimous. I know that the black juror is telling the truth when she says she never, ever agreed to the death sentence. She thought it was wrong because she believed Hance was both mentally retarded and mentally ill. I felt the same way. Both she and I have filed sworn affidavits that we felt like this, and that we heard things that made it obvious that Hance could not get a fair trial. I personally heard one juror, a white woman, say, “The nigger admitted he did it, he should fry.” Once, when the black juror was not in the room, a couple of the other white jurors said Hance was just a typical nigger, nothing special. Another one said he was just one more sorry nigger that no one would miss. When we were trying to decide on the penalty, on whether it should be the electric chair or life, one of the jurors said we ought to give him the chair because, that way, there’d be one less nigger to breed.

MUMIA
(TO AUDIENCE) Did any of this bother either the Georgia superior court, the Georgia Supreme Court, the U. S. Supreme Court, or the Georgia Board of Pardons and paroles? Absolutely not. On April 31 (?), 1994, at 10 p.m., William Henry Hance, a man both mentally retarded and mentally ill, was legally lynched by the state of Georgia in the electric chair.

(WOMAN JUROR BECOMES GUARD AGAIN, GOES BACK TO POSITION)

MUMIA
(TO AUDIENCE) How did I get to death row? Well, for starters, I was born black in the United States. About 40 percent of death row’s population in this country is black, although we’re only about 11 percent of the population. Then, to make it worse, I joined the Black
Panther Party as a teen-ager growing up in North Philly. This was in 1969. I think this is a big part of the reason I’m on death row.

(white female guard takes off badge and cap, becomes a reporter. Two guards become a “barrier” between them from the audience’s pov as the two face each other and talk.)

White female guard/reporter
(to mumia, waving stack of papers) Eight hundred pages, give or take twenty pages.

Mumia
Say what? Since I was fourteen years old? You gotta be kidding?

White female guard/reporter
From the time you joined the black panther party. Even before. They followed you, talked to informers in the party who were around you, listened in on phone conversations, intercepted your mail, the whole nine yards.

Mumia
This government, this land of the free, really wants no one objecting to their picture of reality.
(to audience)
Do you find it amazing that the highest government agencies in America - your government agencies - find it necessary to tape, pursue and conduct surveillance on a 15- or 14-year-old boy, not for anything he’s done, but for what he reads, what he writes, and what he believes. I was a “threat to national security” - a 15-year-old snotty nosed boy, because I wrote some articles in the Black Panther Newspaper that they didn’t like.

White female guard/reporter
It gets better. Or, actually, worse. There are several instances in several states, in fact, affecting several countries, where you are named as a suspect in murders or armed robbery.

Mumia
(to audience) This is when I’m in my teens, do you understand what I’m saying?
(to reporter) So, like, my work record’s the only thing that saved me.

White female guard/reporter
Yep. You would have been suspect number one. Although one murder, for instance, happened in Bermuda.
MUMIA
And in jail when I was 17 as opposed to 27. I would have been on death row before my 20th birthday.

WHITE FEMALE GUARD/REPORTER
Instead of before your 30th birthday. Can you talk about your case at all?

MUMIA
I have good counsel for the first time. It's on their advice, advice I respect, that I won't talk about it at this time. Maybe when a new trial is granted.

(TURNS TO AUDIENCE)
How do I say how bad my trial was anyway?

(THE GUARDS REMOVE CAPS AND BADGES. ONE BECOMES JUDGE SABO; ANOTHER, THE WHITE FEMALE, BECOMES THE PROSECUTOR; A THIRD BECOMES MUMIA'S DEFENSE ATTORNEY. THE OTHERS BECOME AUDIENCE TO THE TRIAL ON-STAGE AS WELL AS WITNESSES.)

GUARD/SABO
(AS HE PUTS ON JUDGE ROBE) You could start by telling them this guy I'm going to play, Albert Sabo, is called the hanging judge because he's sentenced twice as many people to death row as any other judge in the United States.

MUMIA
Naw. They (INDICATES AUDIENCE) still might argue that that doesn't mean I didn't get a fair trial.

GUARD/SABO
Mumia, do I have to play this guy? Can I be the defense attorney?

MUMIA
You know he didn't want to represent me?

GUARD/SABO
No, I didn't.

MUMIA
Somebody has to play the judge.

GUARD/SABO
Yeah, okay.
Besides, this guy had never tried a capital case before. So I’ve got to act as if I don’t know what I’m doing for the next twenty minutes or so. (TO AUDIENCE) Can you imagine?

GUARD/SABO
Mumia, you could tell them that Sabo was an undersheriff in Philly for 16 years.

MUMIA
Naw. Instead of thinking he’s biased, some folks might think that makes him a good judge.

(THE WHITE FEMALE GUARD, WHO WILL BECOME THE PROSECUTOR, THUMBS THROUGH PAPERS.)

WHITE FEMALE GUARD/PROSECUTOR
I think I’ve got one, Mumia. This prosecutor I’m going to play once got a murder conviction of an innocent man.

MUMIA
Nope. People will not care that some faceless somebody named Connor did 12 years for a crime he didn’t commit. They’ll say, “So what’s that got to do with Mumia? He’s a cop killer.”

(ALL, INCLUDING MUMIA, STRIKE THOUGHTFUL POSES FOR A LONG MOMENT.)

GUARD/DEF. ATTORNEY
Your attorney didn’t want to represent —— No, we said that already.

GUARD/SABO
That Sabo wouldn’t let you represent yourself? Mumia, do I have to play this guy? Since I’ve been rehearsing him, I’ve broken out in a rash. (POINTS TO HIS ARM) Look at this shit!

MUMIA
Try and hang in there, (USE ACTOR’S NAME) (TO AUDIENCE) Would y’all care if I told you that Judge Sabo removed me from the courtroom most of the time the prosecuting was doing its thing? And didn’t give me a transcript or provide closed circuit TV so I could follow the lynching. Or would y’all say I’m just an uppity nigga who made too much noise insisting I had a right to defend myself.
GUARD/DEFENSE ATTORNEY
Now I know any of you who care about Mumia are gonna get pissed at the guy I play because he didn’t do a damn thing, and didn’t really want to. But you should cut him some slack because (POINTS THUMB AT SABO ACTOR) he only gave me $800 in pretrial money to investigate the case, track down witnesses, and all that. Meanwhile the cops were interviewing 125 folks.

MUMIA
Y’all don’t get it. (POINTS TO AUDIENCE) Most of these people believe the United States has the best judicial system in the world. (TO AUDIENCE) Right? (TO ACTORS) I think they just need to see some of the trial.

GUARD/SABO
(SLAMMING GAVEL DOWN) Judge Albert Sabo presiding. Mumia, be seated.

MUMIA
No, I won’t be seated because the first order of business is to remind you that, during pretrial questioning of witnesses, you denied me my constitutional right to defend myself and also denied me the assistance of John Africa at counsel table.

GUARD/SABO
You’re out of order, Mumia.

MUMIA
So are you. You want me to remain silent while you violate my rights? That’s not going to happen.

GUARD/SABO
You have competent counsel appointed by the court. I’m ready ______

MUMIA
You heard the man. He doesn’t want to represent me. (TO DEFENSE ATTORNEY) Isn’t that right?

GUARD/DEFENSE ATTORNEY
You honor, if it please the court ______

GUARD/SABO
Jamal, this is my courtroom_______

MUMIA
This is my life!
MUMIA
We went back and forth like that because there was, and is, no way I will be an accomplice in the state’s attempt to murder me. For what it’s worth, today I have very capable counsel and during the hearings they hold to try and get me a new trial, I don’t say a mumbling word unless I’m asked. We’re still in front of the hanging judge, he’s still trying to kill me, but I have counsel of my choice.

(SABO’S GAVEL SLAMS DOWN)

GUARD/SABO
Jamal, this is my courtroom. I’ll have you removed if you don’t shut up.

(SABO, PROSECUTOR AND DEFENSE ATTORNEY PANTOMIME BUSINESS AS USUAL AS MUMIA SPEAKS)

MUMIA
(TO AUDIENCE) And he did. (WALKS DOWN TOWARD EDGE OF STAGE AS HE SPEAKS) Threw my ass out of my own trial. No audio hookup. No transcript. Nada. Well, I did have an unprepared lawyer - I prepared my case - who wanted to be somewhere else. Let’s look at some of the witnesses the prosecution rounded up.
(SITS ON EDGE OF STAGE)

(White male guard takes the stand, becomes security guard)

White male guard/security guard
I work as a security guard.

Guard/prosecutor
You work at the hospital where the defendant was taken after he murdered Officer Faulkner.

Mumia
(At defense attorney) Hey man, you’re supposed to object. That’s an inflammatory and misleading statement.

(Defense attorney says nothing)

Guard/sabo
(Looking at defense attorney) Overruled.
GUARD/DEFENSE ATTORNEY
Yes, your honor.

GUARD/PROSECUTOR
You were on duty when the defendant was brought in the morning of December 9, 1981?

WHITE MALE GUARD/SECURITY GUARD
I was.

GUARD/PROSECUTOR
Would you describe the defendant's behavior as hostile?

MUMIA
(AT DEFENSE ATTORNEY) He's leading the witness.

(DEFENSE ATTORNEY SAYS NOTHING)

GUARD/SABO
(TO DEFENSE ATTORNEY) Are you going to object?

GUARD/DEFENSE ATTORNEY
Well, I can, if it pleases the court.

GUARD/SABO
Overruled.

GUARD/PROSECUTOR
You may answer. Was the defendant hostile?

WHITE MALE GUARD/SECURITY GUARD
Oh yeah. He was pissed off all right. When they wheeled him in, he was yelling, "Yeah, I did it. I shot his pig ass. I hope the motherfucker dies."

(COURT FREEZES AS TWO GUARDS BRING ON GURNEY, MUMIA GETS ON. ANOTHER GUARD PUTS ON BADGE AND POLICE HAT, ADDRESSES AUDIENCE AS COP. AS HE DOES, TWO OTHER GUARDS TAKE TURNS STRIKING MUMIA)

GUARD/COP
I'm a Philadelphia police officer. I was one of the first on the scene the night of December 9 and I took the alleged assailant into custody. I stayed with him until doctors took him from emergency to operate on him. Like I wrote in my report that night, the alleged assailant was silent the entire time.
GUARD/DEFENSE ATTORNEY
Your honor, an important witness is on vacation. I’d like to request a continuance until he returns. He’s a credible witness, a police officer, and he will rebut the security guard’s testimony.

GUARD/SABO

Motion denied.

