

## Pakistan in Crisis After Bhutto Assassination

DECEMBER 30—With Pakistan in turmoil over the assassination of Benazir Bhutto, the U.S. imperialist rulers are scrambling to shore up their long-time client state, a key ally in Washington's "global war on terror." While many in Pakistan have accused the military regime of Pervez Musharraf of easing the way for—or engineering—the December 27 attack, the government has pointed the finger at an alleged Al Qaeda leader (who denied responsibility). The attack came some two months after Bhutto survived an earlier suicide bombing, hours after her return to the country, that killed more than 150 people. The day after Bhutto's killing, troops, many with shoot-to-kill orders, were dispatched throughout Pakistan to quell rioting by supporters of Bhutto

### Down With Bush, Democrats' "War on Terror"!

and her Pakistan People's Party (PPP). The White House quickly convened a top-level meeting of foreign policy advisers, fearing that "continued instability eventually will spill over and intensify the fighting in Afghanistan" (*Washington Post*, 29 December 2007). The Musharraf regime has become increasingly unpopular and beset by

opposition inside the bourgeois establishment, particularly from the Pakistani judiciary and legal profession. Washington, having showered Musharraf with nearly \$10 billion in aid since September 2001, had become convinced that Bhutto was key to stabilizing their crucial nuclear-armed ally. U.S. rulers brokered a deal in which

Bhutto returned to Pakistan in October expecting to serve as prime minister after elections on January 8 while Musharraf would continue as president.

Daughter of PPP founder Zulfikar Ali Bhutto and heir to Pakistan's most powerful political dynasty, Benazir Bhutto had served her imperialist masters twice before as prime minister. Her rule was so corrupt that her husband was widely known as "Mr. 10 Percent" for his rake-offs of government contracts. Her father, who had served as president and prime minister, was executed in 1979 by an earlier military dictatorship. Now, as a *New York Times* (28 December 2007) editorial states, "Ms. Bhutto's death leaves the Bush administration with no visible strategy

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### U.S. Out of Afghanistan, Iraq!

# Torture, Lies and Videotape

Revelations that in 2005 the CIA destroyed hundreds of hours of videotapes documenting waterboarding and other torture of detainees have once again shone a spotlight on the barbarism and depravity that define U.S. imperialism. From Bagram in Afghanistan and Abu Ghraib in Iraq to Guantánamo Bay, Cuba and the CIA's "black site" secret prisons in Europe, countless detainees caught in the web of the "global war on terror" have been tortured and disappeared.

The latest scandal has touched off the usual round of hypocritical words of censure by Congressional Democrats along with multiple "investigations" from Capitol Hill to Langley, Virginia. A number of Democrats have spouted off about how waterboarding violates American "values." In fact, Congressional leaders have been repeatedly briefed by the CIA. In September 2002, top Republican and Democratic Congressmen, including current House Speaker Nancy Pelosi, were given a "virtual tour" by the CIA of its detention sites, along with descriptions of waterboarding and other "enhanced interrogation" methods. The purpose of the various inquiries is to cover up the extent of the crimes of U.S. imperialism and to refurbish its "democratic" credentials. The "war on terror" is thoroughly bipartisan, whatever the occasional tactical differences between the Democratic and Republican parties of capitalism.

CIA torture is no aberration but is just as much a part of the fabric of the capitalist-imperialist system as the carnage in U.S.-occupied Iraq and Afghanistan and the barbaric death penalty and racist police terror "at home." What has changed since the September 11 attacks is that the government has imposed a



Detainee from Afghanistan at U.S. Guantánamo torture center being transported for interrogation, 2002.

broad array of new repressive measures—from armed forces patrolling subway systems and enhanced presidential powers to domestic surveillance and indefinite detention of "unlawful enemy combatants"—in the name of the "war on terror," with the populace expected to accept all this as the new norm. And in this climate, bourgeois politicians openly and ghoulishly debate what torture techniques are acceptable. What used to be kept under wraps is now being made legal.

Attorney General Michael Mukasey, whose appointment was secured by Senate Democrats, pointedly refused to say that waterboarding constituted torture during his confirmation hearings. This is a sure sign, as if any were necessary, that the tape-shredding "investigations" by the Justice Department and the CIA will amount to a whitewash, with the detainees left in the hands of their torturers.

Some of the hundreds of Guantánamo detainees who have endured years of hellish imprisonment recently appealed to the courts to review their cases on the grounds that evidence against them was

extricated through torture. In response, U.S. District Judge Henry H. Kennedy indicated on December 21 that he may wait for the results of the investigations. In October, a prosecutor in the 2003 trial of detainee Zacarias Moussaoui wrote that the government had made "factual errors" when it denied that the CIA possessed tapes of sessions during which detainees were grilled. The destruction

of videotapes occurred as detainees' cases were finally beginning to move through the courts.

The U.S. has swept up "terror suspects" and sent them to torture and death in Syria, Israel, Pakistan, Egypt and elsewhere. Despite foreign policy differences with Washington, the German government, which opposed the U.S. invasion of Iraq, as well as Italy and other countries have been willing agents in the CIA's "rendition" program, providing intelligence services and, in Germany's case, airstrips for CIA operations.