(BLACK WOMAN LEAVES STAND. BLACK MALE GUARD REMOVES BADGE, CAP, BECOMES EYEWITNESS. HE TALKS TO AUDIENCE UNTIL HE REACHES WITNESS STAND)

BLACK MALE GUARD/EYEWITNESS
Like Mumia, I drive a cab. I understand he was a big time radio commentator until he got hassled by the powers that be. Well, I know how that is. Anyway, I was driving that night, like Mumia, and I pulled up behind Faulkner’s police car. It’s like I told the cops that night, I heard a bunch of shots. At least four, maybe more. Pow. Then pow pow! Pow pow, like that. So I look and Mumia’s holding his chest, the cop’s down, and this big dude, he was taller than Mumia, this was a big dude, about six four or five, two-thirty or more, this dude hauled ass up the street and cut into this alley ...

(HE SITS IN THE WITNESS CHAIR AND HIS MANNER CHANGES ABRUPTLY)

BLACK MALE GUARD/EYEWITNESS (cont.)
... the guy who shot the cop couldn’t be no more than about six feet. I couldn’t see his face, but there was this bunch of shots - pow! Pow pow pow pow! The cop goes down and this guy with dreadlocks, he was facing the cop, and he takes a few steps, stops, and just sort of sits down on the curb and leans back against this pole, you know ...

(EYEWITNESS LEAVES STAND, GOES BACK TO RESUME BEING GUARD, TALKS TO AUDIENCE AS HE GOES)

BLACK MALE GUARD/EYEWITNESS (cont.)
... see, y’all gotta understand, I had this situation. See, I was on parole, you know what I’m saying? Now I didn’t want to go back to the joint an I know how the system works, you understand what I’m telling you? What’d I do? Well, I had this case, I was given some dinero to throw this Molotov cocktail into this school, I’m not gonna go into no details right now, but I did my time and I didn’t want no more problems, you know what I’m saying?
(DURING THE ABOVE, MUMIA REMAINS ON GURNEY, TWO POLICE OFFICERS NEAR HIM, HANDS ON GUNS. THEY FREEZE, MUMIA LEANS UP, SUPPORTS HIMSELF ON ELBOW)

MUMIA
Don’t mind them. This one’s been periodically standing on my urine bag, trying to force urine back up into my body. The other one tries to make sure I keep bleeding, hoping I might bleed to death. This next witness has proven to be a real problem for Judge Sabo.

(BLACK FEMALE GUARD BECOMES VERONICA, TAKES THE STAND. MAY BE THE SAME ACTRESS BUT IT MUST BE CLEAR SHE’S PLAYING A DIFFERENT CHARACTER)

BLACK FEMALE GUARD/VERONICA
My name’s Veronica.

GUARD/PROSECUTOR
What did you see at about 4 a.m. on December 9, 1981, at 13th and Locust streets?

BLACK FEMALE GUARD/VERONICA
I saw a policeman get shot twice.

GUARD/PROSECUTOR
Is the shooter in the courtroom?

BLACK FEMALE GUARD/VERONICA
I don’t see him.

GUARD/PROSECUTOR
Can you pick his picture out from this group?

BLACK FEMALE GUARD/VERONICA
(SHUFFLES THROUGH PICTURES, PICKS ONE) Here.

GUARD/PROSECUTOR
(TAKING PICTURES BACK) Let the record show that she has selected Mumia Abu-Jamal. Miss Jones, can you describe what you saw that night?

BLACK FEMALE GUARD/VERONICA
Faulkner had his back to Mumia when I walked up, and it looked like he was talking to somebody else. Mumia crossed the street and shot at him. Faulkner staggered a little and
shot Mumia as he fell. Mumia walked up to him and, you know, stood over him and shot him again.

(PROSECUTOR SITS; DEFENSE ATTORNEY STANDS)

GUARD/DEFENSE ATTORNEY
Miss Jones, what kind of work do you do?

BLACK FEMALE GUARD/VERONICA
Well, I’m unemployed right now but I’m a dancer.

GUARD/DEFENSE ATTORNEY
You have a long arrest record for prostitution.

BLACK FEMALE GUARD/VERONICA
Uh, yeah, I’ve worked the streets some.

GUARD/DEFENSE ATTORNEY
I have your original statement here. You told police you saw two men run from the scene. Remember, you’re under oath.

BLACK FEMALE GUARD/VERONICA
I don’t remember saying that. I made a mistake.

GUARD/DEFENSE ATTORNEY
Is it true that you’re currently facing a weapons charge and could end up serving as much as ten years in prison?

GUARD/PROSECUTOR
Objection! Your honor, this is irrelevant.

GUARD/SABO
Sustained. That question will be stricken from the record.

(COURT FREEZES. MUMIA GETS UP FROM GURNEY, WALKS DOWN TO DEFENSE TABLE, SITS)

MUMIA
But of course it wasn’t irrelevant. Veronica was facing 10 years in jail on a gun charge. She eventually got off with probation. So did Cynthia White, who, like Jones, was a “working girl,” and who was the only witness to say she actually saw me shoot Faulkner. No one even saw Cynthia White at the scene. Now before we go on, we need to peek into the future
a moment. March 1996. Different courtroom. A hearing this time to try and get me a new trial. I have capable counsel this time.

(A NEW GUARD REMOVES BADGE AND HAT, BECOMES DEFENSE ATTORNEY #2.)

MUMIA (cont.)
Same judge, though. He refuses to recuse himself from the case, says he’s not biased. But he seems determined to keep me from getting a new trial. Miss Jones, now 35 years old, came forward and said she was willing to testify ...

BLACK FEMALE GUARD/VERONICA
I did not tell the truth at Mumia’s trial.

GUARD/DEFENSE ATTORNEY #2
Why have you decided to come forward at this time?

BLACK FEMALE GUARD/VERONICA
Well, some things have changed in my life. I don’t live like I used to. I’m nine months sober and I’m trying to make some things right, you know? My daughter’s about to have a baby. I’m going to be a grandmother, and this is the first time, and that’s important to me, and, well, I’m just wanting to live different.

GUARD/DEFENSE ATTORNEY #2
What do you want to tell us?

BLACK FEMALE GUARD/VERONICA
(PAUSE) Two white police officers came to me in jail and offered me a deal. I was facing maybe ten years in jail. (PAUSE) I didn’t see Mumia shoot nobody that morning. For one thing, I was about a block away when the shooting started. There was a commotion, I could tell something was happening, and I started over to see what was up. There was a shot, then a few more - three, four, five, I’m not sure. I looked and saw two men running from the scene. One was a large man and they ran toward me and took off up Camac Street and disappeared.

GUARD/DEFENSE ATTORNEY #2
You’re aware you are leaving yourself open to possible charges of perjury?

BLACK FEMALE GUARD/VERONICA
Yeah, I know that. But, like I said, I’m trying to get my life right.
(TWO GUARDS, WEARING THEIR HATS AND BADGES, APPROACH PROSECUTOR, CONFER FOR A MOMENT)

GUARD/PROSECUTOR
Your honor, if I may interrupt. There are two peace officers here from Burlington, New Jersey. The witness is wanted there for a bad check she wrote two years ago. May they take her in custody?

GUARD/SABO
They may. And I rule Miss Jones' testimony inadmissible to the record.

(TWO MORE GUARDS, WEARING THEIR BADGES AND HATS, APPROACH PROSECUTOR, CONFER)

GUARD/PROSECUTOR
And, your honor, if I may. It's my understanding that if the defendant makes bail in Burlington, Philadelphia police have a warrant for her arrest on a 12-year-old prostitution charge.

GUARD/SABO
Well, she's obviously not a reliable witness.

(HEARING PARTICIPANTS FREEZE. DEFENSE ATTORNEY #2 EXITS, DEFENSE ATTORNEY #1 RESUMES. ANOTHER GUARD BECOMES THE EYEWITNESS NAMED BILL.)

MUMIA
(TO AUDIENCE) So now we flashback again to the day after they tried to murder me. Bill saw everything but was never called to testify, maybe because he was too reliable a witness.

(LIGHTING ESTABLISHES A POLICE ROOM. THREE DETECTIVES SURROUND BILL, WHO SITS AT A TABLE. ONE COP HOLDS A LEGAL PAD.)

GUARD/DETECTIVE #1
(WAVING LEGAL PAD) This is not what happened! Can you understand me? This is not what fucking happened!

GUARD/BILL
That's what I saw.
GUARD/DETECTIVE #1
When’s the last time you were arrested, Bill?

GUARD/BILL
Man, why you got to come at me like that? I own my own gas station, I’ve been law abiding all my life, why you got to say some shit like that?

GUARD/DETECTIVE #2
(LEANS OVER CLOSE TO BILL’S FACE) Bill, you wouldn’t lie to us, now would you?

GUARD/BILL
I saw what I saw.

GUARD/DETECTIVE #2
One more once. What did you see, Bill baby?

GUARD/BILL
I saw a big guy - over two hundred pounds - shoot the officer and run. This was a man who got out of the VW. There was another shot from another man standing there that hit the officer in the face. I saw this guy with long dreads start toward the officer and he looked like he was trying to help and the officer’s gun was in his lap and it went off and the guy with the dreadlocks kind of staggered and sat down on the curb. Not too long after that cops were coming from everywhere. They started beating the guy with the dreads and I heard one say, “Kill that black motherfucker!” and they kicked ___

GUARD/DETECTIVE #3
You’re a lying sack of shit, Bill! That’s not what happened and you know it! (HE TAKES THE LEGAL PAD FROM DETECTIVE #1, TEARS OFF SEVERAL PAGES) Now, motherfucker, can we take it from the top? Can we do that? Are you gonna tell us what happened this morning?

GUARD/BILL
Look, I came down here on my own, I don’t need this shit.

GUARD/DETECTIVE #2
You don’t need this shit? You say you don’t need this shit? Well, we don’t need this shit either, Bill baby. We really don’t need it. Why are you trying to take up for Mumia? We know he shot Dan. Why don’t you just say so?

(THE POLICE ROOM SCENE FREEZES)
MUMIA
It went on like this for hours. Finally they typed up a statement of what “really” happened and Bill signed it because he began to literally feel afraid for his life. With good reason. Let’s flash forward again to the hearing to get me a new trial. ...

(POLICEMEN BECOME GUARDS, WITNESSES, ETC. AGAIN. BILL GOES TO THE WITNESS STAND. DEFENSE ATTORNEY #2 AGAIN REPLACES DEFENSE ATTORNEY #1)

GUARD/DEFENSE ATTORNEY #2
Now, after being coerced into signing a false statement, what happened?

GUARD/BILL
Windows started to get broke every couple days or so at my business.

GUARD/DEFENSE ATTORNEY #2
Have you ever had problems with vandalism before?

GUARD/BILL
Never.

GUARD/PROSECUTOR
Objection. This is irrelevant.

GUARD/SABO
Sustained. The last exchange will be stricken from the record.

GUARD/DEFENSE ATTORNEY #2
What else happened?

GUARD/BILL
My tow truck drivers started getting traffic tickets at the rate of three, four a week.

GUARD/PROSECUTOR
Your honor ______

GUARD/SABO
Sustained. Counselor, I think you should go in another direction with your questioning.

GUARD/DEFENSE ATTORNEY #2
May I approach the bench, your honor?
GUARD/SABO
Say what you have to say, counselor.

GUARD/DEFENSE ATTORNEY #2
Very well. It should be clear that I’m trying to establish police harassment of the witness after he signed a statement he hadn’t given.

GUARD/SABO
I don’t hear you proving that.

GUARD/DEFENSE ATTORNEY #2
You’re making it quite difficult, your honor.

GUARD/SABO
Watch it, counselor. Get on with your questioning. It’s getting late and we want to go home.

GUARD/DEFENSE ATTORNEY #2
(TO BILL) Were you ever called to testify?

GUARD/BILL
Never. I was told I’d be subpoenaed but nothing ever came. I even got in touch with my state senator and he said he’d help, but I never was called.

GUARD/DEFENSE ATTORNEY #2
Do you still own your gas station?

GUARD/BILL
No sir, I don’t.

GUARD/DEFENSE ATTORNEY #2
What happened?

GUARD/BILL
I just got tired, you know? My windows kept getting broke and I had to pay hundreds of dollars in tickets. I saw what time it was and I just decided to get out. I sold the station the following February and a few months after that, I left Pennsylvania. I’m sorry I was even on that street corner. I was just trying to do the right thing, you know?

(THE HEARING FREEZES. MUMIA TURNS TO AUDIENCE)
MUMIA
I think you get the picture. Of course they found me guilty. Next question: Do we give him the death penalty?

(MUMIA TURNS, WALKS UPSTAGE, SITS BENEATH LETHAL INJECTION GURNEY. LIGHTING CASTS HIS SHADOW SO THAT IT SPILLS ACROSS THE GURNEY. THE BLACK POET ENTERS RAPPING, PROWLS THE STAGE AS BEFORE. AFRICAN STYLE DRUMMING AS BEFORE)

(AS POET RAPS, WHITE FEMALE PUTS ON BLINDFOLD, HOLDS UP SCALES AS THE SYMBOL OF JUSTICE DOES)

BLACK POET
Yea though I walk through the valley of death I will fear no evil, and that’s why they will try and kill me, not because of anything I’ve done but because of what I’ve done, if you can dig it, did they kill the Nazarene because of what he had done, no, you know they killed him because of what he said, can you understand that if you stand, can you understand they don’t want you to stand, they want you to crawl or at least kneel, and they will kill you if you tell them what Malcolm told them when he said: I’m the man you think you are, can you understand that if you stand, they will kill you like they tried to kill Shadrach, like they tried to kill Meshach, like they tried to kill Abednego, because they wouldn’t bow and can you understand that it’s nothing they did that got them put in the fire, it’s what they did when they said we will stand, we will not bow, not now, not never, I don’t think you understand that they have to give Mumia the death penalty because he tells us what they don’t want us to know, and hell, we don’t want to know so we help them help us not know, you know that don’t you, that you help them help you not know what you need to know, so you can keep on helping them get more, keep on helping them help you have less, while they kill Mumia like they kill all those who try and tell you what free is, and like King said, if you don’t have something to die for then you really don’t have anything to live for, although you think you know, can you hear Malcolm tell you how you must be certain in uncertain times and walk through the valley if you can, can you walk, huh, can you walk through the valley and fear no evil like Mumia can, can you walk, after all, you think you’re free and he’s not, but he’s free and you’re not, I said he’s free and you’re not, did you know he’s free and you’re not, although you think you’re free and he’s not, he’s free and you’re not, even though he’s walking through the shadow of the valley of ...

GUARD/SABO
Death! (SLAMS GAVEL DOWN)

(DURING THE FOLLOWING, TWO GUARDS GO UP AND GET MUMIA, BRING HIM DOWNSTAGE AS OTHER GUARDS BECOME CELL “BARS”)
GUARD/PROSECUTOR

Black Panther!

GUARD/SABO

Death! (SLAMS GAVEL DOWN)

WHITE FEMALE GUARD/JUSTICE
(LIFTS BLINDFOLD FROM ONE EYE, SCALES ARE TILTED) Nigger!

GUARD/SABO

Death! (SLAMS GAVEL DOWN)

GUARD/PROSECUTOR

Agitator!

WHITE FEMALE GUARD/JUSTICE
(STILL HOLDING BLINDFOLD UP) Nigger!

GUARDS
(IN UNISON) A black man has no rights a white man is bound to respect!

GUARD/SABO

When one speaks of “we the people,” we were certainly not speaking of you.

MUMIA
(NOW BEHIND “BARS”) Just to remind you, those words, and the ones that follow, are the words of U.S. Chief Justice Roger Brooks Taney as he rendered the Dred Scott decision in 1857.

GUARD/PROSECUTOR

And therefore we cannot give you the rights and appurtenances that apply to “we the people.”

GUARD/SABO
(IN UNISON) The Constitution has no relevance to you and your kind ...

GUARDS
(IN UNISON) ... or to your descendants should they ever become free.

GUARD/SABO
(SLAMS GAVEL DOWN) No rights!
GUARD/PROSECUTOR

No respect!

GUARDS

(IN UNISON) To your descendants should they ever become free!

WHITE FEMALE GUARD/JUSTICE

Nigger!

(BLACKOUT)

(MUMIA WALKS IN FRONT TO BARS, STANDS IN POOL OF LIGHT)

MUMIA

(TO AUDIENCE) Just because your body is in prison doesn’t mean your mind isn’t free, and even though this thought might be trite, there is some truth in it, because we are our minds. In the deepest sense we are our spirits. When you think of a person, or of your own body—is not this a prison in some sense? Are we not in a prison of time? We age, we lose our faculties, but that doesn’t mean we cannot overcome, and we do that by the power of mind and spirit. We reach beyond.

(LIGHTS WIDEN. A CROSS (OR CROSSES) OF LIGHT ILLUMINATE THE BACK WALL)

As a boy, I wasn’t real different. My Mama used to drag us to church, more for her solace, I think, than for ours. I used to wonder: What is Life? Who is God? Why? The quest for answers took me to the oddest places. Church was a foreign affair for me and my siblings.

(LIGHT ON BLACK MALE GUARD AS HE BECOMES A BAPTIST PREACHER, MIMING WHAT MUMIA SAYS. MUMIA SITS ON APRON)

Black preachers, especially those of Southern vintage, are extroverts in style, diction and cadence. They may yell, shriek, hum, harumph or sing. Some strut the stage. Some dance. Black Baptist preachers, especially, are never dull. Their sermons aren’t particularly cerebral, not should they be. They preach to people whose spirits have been beaten down and battered all week long. Sundays are days when the spirit, not the mind, needs lifting.

(LIGHT ON BLACK FEMALE GUARD AS SHE BECOMES A GIRL SEATED IN CHURCH)
The only “salvation” I felt in church was the rapturous joy that came when I looked around me. Here, I thought, are the most beautiful girls in the world. I was lost in a reverie, in rapt adoration, my eyes locked on a girl a few pews back. She had fresh pressed hair, wore a crisp, starched dress, patent leather shoes that shone brighter than the real stuff. Her dark brown legs shimmered with the luster of Vaseline ...

Then a painful pluck would snatch me from my rapture. Mama’s clenched lips would whisper (IMITATES HIS MAMA) “Boy! Turn yo’ narrow behind around now! Straighten up!” Now who wanted to look at an old preacher when there was a pretty girl to look at? But I was only ten, so Mama made the choice for me.

My Dad was an Episcopalian and sometimes I went to his church, which was the quiet antithesis of Mama’s Baptist church. Second Pilgrim was cramped; Episcopal was spacious. Baptists sang and danced; Episcopalians were reserved and stately. Mama’s friends shook their tambourines in North Philly; Dad’s friends sang hymns in the foreign outlands of Southwest Philly. Dad’s church reflected wealth; Mama’s church was a sweatbox. Soon I began to seek my own spirit refuge, going where I felt the spirit lead me. Like the synagogue.

(START OF DAVID[S] ILLUMINATE THE BACK WALL. SIX OF THE GUARDS BECOME MEN IN THE SYNAGOGUE, WEARING YARMULKES, PRAYER SHAWLS, STANDING AND PRAYING IN HEBREW. MUMIA WALKS TOWARD THEM)

MUMIA

If the Scriptures were the word of God, I reasoned that I would find the Word among Jews in a purer form. North Philly then was almost all black and Puerto Rican. Jews were a distinct and rare minority. To this day, I remember that room: dark, and what little sun seeped in hardly penetrated the dimness. Dust motes swam like goldfish in thin ribbons of filtered light. The dust of old stones, of old men. And the smell of old men.

(ONE GUARD, THE RABBI, APPROACHES MUMIA)

GUARD/RABBI

Can I help you, young man?

MUMIA

Yes, sir. I — umm — I’m — umm ... I wanna learn about Judaism.

GUARD/RABBI

Vy iz dat?
MUMIA
Well, I’m interested in learning about the religion that really began Christianity.

GUARD/RABBI
Vell — Vy?

MUMIA
Umm ... becuz I think I wanna become a Jew.

GUARD/RABBI
Dyou vat? Vat you mean? Vy dyou say dat?

MUMIA
Well — I’m interested in a pure religion. I’ve read that the Bible has been tampered with; there are different translations and stuff. I wanna study what God really said, you know ...

GUARD/RABBI
(AFTER A PAUSE, HE TURNS AROUND AND LOOKS FOR SOMETHING) Vait a minute.

(HE GOES AND PICKS UP AN ENVELOPE, RETURNS TO MUMIA) Zis will help you, young man.

(HE STARTS WALKING MUMIA AWAY TO AN IMAGINARY “DOOR”) When you are finished, come back, ya?

(MUMIA NODS)
By ze vay, dyou know, zair ah black Chews. Haf you efer heard von Sammy Davis chunior?

(MUMIA NODS)
Vell, he is a black Chew, you know?

(AS MUMIA FACES AUDIENCE, “JEWS” BECOME GUARDS AGAIN)

MUMIA
I raced home and tore the envelope open.
(TEARS ENVELOPE OPEN. THERE IS A SLIM LEATHER BOUND BOOK INSIDE. MUMIA OPENS IT)

It was entirely in Hebrew. I couldn’t read a word. Tears filled my eyes.

(THE GUARDS BECOME A CONGREGATION. WHITE GUARDS KNEEL FACING DOWNSTAGE AS IF THEY’RE IN CHURCH. THE BLACK MALE GUARD SWEEPS THE FLOOR OFF TO ONE SIDE; THE BLACK FEMALE GUARD GOES UPSTAGE AND WIPES THE WALL AS IF SHE IS CLEANING WINDOWS. A CROSS [OR CROSSES] ILLUMINATE THE BACK WALL ONCE AGAIN. CATHOLIC CHANTS ARE HEARD SOFTLY. MUMIA WALKS UPSTAGE, KNEELS)

I tried a Catholic church, which was a real study in contrasts. The visages in stone radiated reverence, but faces of flesh reflected unmitigated hatred.

(SOME HEADS OF GUARDS TURN TOWARD MUMIA)

Do they know me? Are they angry at me?

(THE GUARDS CHANT AS IF THEY ARE DOING A SACRAMENT:)

GUARDS
(CHANTING IN UNISON) Nigger! What are you doing in this church? Our church?

(ON THE WALL UPSTAGE, IMAGES FLASH OF MARTIN LUTHER KING JR. STANDING ON THE BALCONY OF THE LORRAINE HOTEL. THE CRACK OF A RIFLE IS HEARD. IMAGES OF THE FALLEN KING AS HIS AIDES CROWD AROUND. IMAGES OF UPRISINGS IN CITIES LIKE WASHINGTON, D.C. THE GUARDS BECOME SOLDIERS WITH RIFLES, PROTECTING AN IMAGINARY SOMETHING )

MUMIA
(TALKING TO HIMSELF) King believed in nonviolence — and still they killed him!
(CHANGES HIS VOICE) They? Who they, Mumia? (CHANGES VOICE BACK) White folks — white folks couldn’t bear to hear him — to see him!

(A GUARD BECOMES A PRIEST, APPROACHES MUMIA)

GUARD/PRIEST
Do you feel like doing catechism today? What’s wrong? You seem distracted.
(THEY SIT)

MUMIA

Father ...

GUARD/PRIEST

Yes, go on.

MUMIA

I heard on the news today that Reverend Martin Luther King was assassinated ...

GUARD/PRIEST

I heard it too. Some of the Fathers and brothers are glad.

MUMIA

Glad?

GUARD/PRIEST

Yes. they saw him as a troublemaker.

MUMIA

Really? Really, Father?

GUARD/PRIEST

Some — not all. Especially not one of our Fathers.

MUMIA

Why “especially” not one?

GUARD/PRIEST

Well — how do I put it ... Well — one of our Fathers is half-Negro.

MUMIA

Really? (PAUSES) Do you think I could talk to him?

GUARD/PRIEST

Why?

MUMIA

Well, Father — perhaps ... maybe he can understand how I feel.
GUARD/PRIEST
That may be, but, uh ... you cannot talk with him.

MUMIA
Why not, Father?

GUARD/PRIEST
Well ... it's a secret. I can't tell you which Father it is.

(KING APPEARS ON THE BACK WALL, ABOVE THE GURNEY, HANGING ON A CROSS. THE PRIEST FACES THE WORSHIPPERS AS IF CONDUCTING A SERVICE. HE PANTOMIMES GIVING COMMUNION)

MUMIA
(TO AUDIENCE) I left. A man, a priest, ashamed of his race? Priests who were glad that King was killed. I wept bitter tears that day. Not for King — I felt he was wrong, a soft-hearted non-realistic — but for my parents and all others who revered him. King, an educated preacher of nonviolence, to these priests was just another nigger. What was I doing in this place, a place that hailed his murder? If they thought that way about him, how did they really feel about me? I cried for the loss my mother and her generation felt — the assassination of their dreams, the scuttling of their barely-born hopes. I cried for the loss of a boy's faith. I cried for a nation on the razor's edge of chaos.


MUMIA
(TO AUDIENCE) A black nationalist before I joined the Black Panther Party, it was perhaps inevitable that I ended up at the local mosque of the Nation of Islam. I think his name was — Benjamin? Benjamin X?

BLACK MALE GUARD/BENJAMIN X
Brothers and Sisters ... I say to you here and now, the white man is the devil! Why, when you look at how this man has stolen millions of our people from Africa, sold our mothers and fathers into slavery in the hells of North America for four hundred years; beat us, abused us, lynched us, and tortured us — well, how could any man be anything but a devil?"

BLACK FEMALE GUARD/MUSLIM SISTER
Yes, sir! Preach it, Brother Minister!
BLACK MALE GUARD/BENJAMIN X
Our leader and teacher, the Honorable Elijah Muhammad, teaches us, brothers and sisters, that the devil’s time is almost over!

BLACK FEMALE GUARD/MUSLIM SISTER
Wake ‘em up, Brother Minister!

BLACK MALE GUARD/BENJAMIN X
I said, the devil’s time is almost up! Why, look all around the world — from Vietnam to Detroit — and you’ll see the white man catching hell! Am I right? Am I right?

BLACK FEMALE GUARD/MUSLIM SISTER
Yes, sir! Make it plain! Uh-huh! Preach it!

MUMIA
(TO AUDIENCE) The brother spoke for what seemed like hours, and then they took a collection. I was struck by how much he sounded for the most part like a Christian in a bow tie, although his message was shaped to my ethnic, historical and cultural realities. The view of evil was different, though. Where the preacher in Mama’s church spoke of a metaphysical devil, Brother Benjamin preached about a living one. I couldn’t bring myself to believe that the white man was supernatural, even supernaturally evil. If anything, they were sub-naturally human, I thought to myself. Yet it seemed as improbable that they were devils, as gods. My search would continue.

(BLACK MALE GUARD REMOVES BOW TIE, PUTS ON LARGE 60S-STYLE “APPLE” CAP PULLED DOWN ON ONE SIDE, BECOMES EDDIE; BLACK FEMALE GUARD REMOVES WHITE HEAD SCARF AND ALSO PUTS ON LARGE “APPLE” CAP TO PORTRAY, ALVIN, A MALE FRIEND OF MUMIA.)

About this time, George Wallace came to Philly running for president. Now, if he dared to run for president in Philly, my partners and I would dare to protest—in his white honky face, if need be. So we jumped on the subway and rode down to the stadium in South Philly, four afros amid a sea of blondes, brunettes and redheads. We entered the citadel of urban white racist sentiment to confront this Alabaman. We must have been insane, four lanky dark string beans in a pot full of white, steaming limas.

(“DIXIE” STARTS TO PLAY IN THE BACKGROUND)

We started shouting “Black power, Ungowa, black power!” They shouted “Wallace for president! White power!” and “Send those niggers back to Africa!” We shouted back: “Black power! Ungowa!” Now don’t ask me what “Ungowa” means. We didn’t know, but it had a helluva ring to it. They hissed and booed. We stood and gave the black power salute.
Dubious gifts of spittle rained down on us. Patriots tore American flags from their standards and threw the sticks at us.

**GUARD/WALLACE**

(SOUTHERN ACCENT) When ah become president, these dirty, unwashed radicals will have to move to the Sovee-yet Union! You know, all throughout this campaign these radicals have been demonstrating against George Corley Wallace. Well, I hope they have the guts to lay down in front of my car. I'll drive right over 'em!

(WILD CHEERS. TWO OF THE GUARDS PUT ON HELMETS AND BECOME COPS, APPROACH THE THREE)

**GUARD/COP #1**
You boys are gonna have to leave. You're creating a disturbance.

**BLACK MALE GUARD/EDDIE**
We're creating a disturbance? Aw, man!

**BLACK FEMALE GUARD/ALVIN**
You cops are all alike! How come you don't make them leave us alone? Ain't this a free country?

**GUARD/COP #2**
If you don't get out of here, you're going to find out how free it is. Now move!

(THE OTHER GUARDS/CROWD SURROUND MUMIA, EDDIE AND ALVIN, THEN ATTACK THEM. THEY FIGHT BACK. THE TWO GUARDS/COPS WATCH. MUMIA GOES DOWN)

**MUMIA**

Help, police!

(GUARD/DETECTIVE #1 WALKS OVER TO MUMIA, KICKS HIM IN THE FACE. EVERYONE BUT MUMIA FREEZES. MUMIA RISES, WALKS TO WINGS, GETS BLACK LEATHER JACKET, PUTS IT ON)
MUMIA (cont.)

I have been thankful to that faceless cop ever since, for he kicked me straight into the Black Panther Party.

(GUARDS REMOVE GUARD CAPS, PUT ON BERETS, BECOME REVOLUTIONARIES. MOST BERETS ARE BLACK; A COUPLE ARE BROWN, ONE IS RED, A COUPLE HAVE SMALL CONFEDERATE FLAGS ON THE FRONT. BLACK MALE AND FEMALE GUARD BECOME BLACK PANTHER PARTY MEMBERS, TURN DOWNSTAGE TOWARD AUDIENCE FIRST, RAISE CLENCHED FISTS)

BLACK GUARDS/PANTHERS

All power to the people!

(GUARDS/REVOLUTIONARIES)

(OTHER GUARDS FACE DOWNSTAGE, TURN IN TOWARD MUMIA AND TWO BLACK GUARDS. THEY RAISE CLENCHED FISTS)

WHITE MALE GUARD (THE ONE WHO PLAYED SABO)

(TO AUDIENCE) Now I gotta tell you, playing a member of the Young Patriots is way better than playing Judge Sabo. I bet you don’t know who the Young Patriots were, do you? We were some bad ass white dudes who dug what the Black Panther Party was doing. Now you know if the Black Panther Party and some white boys wearing a confederate flag on their beret can hook up and work together, that some serious shit was going on, you know what I’m saying? I grew up in the mountains of Appalachia, moved to Chicago on the North Side about the same time Huey P. Newton, the Panther Minister of Defense, was arrested. And I met this young brother named Fred Hampton. Everybody called him Chairman Fred ‘cause he was the Deputy Chairman of the Panthers for the state of Illinois. And he wasn’t but twenty-one.

BLACK GUARD BECOMES FRED HAMPTON. THE OTHER GUARDS BECOME THE CROWD AT A RALLY

BLACK MALE GUARD/FRED HAMPTON

(SHOUTING) I AM! ...

GUARDS/REVOLUTIONARIES

(SHOUTING) ... A REVOLUTIONARY!
BLACK GUARD/FRED HAMPTON
I AM! ...

GUARDS/REvolutionARies
... A REVOLUtionARY!

BLACK GUARD/FRED HAMPTON
Power to the people, brothers and sisters. Right on to the Rainbow Coalition. It’s good to see all of y’all committed to working with the Black Panther Party, the vanguard party, working to bring down the fascist pigs who are stifling us, who are telling us we ain’t got the right to live in decent housing and have decent jobs and get a decent education. I say fuck that and fuck the pigs who say that. Right on?

GUARDS/REvolutionARies
Right on!

BLACK GUARD/FRED HAMPTON
We’re gonna bring power to our communities. The Brown Berets are gonna bring Chicano power to their barrio. The Young Lords are gonna bring Puerto Rican Power to Spanish Harlem. The Red Guard is gonna bring Asian power to their communities. The Young Patriots are gonna bring power to poor white people on the North Side and in the hills of Appalachia. And the Black Panther Party is gonna bring black power to black people on the South Side of Chicago, to South Central Los Angeles, to everywhere black people live and suffer under this fascist racist power structure. And I know they don’t like me saying that. I know they want to take me down. But fuck that. They can jail a revolutionary but they can’t jail a revolution!

(THE RALLY FREEZES. MUMIA TURNS DOWNSTAGE)

MUMIA
(TO AUDIENCE) On December 4, 1969, they didn’t jail a revolutionary, they murdered a revolutionary. The Illinois State Attorney’s office and the Chicago police murdered Hampton in his bed, then told reporters there had been a vicious shoot-out. The truth, reporters learned the next day when Panthers invited them to tour the murder scene, was more brutal. Almost one hundred shots were fired into the apartment. Only one or two bullet holes were found going out. Hampton had been drugged by a police informant named William O’Neal. And O’Neal had given the pigs a floor plan of the apartment so they knew exactly where to find Hampton. And they did. How did the inquest turn out? I believe the phrase is, “justifiable homicide.” Which, translated, means the victims were black. In Philly, I guess we were luckier when they raided our offices. We were only humiliated.
(THE BLACK MALE GUARD BECOMES REGGIE SCHELL, DEFENSE CAPTAIN OF THE PHILLY BRANCH. MUMIA AND BLACK FEMALE GUARD STAND WITH HIM AS SECURITY. THE WHITE FEMALE GUARD AND A WHITE MALE GUARD BECOME REPORTERS WITH NOTEBOOKS AND PENS)

WHITE FEMALE GUARD/REPORTER #1
So how did you feel when they made you strip naked on the street in front of your headquarters?

BLACK MALE GUARD/REGGIE SCHELL
Like anyone else would feel buck naked on Columbia Avenue, I guess. We were embarrassed to be showing our naked asses on the street in broad daylight. But I don’t put nothing past the pigs because they’re pigs, so I expect them to behave like pigs, you know what I’m saying?

WHITE MALE GUARD/REPORTER #2
They said they wanted to make sure you weren’t armed.

BLACK MALE GUARD/REGGIE SCHELL
Have you ever known them to strip white people on the street in broad daylight like that, then show it as page one across the nation? Although I’m glad y’all did that because it sure unified black folks in their anger. I haven’t seen a black person in Philly who’s not pissed off about what happened. We’ve been saying that police Chief Rizzo is a fascist pig. Now people see that it’s true.

(WHITE MALE GUARD/SPOKESPERSON FOR ANOTHER GUARD WHO WALKS OVER AND BECOMES J. EDGAR HOOVER. MUMIA MOVES TO THE SIDE AND WATCHES; THE BLACK MALE GUARD AND BLACK FEMALE GUARD NOW BECOME REPORTERS AND ARE JOINED BY SEVERAL OF THE OTHER WHITE GUARDS WHO ALSO BECOME REPORTERS. THE BLACK REPORTERS POLITELY RAISE THEIR HANDS BUT NEVER GET CALLED ON)

WHITE MALE GUARD/SPOKESPERSON
The Director has a pretty full schedule today, so we don’t know how many questions he’ll be able to take.

(WHITE MALE GUARD/SPOKESPERSON IS ACTUALLY MORE OF A SERVANT; SHE GETS HOOVER A CUP OF COFFEE, HANDS IT TO HIM)

WHITE MALE GUARD/REPORTER #3
Mister Hoover, how do you feel about Huey P. Newton being released from prison?)
WHITE MALE GUARD/HOOVER
Like any red-blooded American feels about seeing a cop killer set free. It’s a travesty of justice.

WHITE MALE GUARD/REPORTER #4
Mister Hoover, it’s been said the Black Panther Party has been singled out and that the FBI is coordinating these police raids all over the country. Critics point out that the Panthers aren’t a hate group, and that hate groups like the Ku Klux Klan don’t suffer the same kind of police attacks. Nor does organized crime like, say, the Mafia.

WHITE MALE GUARD/HOOVER
First of all, young man, the Black Panthers are the number one threat to national security in this country today, can you understand that? They are threatening the very fabric of American society. The very fabric. You say they aren’t a hate group. Well, I say they’re worse. Those people are not only hooligans, they are communists! They subscribe to Marxist-Leninist theory, did you know that? I will use every resource of the Bureau to neutralize their effect on America.

WHITE MALE GUARD/REPORTER #5
How about the other part of the question, sir?

I beg your pardon?

WHITE MALE GUARD/REPORTER #5
John pointed out that the FBI hasn’t waged this kind of attack on the Ku Klux Klan or organized crime.

WHITE MALE GUARD/HOOVER
I differ with you about the Bureau “waging an attack,” young man. We are doing what we are paid to do, which is defend this nation and its Constitution, do you understand? I take exception to language that says we’re waging an attack. Now, as for the rest, there is no real evidence that organized crime exists. We have heard rumors of Klan activity and we have investigated. I wish you would be as concerned about the communists who have infiltrated the civil rights movement and are creating disturbances in our cities. You didn’t ask about that. I’ll take one more question.

WHITE MALE GUARD/REPORTER #4
Mister Hoover, would you comment on the program the FBI is alleged to have called COINTELPRO?
(HOOVER LOOKS AT HIS SPOKESPERSONS, WHO BOTH SHRUG.)

I have a copy of a COINTELPRO document dated September 16, 1970, that was sent to all Special Agents in Charge across the nation and signed by you. It reads in part: “Since the purpose of our counterintelligence action is to disrupt the Black Panther Party” — then something’s blacked out — “... it is immaterial whether facts exist to substantiate the charge.” Sir, are you fabricating evidence against the Panthers?

WHITE MALE GUARD/HOOVER
Young man, you’re a troublemaker. I’m not going to dignify that question. I have no comment. Thank you all very much for coming.

(HOOVER TURNS AND LEAVES. THE BLACK MALE GUARD BECOMES “GERONIMO” PRATT, BPP DEPUTY MINISTER OF DEFENSE, FACES AUDIENCE)

BLACK MALE GUARD/PRATT
(RAISING CLENCHED FIST) Power to the people, brothers and sisters! My name’s Geronimo Pratt, I’m the deputy minister of defense in the Southern California chapter of the Black Panther Party. Once again, power to the people! Brothers and sisters, all the nickel and dime games that you play on other oppressed people must stop. All the red devils, trues, and drugs must go. Those El Dorados will have to turn into tanks, and those bad rags, into guns and ammo. You must understand that you’re the ones that’re going to be on the front lines, whether you like it or not. Every black man is a dangerous suspect in the eyesight of the oppressor. You know that as well as I do. So right on, brothers and sisters. Power to the people!

(PRATT FREEZES. THE OTHER GUARDS FORM CELL “BARS” IN FRONT OF HIM AS THEY DID EARLIER FOR MUMIA. MUMIA WALKS IN FRONT OF THE “BARS.”

MUMIA
(TO AUDIENCE) Geronimo said that in the beginning of 1970. And being a Vietnam veteran, the brother had the skills to back up what he said. The Los Angeles chapter where he was deputy Minister of Defense was probably the best prepared one in the country to defend itself against the cops. By the end of the year, he was in jail on a murder charge, accused of robbing and murdering a white woman on a Santa Monica tennis court. He was found guilty and remained in jail for 27 years, until a judge finally accepted proof, discovered years earlier, mind you, that the key witness was an FBI informant. All those years, the FBI had wiretaps that showed Geronimo was in Northern California at the time of the murder. But like your FBI director said, “it is immaterial whether facts exist to substantiate the charge.”
I left the Black Panther Party that year. Burnt out, slightly petit-bourgeois, I distrusted organizations and I was still simmering in a stew of generational rebellion. There was an internecine and bloody split in the Party — East Coast Panthers siding with the Minister of Information, Eldridge Cleaver, West Coast Panthers supporting the Minister of Defense, Huey P. Newton. Set up by an obliging white newsmann, they even got into it on a television show. Huey in the studio, Eldridge on the phone long distance from Algeria, where he was in exile. It sickened me. I hadn’t joined the Party to get into some goddamn gang war, I said to myself at the time. I could’ve stayed in Philly for that kinda dumb shit. No more organizations for me, I said. No sir. Nothin’ happening. I’d write, send money, even write agitprop, but join? Unh unh. No way that was gonna happen. Then I met MOVE.

(ONE OF THE WHITE MALE GUARDS BECOMES THE PROGRAM DIRECTOR AT AN FM RADIO STATION IN PHILADELPHIA. MUMIA SITS AT A MICROPHONE IN A “BOOTH”)

MUMIA

... The organization says their name, MOVE, is not an acronym for anything. It stands for, they say, their belief that life is movement, that all things exist “on a move.” Until tomorrow, this is Mumia Abu-Jamal saying to all you listeners, keep it tight.

WHITE MALE GUARD/PROGRAM DIRECTOR

(ENTERS “BOOTH” ANGRY, PACING) Mumia, that piece you just ran on the demonstration at the Philadelphia Tribune?

MUMIA

Yeah, what about it?

WHITE MALE GUARD/PROGRAM DIRECTOR

As long as you’re working here, I don’t want to ever hear that MOVE shit on my radio station!

MUMIA

Uh, yeah, okay. You mind telling me what this is all about though?

WHITE MALE GUARD/PROGRAM DIRECTOR

(SITS, SIGHS OUT SOME OF HIS ANGER) A few years ago I was program director of a station up in Chester. Just like now, I also hosted a show. I had the bright idea to invite
these MOVE nuts to my studio for an interview. It was a disaster! They took over the show — wouldn’t answer a question, and I couldn’t get a goddamned word in edgewise. They were ranting on, pa pa pa pa pa. They wouldn’t let me moderate my own show. I couldn’t speak on my own show. That was it for me. I swore then, never again.

MUMIA
Not exactly off to a good start, you might say. I swallowed my pride because, the truth be told, it was my freedom I was concerned about, not MOVE’s. I never aired another MOVE story while I worked there. A couple of years later I became news director at another station. In 1975 a black presidential candidate came to Philly with his organization and his convention was broadcast live over my station, simulcast over a network of stations with the host no other than — Mumia Abu-Jamal!

(THE BLACK MALE GUARD BECOMES DELBERT AFRICA, GETS A PICKET SIGN, BEGINS TO WALK BACK FORTH ACROSS THE STAGE WITH THREE WHITE MALE GUARDS AND THE BLACK FEMALE GUARD, WHO ALSO CARRY PICKET SIGNS. THE SIGN READS “THIS DUMB ASS NIGGA IS BEGGING FAVORS FROM THE SAME SYSTEM THAT OPPRESSES HIM!” MUMIA SLINGS A TAPE RECORDER ON HIS SHOULDER)

MUMIA (cont.)
Well, when I saw these folks wearing blue denim and hair that was long, nappy and uncombed with these signs, I naturally tried to get a sound byte. I walked over to a brother named Delbert Africa with my trusty tape recorder.

(MUMIA SPEAKS INTO HIS MICROPHONE AS HE WALKS OVER TO DELBERT AFRICA) Excuse me, I’m from WHAT radio. Most of black Philadelphia is glad to see the Country Preacher in town and running for president. You don’t seem to agree. Would you like to tell my listening audience why?

BLACK MALE GUARD/DELBERT AFRICA
If the Country Preacher has gotta solution, why ain’t he givin’ it to everybody instead a selling it at $25 a seat? What about poor folks from North Philly, why they gotta spend they last dolla, if they got it, to hear this nigga? John Africa teaches us that the truth is free, like the air we breathe. It ain’t to be sold.

(MUMIA TURNS TO AUDIENCE AS BLACK MALE GUARD PUTS DOWN PICKET SIGN AND BECOMES THE COUNTRY PREACHER)
That was the first time I heard the name of MOVE founder John Africa. I had my sound byte and I went into the hotel to find out what the Country Preacher thought about MOVE. As always, he was game for an interview.

(MUMIA DOES NOT PLACE HIS MICROPHONE UP FOR THE COUNTRY PREACHER)

MUMIA (cont.)
Good morning, Reverend. What do you think about the MOVE demonstrators downstairs picketing your conference?

BLACK MALE GUARD/COUNTRY PREACHER
I have an agenda for black people in America, young man. An A-GEN-DA! Who cares about a bunch of dirty, unwashed niggas who don’t comb their hair?

(MUMIA HASTILY TURNS HIS RECORDER ON, HOLDS HIS MICROPHONE UP)

MUMIA
Uh, is there any more you want to say about MOVE?

(BEHIND THEM, MOVE MEMBERS AND TWO OF THE OTHER WHITE MALE GUARDS [SECURITY FOR THE PREACHER] PANTOMIME A FIST FIGHT AFTER THE TWO GUARDS TRY TO MOVE THEM AWAY)

BLACK MALE GUARD/COUNTRY PREACHER
No comment. (LOOKS AT HIS WATCH) Will you excuse me, I have a television interview in two minutes.

MUMIA
(TO AUDIENCE) I could have kicked myself. I went back downstairs and walked smack dab into the middle of a fight between MOVE members and some of the Country Preacher’s security folks. MOVE thinks free speech is a human, not a constitutional, right and they defend that position when asked to move.

(OTHER WHITE MALE GUARDS MOVE IN, BREAK UP FIGHT, ARREST AND TAKE MOVE MEMBERS AWAY AND GIVE FIRST AID TO THE TWO GUARDS FOR THE PREACHER)

MUMIA (cont.)
They got arrested and the Preacher’s people got treated for cuts and bruises. After I aired the grunts, curses, shouts, shrieks and yells that evening as my lead story, my boss came in the newsroom.
(THE BLACK MALE GUARD BECOMES MUMIA’S BOSS)

BLACK MALE GUARD/BOSS
Mumia, management wants to pull the tape of that demonstration and fight.

MUMIA
Aw, c’mon, Bernie, you know I can’t do that. When I went to work for you, I promised to
do my best to deliver the news truthfully. And you promised to back me up.

BLACK MALE GUARD/BOSS
I understand that, Mumia. But we’re co-sponsoring the conference. We’re simulcasting
across the country. We have responsibility to see that the thing is a success.

MUMIA
I agree. But let me say this. Wasn’t what happened and what I aired the truth? And don’t
our listeners deserve the truth?

BLACK MALE GUARD/BOSS
(SMILES) You’re right, Mumia. I’ll stand up to management for you. You did a good job.

(Boss returns to being a guard as Mumia speaks to audience)
I was never prouder of him or my chosen career. He could have fired me. I thought about the
sound byte I had missed ...

(BLACK MALE GUARD BECOMES COUNTRY PREACHER AGAIN)

BLACK MALE GUARD./COUNTRY PREACHER
Who cares about a bunch of dirty, unwashed niggas who don’t comb their hair?

MUMIA
I did. Still, I valued my independence and what I believed was my objectivity. So, while
accusations flew back and forth, I moved into doing some other things. The cops raided
them and when the MOVE men got out of jail, there was a noisy celebration in the street
while they kissed their women and babies. They were constantly getting into it with the
authorities. Standard stuff. The neighbors complained, the cops came again, clubs swinging.
More beatings of Move men, more arrests. Standard stuff. Cops denied it. MOVE claimed
the cops killed a baby. The cops, of course, denied it. Standard stuff. Lies from the cops.
MOVE media overkill. Me, I was too hip to believe either side.

(THE BLACK FEMALE GUARD BECOMES MOVE MEMBER, TELEPHONES
MUMIA. HE ANSWERS)
MUMIA
Mumia Abu-Jamal here.

BLACK FEMALE GUARD/MOVE MEMBER
Ona Move! This is Louise Africa. We having a news conference at noon tomorrow on Powelton Avenue. It will be important because people need to know what those lying ass cops have done.

MUMIA
Thanks, Sister Louise, I appreciate it. But I’ve got a lot going right now and I hate to, but I’m going to have to decline. Thanks for letting me know, though. I appreciate it.

BLACK FEMALE GUARD/MOVE MEMBER
You lying, brother. We need you here.

MUMIA
(QUICKLY ANGRY) Hey, you don’t just call me a liar. Who do you think you are? You know, I ain’t got time for this bullshit!

BLACK FEMALE GUARD/MOVE MEMBER
Well, make time. This ain’t no game! Stop lying and tell me why you ain’t coming!

MUMIA
Like I said, I really don’t need this bullshit. (HANGS UP)
(TO AUDIENCE) That was Tuesday. On Thursday I picked up a copy of the Philadelphia Tribune. And saw the picture.

(GUARDS WHO ARE MOVE MEMBERS STAND IN SMALL POOL OF LIGHT HOLDING A CARDBOARD BOX WITH A DEAD BLACK BABY IN IT. THERE ARE FRUIT AND YAMS SURROUNDING THE INFANT BODY)

MUMIA (cont.)
His name was Life Africa. He was about the same age as my own son. Almost asleep, he looked. Peaceful in death.

(BLACK MALE AND FEMALE GUARDS/MOVE MEMBERS DON DARK KHAKI FATIGUE JACKETS; ONE PICKS UP A SHOTGUN, THE OTHER A RIFLE. WHITE MOVE MEMBERS STAND IN SHADOWS BEHIND THEM, ALSO HOLDING GUNS IN SILHOUETTE. THE OTHER WHITE GUARDS MOVE TO THE OTHER SIDE OF STAGE OPPOSITE AND FACE THEM)
BLACK MALE GUARD/DELBERT AFRICA
We are tired of being beaten, bones broken, and murdered babies. No longer will this system
attack us with impunity. From now on, we will defend ourselves.

MUMIA
(HE TALKS TO AUDIENCE BUT SPEAKS INTO MICROPHONE AS HE WALKS TO
ONE SIDE OF STAGE WITH TAPE RECORDER OVER SHOULDER AND “REPORTS”
ON THE SEQUENCES THAT FOLLOW) Niggas with guns! The city went wild. Not
since the Panthers had strolled the streets of Sacramento a decade earlier had a black
organization captured the imagination of the people with simple, unapologetic militance.

(A WHITE MALE GUARD STEPS TO THE FRONT OF CROWD FACING MOVE,
BECOMES MAYOR RIZZO)

WHITE MALE GUARD/MAYOR
Have you people ever known Frank Rizzo to back down when facing a bunch of unruly
hoodlums. I’m going to take Powelton Village back. Starve ‘em out!

(TWO WHITE GUARDS WITH RIFLES GO UP ON PLATFORM NEXT TO
UPRIGHT GURNEY. SOME MOVE MEMBERS IN SHADOWS START TO PEEL
AWAY, ONE AT A TIME, GO TO OTHER SIDE)

MUMIA
The paramilitary option included cordoning off the neighborhood. The cops set up sniper
nests around the neighborhood. Nothing came in or out unless sniffed by cops. Even long-
standing homeowners had to show ID to enter their own cordoned-off neighborhood. Shades
of South Africa! Although tensions mounted and tensions flared, miraculously, no shots
were fired.

(BY NOW, BLACK MALE AND FEMALE GUARDS/MOVE MEMBERS STAND WITH
JUST ONE WHITE MALE GUARD)

MUMIA (cont.)
MOVE was becoming blacker. White members, plus some Spanish and Asian members, were
scared off by the police presence. Most blacks stood fast, even under constant surveillance,
with rifles pointed at them for months, angry policemen looking through the sights. The
siege was one year old when MOVE agreed to allow a cop with a metal detector to sweep
through the headquarters. the building was pronounced “clean.”
Then came August 8, 1978.

(LIGHTS DIM CLOSE TO BLACK)
WHITE MALE GUARD/MAYOR
I want those MOVE bastards out of there. Let's go in and get them!

(A RIFLE SHOT LIGHTS THE DARKNESS. SLOW FADE OF LIGHTS UP. A WHITE MALE GUARD/COP LIES DEAD AT CENTER)

MUMIA
Then KYW reporter, and later Tribune editor Paul Bennet said the shot came from across the street, not from MOVE. Nine MOVE members were in the basement when Officer James Ramp, facing their building, was shot in the back. No matter. Police hatred was unleashed in a blitzkrieg of bullets. When it quieted at midday, Ramp lay dead. Delbert Africa was beaten and pummeled, punched and kicked into near unconsciousness. Ten MOVE people were charged with murder.

WHITE MALE GUARD/MAYOR
What in the hell is wrong with you reporters anyway? What do you mean, were the suspects beaten? What kind of question is that? We lost a man out there to these murderers and you're asking stupid, insane questions. Bill, I'm not even going to dignify that with an answer. Why you would lie about Philadelphia police is beyond me. Yes, Bill, it hurts me that you're lying about my police force.

MUMIA
The nine MOVE members are now serving 30-100 years each in prison.

(MUMIA WALKS UPSTAGE TOWARD GURNEY THAT NOW WILL SERVE AS PRISON BUNK, LIES ON IT. AS HE WALKS, WE GET A LESS FRANTIC VERSION OF THE ORGANIZED CHAOS AT THE OPENING: A FEW FLASHES OF POLICE LIGHTS WHIRLING, THE CRACKLE OF POLICE MESSAGES)

MUMIA
I'm sleeping, sort of ...

(The black poet is heard from offstage, amplified, fragmented, dreamlike ... the drumming behind him muffled, subdued, which will continue until fadeout ...)

BLACK POET
... if the day your life began ... as real as a cold december morning ... the day it ended ... on the 9th day of the 12th month of your 27th year ... stopped to see yourself ... up against that hood, getting beat ... would it be real ...
(MUMIA SITS UP IN SILHOUETTE ON HIS BUNK. A SPOTLIGHT ON EXACT
DOWN STAGE C. AT THE APRON)

MUMIA

Damn! that’s me!

(MUMIA MOVES IN SLOW MOTION, DREAMLIKE TOWARD THE SPOTLIGHT ...
A SHARP DRUM BEAT, LIKE THE CRACK OF A GUN ... ANOTHER, LIKE THE
CRACK OF A GUN ... ANOTHER, LIKE THE CRACK OF A GUN ... MUMIA
STAGGERS ... SHARP DRUM BEAT, LIKE THE CRACK OF A GUN ... MUMIA SITS
ON THE APRON ... SLUMPS FORWARD, HEAD ON HIS CHEST ... BADLY
WOUNDED)

BLACK POET

... stopped to see your self ... you ran to his defense to take those blows ... to take those
blows to the chest ... the blood ringing in your ears, your eyes rolling back your ribs sucking
blows on a cold december morning in the darkness of a philadelphia night and four bullets
from a gun you never owned wound up in the bloody cop’s bleeding back ...

(SPOTLIGHT GROWS, A WHITE GUARD/COP LIES ON HIS BACK ... THE GURNEY
ONSTAGE IS BROUGHT DOWN, THE COP IS LIFTED ON IT, WHEELED OFF TO
FADING AMBULANCE SIREN SOUND ... SEVERAL WHITE GUARDS/COPS
APPEAR AT EDGE OF SPOTLIGHT, MOVING IN SLOW DANCELIKE MOTION ...
ONE WALKS TO MUMIA AND KICKS HIM IN THE FACE ...)

BLACK POET

... would you think you were back in time would you think you were in the deep deep south
in johannesburg would it be real as real as the cops punching you in your chest ...

(THREE MORE WHITE MALE GUARDS/COPS JOIN THE FIRST, KICKING,
BLACKJACKING IN SLOW MOTION, A DEADLY DANCE ... TWO GRAB MUMIA,
LIFT HIM UP, RAM HIM HEADFIRST INTO AN IMAGINARY UTILITY POLE,
DROP HIM. MUMIA FALLS ... THE GUARDS/COPS FREEZE ... MUMIA’S VERY
YOUNG DAUGHTER’S FACE IS SEEN, HAZY, ON THE BACKDROP, HER VOICE IS
HEARD FROM OFFSTAGE, AMPLIFIED:)

MUMIA’S DAUGHTER

Daddy?

(MUMIA IS HEARD FROM OFFSTAGE, AMPLIFIED:)
MUMIA

Yes, Babygirl?

MUMIA'S DAUGHTER

Why are those men beating you like that?

MUMIA

It's okay, Babygirl, I'm okay.

MUMIA'S DAUGHTER

But why, Daddy? Why did they shoot you and why are they hitting and kicking you, Abu?

MUMIA

They've been wanting to do this for a long time, Babygirl, but don't worry, Daddy's fine — see? I don't even feel it!

(DAUGHTER'S FACE MELTS SOFTLY INTO THE FEATURES OF A BROAD-NOSED, BALD, GOLD-TOOTHED, GRIZZLED OLD BLACK MAN, MUMIA'S FATHER. HIS VOICE IS HEARD OFFSTAGE, AMPLIFIED:)

MUMIA'S FATHER

Boy, you all right?

MUMIA

Yeah, Dad, I'm okay.

MUMIA'S FATHER

I love you, boy.

MUMIA

And I love you, Daddy.

(BLACK POET (STANDS DOWN EXTREME R., OBSERVING) ... punching you in your wounds in the emergency room would you think you were back in time would you think you were huey newton in a hospital bed with lumps on your head your mouth twisted shut would you think
you were emmitt till layin up in a wooden box while your mama cried cause she couldn’t recognize her boy cryin cause she can’t recognize her boy ...

MUMIA

(FROM OFFSTAGE, AMPLIFIED) I feel no pain, just the omnipresent pressure that makes every bloody breath a labor.

(AMBULANCE SIREN SOUNDS ... OVERLAPPING, THE VOICE OF THE BLACK POET AS MUMIA’S FATHER’S FACE EMERGES FROM THE MONTAGE:)

BLACK POET

... your mama cried because she couldn’t recognize her boy cryin cause she can’t recognize her boy ...

MUMIA

(FROM OFFSTAGE, AMPLIFIED) I recall my father’s old face with wonder at its clarity, considering his death twenty years before.

BLACK POET

... would you think you were back in time would you think you were in the deep deep south ...

MUMIA

(FROM OFFSTAGE, AMPLIFIED) I am on my way to the Police Administration Building, presumably on the way to die.

(FADING LIGHTS, FADING AMBULANCE SIREN SOUNDS, FADING AFRICAN DRUMS, BLACK POET’S VOICE GETS SOFTER:)

BLACK POET

... back in johannesburg ... back in time ... would you think you were back in time ... stopped to see yourself ... stopped to see your self ... would it be real ... would it be real ... be real ...

(BLACK)

(AS LIGHTS DIM TO BLACK, JOHN AFRICA’S VOICE IS HEARD FROM OFFSTAGE, AMPLIFIED:)

VOICE OF JOHN AFRICA

I, John Africa, welcome you. The MOVE organization is a powerful family of revolutionaries, fixed in principle, strong in cohesion, steady as the foundation of a massive tree. A people totally equipped with the profound understanding of simple assertion,
collective commitment, unbending direction. Revolution is not a word but an application; it is not war but peace; it does not weaken, but strengthens. Revolution does not cause separation; it generates togetherness. While the so-called educators talk of love, mouth the necessity for peace, we live peace, assert the power of love, comprehend the urgency of freedom.

(IN BLACKNESS)

VOICE OF JOHN AFRICA (cont.)
The reformed world system cannot teach love while making allowances for hate, peace while making allowances for war, freedom while making allowances for the inconsistent shackles of enslavement.

(HELIicopter blades are heard, faintly at first, growing louder as it approaches)

VOICE OF JOHN AFRICA (cont.)
For to make allowances for sickness is to be unhealthy; to make concessions with slavery is to be enslaved; to compromise with the person of compromise is to be as the person you are compromising with.

(BLACK POET ENTERS, STANDS DOWN R. AS BEFORE, RECITES AS THE NEXT STAGE ACTIONS OCCUR:)

BLACK POET
May 13, 1985. Red tongues of flame lick angry night skies; politicians play blind and deaf to the cries — Skin blisters, hair ablaze, smoking babies stumble in a daze; firemen watch, as flames go higher, cops shoot, adding human fuel to the fire. “No One Must Escape!” they bellow in rage, sending Africas back into burning Osage; And what did state/federal judges decide? “Mass murder is no crime, no one will be tried!” So the bombing remains, without resolution, clear to all — United States “justice” is an illusion.

(BLACK POET EXITS)

(HELIcopters blades loud, insistent. PROJECTED FLAMES FLICKER ON TWO SCRIMS, ONE ANGLED AT L., ONE ANGLED AT R. THE FLAMES GROW UNTIL THE ENTIRE SCRIM IS A WALL OF FLAME. SOUND OF HELIcopter BLADES MOVE AWAY AS THE FLAMES GROW. LIGHTING AND SOUND SUGGEST A CATASTROPHE OF MAJOR PROPORTIONS. THE GUARDS BECOME FIREFIGHTERS, POLICE OFFICERS, JOURNALISTS, NEIGHBORS, ETC., BUT IN SILENT PANTOMIME. WE HEAR BACKGROUND NOISES OF FIRE TRUCKS, HOMES COLLAPSING, POLICE SIRENS, BROADCASTS, ETC. DURING
THE FOLLOWING NEWSCAST, WE CONTINUE TO SEE THE WALL OF FLAMES ON THE SCRIM. A POOL OF LIGHT COMES UP ON MUMIA IN HIS CELL UNDER ONE SCRIM, LEANING FORWARD, HIS HEAD IN HIS HANDS; LIGHT ALSO ON THE GURNEY UP C. A THIRD POOL OF LIGHT ON THE BLACK FEMALE GUARD/ANCHORWOMAN, WHO SITS OPPOSITE MUMIA UNDER THE OTHER BLAZING SCRIM. EXCEPT FOR THE POOLS OF LIGHT, THE STAGE IS DARK. NEW HELICOPTER BLADES ARE HEARD. THE WHITE MALE NEWSCASTER SPEAKS FROM A HELICOPTER, TALKING TO THE BLACK FEMALE GUARD/ANCHORWOMAN,:)

WHITE MALE GUARD/NEWSCASTER

(OFFSTAGE, AMPLIFIED) Terri, I’m over Osage Avenue now ... it’s an absolutely devastating sight ... the entire block where MOVE headquarters was is ablaze ... MOVE headquarters is no more ... the bomb the police dropped landed squarely on the roof of their building .... all of Osage Avenue is an inferno ... I don’t understand how they let this fire get out of control ... the firefighters are completely overwhelmed. In fact, I’m told help is coming in from the suburbs. Upper Darby Township, I believe, but I can’t confirm it ... the smoke is blanketing the neighborhood, casting a gray black pall over everything, making it look like a war zone ...

BLACK FEMALE GUARD/ANCHORWOMAN

Bob, I’ve just been told that the total of homes burning is now estimated at sixty-two. Does that look like what you’re seeing from the scene?

WHITE MALE NEWSCASTER

Oh my God. Yes, Terri, like I said, the entire block is gone and so are the homes behind them ... so that sounds about right, although I had no idea ...

BLACK FEMALE GUARD/ANCHORWOMAN

Miraculously, though, the only fatalities seem to be in the home where members of the radical MOVE organization lived. As you know, they wouldn’t come out of their well fortified headquarters, and they were armed, so city officials made what was surely a tough decision. They decided to drop a bomb made mostly of dynamite on the house where the radical members of MOVE live. The house caught afire and immediately engulfed the home next to it, and it has been one home after another going up since that fateful decision several hours ago. Firefighters say they’re helpless, although it’s not totally clear why they didn’t act quicker when the house was first bombed. I believe they were being held back by police for their own safety. I would guess that someone may be second guessing that decision now. I wonder how this will bode for Mayor Wilson Goode?
WHITE MALE NEWSCASTER
Well, this is a virtually all-black middle class neighborhood, Terri, so it will be interesting to see how devastating this is to the city’s first African-American mayor and what it does to Goode’s political career. The cost is going to be in the millions of dollars to rebuild this West Philadelphia neighborhood, that’s for sure.

BLACK FEMALE GUARD/ANCHORWOMAN
I agree, Bob. We’ve been unable to reach the mayor for a comment. I’m told the police commissioner and fire commissioner may have a prepared statement shortly, though. Excuse me, this just in. A police spokesman has just confirmed that at least eleven people were inside the MOVE headquarters including their leader, John Africa. They believe that they all died, although unconfirmed reports say a woman was seen running from the house just after the bomb was dropped. Although they have not said how many, some of those inside are believed to be children. Now, back to you, Bob ...

(THE HELICOPTER BLADE SOUNDS FADE, THE POOLS OF LIGHT AROUND MUMIA, THE GURNEY AT C. AND THE ANCHORWOMAN SLOWLY FADE TO BLACK)

(A LONG BEAT AS THE GUARDS MOVE TO BECOME JAIL “BARS” AGAIN)

(LIGHTNING FLICKERS. AGAIN. MUMIA IN SILHOUETTE DURING THE LIGHTNING. SLOWLY, LIGHTING BEGINS TO RESEMBLE SUNSET)

MUMIA
Although I am not a Muslim, I was reminded recently of one night that is said to be the holiest of all during the holy month of Ramadan: *al Qadr*, the Night of Power. It was on this night that the *Qu’ran* was delivered to the Prophet Mohammed, and it is thus the holiest of all nights. On this night, prayers are granted “for everything that matters.”

(LIGHTNING, SHARP. LOW THUNDER. VOICES ARE HEARD)

VOICES
(FROM OFFSTAGE, AMPLIFIED) In the name of God, the Compassionate, the Merciful; Verily we have sent this in the Night of Power. And what will convey to you/What the Night of Power is? The Night of Power is better/Than a thousand months: The Angels and the Spirit descend in it/By permission of their Lord/For everything that matters. It is Peace: This until the rise of daybreak.

(MUMIA RISES, WALKS TOWARD JAIL “BARS”)
(TO AUDIENCE) I will never forget the night of power that shook me, not during the holy month of Ramadan, but in the hot, humid summer of 1995, when I sat on death row's Phase II with a date to die. The forces of nature struck like a divine assault team.

(SHARP CRACK OF LIGHTNING. ANOTHER, AND ANOTHER, MINGLED WITH THUNDER. THE "PRISON LIGHTS" FLICKER, THEN FLICKER OUT)

MUMIA (cont.)
On Phase II, lights are kept burning twenty-four hours a day — bright during the day, dim at night — though in fact "dim" at two in the morning is hardly less than bright at noon. Tonight — for now at least — it was completely dark. Cell lights, hall lights, yard lights, black lights, perimeter lights, and lights on poles had died, and not even stars broke the black carpet. So dark!

(LIGHTNING CRACKS LOUDLY WITH THE ROLLING BOOM OF THUNDER, AGAIN AND AGAIN)

MUMIA (cont.)
There I was, in the first real darkness since my arrival to Phase II. I had less than a month to live, yet I felt better than any other night I spent on Phase II. I felt better even than I did a few weeks later, the night my stay of execution was granted. Why? Then it dawned on me, like bright writing etched in my brain: "Here is true power, my son. See how easily it overwhelms man’s ‘power’?" Watching the veins of nature pulse through the night sea of air, how puny man seemed before this divine dance! I saw, then, that though human powers sought to strangle and poison me and those around me, they were powerless. I saw that there is a Power that makes man’s power pale. It is the power of Love; the power of God; the power of Life. I felt it surging though every pore. Nature’s power prevailed over the man-made, and I felt, that night, that I would prevail. I would overcome the State’s efforts to silence and kill me.

(GUARD WHO PLAYED SABO GETS JUDGE’S ROBE, CARRIES IT OVER HIS ARM TO FRONT OF STAGE, LOOKS AT AUDIENCE. HE IS NOW LAW CLERK WILLIAM REHNQUIST; WHEN HE PUTS ON THE ROBE, HE WILL BE CHIEF JUSTICE REHNQUIST/JUSTICE LEWIS POWELL/JUDGE ALBERT SABO)

GUARD/REHNQUIST
(TO AUDIENCE) When I was a young law clerk, I remember feeling that it was about time the Supreme Court faced the fact that the white people in the South don’t like the colored people.

(MUMIA IS SEATED ON HIS BUNK. HE RISES)
MUMIA

(TO AUDIENCE AS HE WALKS TOWARD C.) The notes of a youthful law clerk of 1953 are the ruling opinions of America’s highest court of today.

(UPSTAGE, GUARD/REHNQUIST PUTS ON ROBE, GOES TO JUDGE’S TABLE, SITS)

MUMIA (cont.)
The clerk of yesteryear, William Rehnquist, becomes the next day’s chief justice, and the word “south” can be juxtaposed with “north,” “west,” “east,” or even “Court,” with equal applicability.

(ALL BUT TWO OF THE OTHER GUARDS SLOWLY GO DOWN STEPS C. AND FORM A STERN-FACED GAUNTLET OF TWOS AS THEY DID WHEN MUMIA FIRST ENTERED)

MUMIA

Who would dare argue otherwise after examining the pivotal 1987 case, McCleskey v. Kemp, where the Court took a delicate moonwalk backward, away from a mountain of awesome evidence?

(THE TWO PLACE CHAINS ON MUMIA’S ARMS AND LEGS AGAIN DURING THE FOLLOWING)

(A SCREEN ABOVE THE UPRIGHT GURNEY AT C. SHOWS THE FOLLOWING SUCCESSIVELY, ALONG WITH AN OFFSTAGE VOICE:)

SCREEN SHOWS:
(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

GUARD AS JUDGE SABO
(SLAMMING GAVEL DOWN) Death!

SCREEN SHOWS:
(2) race [of the victim] determines whether a death penalty is returned

GUARD AS JUDGE SABO
(SLAMMING GAVEL DOWN) Death!

SCREEN SHOWS:
(3) nearly six of every eleven defendants convicted of killing whites would not have gotten the death penalty had their victims been black

GUARD AS JUDGE SABO
(SLAMMING GAVEL DOWN)  Death!

SCREEN SHOWS:
(4) twenty of every thirty-four black defendants would not have received the death penalty had their victims been black

GUARD AS SABO
(SLAMMING GAVEL DOWN)  Death!

SCREEN SHOWS:
(5) 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

GUARD AS SABO
(SLAMMING GAVEL DOWN)  Death!

(GUARDS AT FRONT, R. AND L. SPEAK:)

GUARD (AT R.)
(FLAT) In Pennsylvania, where African-Americans constitute 9 percent of the population ...

GUARD (AT L.)
(FLAT)  ... over 60 percent of the death row inhabitants are black.

ALL GUARDS
(IN UNISON, GIVING EACH OTHER HIGH FIVES, SAID AS A HISSED SOUND OF APPROVAL)  Yes!

GUARD (AT R.)
Forty percent of America's death row population is black.

ALL GUARDS
(POINTING INDEX FINGERS 'LIKE ATHLETES)  We're number one!

GUARD (AT R.)
(ECSTATIC)  And growing!
MUMIA

(TO AUDIENCE AS HE STARTS DOWN STEPS)  Statistics are often flexible in interpretation and, like scripture, can be cited for any purpose. Does this mean that African-Americans are somehow innocents, subjected to a setup by state officials? Not especially. But it does suggest that state actors at every level treat black defendants with a special vengeance not experienced by white defendants.

(GUARD PLAYING JUDGE IS NOW LEWIS POWELL)

GUARD AS POWELL

I’m Justice Lewis Powell. I said it when I sat on the Supreme Court and I’ll say it again: Differences don’t amount to discrimination. Further, I fear that McCleskey’s claim, taken to its logical conclusion, throws into serious question the principles that underlie our entire criminal justice system.

MUMIA

How true. McCleskey can’t be correct, or else the whole system is incorrect. Now that couldn’t be the case, could it?

(MUMIA STEPS DOWN, EXITS DOWN CENTER AISLE THROUGH STERN-FACED GAUNTLET AS THE BLACK POET ENTERS, STANDS DOWN R. AFRICAN DRUMMING SOFTLY:)

BLACK POET

Can the department of corrections be incorrect? That can’t be correct, can it? If McCleskey is correct, then the whole system is incorrect. That sounds correct, but that couldn’t be the case, although they say they have proved their case, they don’t really have a case, not one that’s correct because truth doesn’t have to lie to defend itself, it just has to be true to itself and come correct when faced with an incorrect department of corrections that can’t be correct, or else the whole system is incorrect, which is a logical conclusion to come to when you ask the serious questions and they say that you are not correct for wanting correct answers ... the whole system is incorrect ... The McCleskey case is correct ... it’s correct ... that can be the case, can’t it? ... the system’s incorrect ... incorrect ...

(LIGHTS GO TO BLACK)

(END)
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First, I thank, and am grateful for the Higher Power working in my life today that I choose to call God. I truly feel as if I am living two lives in one lifetime.

Next, I must acknowledge and honor Mumia Abu-Jamal, a true spiritual son of Malcolm X. Mumia, Geronimo ji jaga (a/k/a Geronimo Pratt) and South Africa President Nelson Mandela are different faces of a single archetype, that of the revolutionary black warrior imprisoned solely because of his beliefs, his impassioned voice and his commitment to action.

My POS committee helped me immensely. As my major professor, Joe Geha gave invaluable suggestions; Susan Carlson surely feels like a proud parent, since it was in her class the play was conceived; and George Jackson — “Dr. J — has mentored me in ways too numerous to mention. All three have given friendship beyond measure.

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