### Democrats: The Other Party of U.S. Imperialism

The affair of the CIA tapes is one more embarrassment for the capitalist ruling class, which increasingly sees the acts of the Bush administration as harmful to its interests. In early December, the administration took another blow when the intelligence findings behind its accusations that Iran was developing nuclear weapons—on the road to "World War III" no less—were revealed to be a pack of lies. A new National Intelligence Estimate summary stated that Iran had stopped working toward a nuclear weapon in 2003. Being caught out in this fabrication did not cause the White House to

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Fact Sheet**  
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**BIG LIES**  
**MURDERED  
BY MUMIA**  
**IN THE SERVICE  
OF LEGAL LYNCHING**  
MAUREEN  
FAULKNER  
MICHAEL A.



# Chicago Holiday Appeal Speech

## “Join Us in the Fight for a Socialist Future!”

We reprint below, edited for publication, remarks by Spartacist League speaker Paula Daniels at the Partisan Defense Committee Holiday Appeal for class-war prisoners, held on December 9 in Chicago.

There is a long, honorable tradition in the communist movement of coming to the aid of our class brothers and sisters who are imprisoned because of their actions, their beliefs, their convictions in the fight against this racist, capitalist system in which we live. James Cannon, a founding leader of the American Communist and later Trotskyist movement in this country worked to instill that tradition,

and we of the Spartacist League proudly continue this work as an integral part of building the revolutionary party. Those of you who are familiar with us and the work we do know that we fight to instill this class consciousness at every opportunity that we can. We and our supporters work to educate and explain our revolutionary program whenever and wherever we intervene. Whether it's the campuses, the unions, at demonstrations, at newspaper sales. We stand firm that the only way out of this hellish, racist system is to fight for what is ours. To win that fight we need a steeled, revolutionary party,

our own party, whose goal is to fight for proletarian revolution and establish a workers government. For without our own government we will always be slaves for capital.

The ancient Chinese general, Sun Tzu, said once, “Know thy enemy,” and I always find that a very useful quote in election years. Already, we are subjected to an onslaught by the Democratic Party hopefuls, each trying to paint themselves as a mechanism for change. Don't buy it! When you get down to it, no matter how brutal, vicious and racist the Bush administration is—and they are plenty nasty without doubt—the Democrats can never and will never be a real or qualitative alternative for the simple reason that they share the same fundamental goal, which is the maintenance of capitalist society. In reality, our “choice” consists of a few candidates from each party, who are handpicked by the bourgeoisie as reliable contenders to oversee capitalist rule. They are thrown to the public in the general election, and voters are then supposed to feel like we have some kind of choice over who governs.

But there's a hitch—because exploitation, racism, military occupation and the shredding of our democratic rights are still going to be a reality no matter who wins the elections next November. Vladimir Lenin, leader of the 1917 Russian October Revolution, captured bourgeois elections very nicely when he pointed out that even in the most democratic bourgeois societies the workers simply “decide once every few years which member of the ruling class is to repress and crush the people through parliament.” A lot of people might say, “It's the lesser evil. We have to vote for the lesser evil.” But you know what? To accept the road of lesser-evilism is to concede defeat on *their* terms. It's to reject the fight for working-class power. That's lesser-evilism. I prefer the quote of Mercutio in *Romeo and Juliet*: “A plague on both your houses!”

Barack Obama and Hillary Clinton are the lesser evil du jour, this time around. That's who we have. But let's talk about them specifically. Obama is backed by the racist Daley machine in Chicago. He tells us there is no “black and white America”! Who really believes that? He refuses to rule out thermonuclear attack on Iran and supports some of the most draconian, anti-immigrant measures, like building a 700-mile fence along the Mexican border. That's one lesser evil.

The other is Hillary Clinton. Transit workers should remember her opposition to the very powerful but very brief NYC transit strike in December 2005. As a “lesser evil” she voted to authorize the Iraq war and is a staunch supporter of the death penalty. She's a very vociferous member of the anti-China forces on Capitol Hill, spewing poisonous protectionism and determined to facilitate capitalist counterrevolution in China. China is the new “evil empire” because, like the ex-Soviet Union, China is not capitalist. The 1949 Chinese Revolution must be unconditionally, militarily defended against both imperialism abroad and counterrevolution internally. Integral to that defense is a proletarian political revolu-

**Twenty-second annual Holiday Appeal at the United Electrical Hall in Chicago, December 9.**

tion to oust the ruling Chinese Communist Party bureaucracy and install the rule of workers and peasants soviets. Why do we say protectionism is poisonous? Because it creates a phony scapegoat, because it undermines international working-class solidarity, and most of all it alibis those who truly are responsible, the real forces responsible for unemployment and misery, which is the profit-hungry capitalist class! Yet the AFL-CIO bureaucracy embraces protectionism precisely because they are politically bankrupt.

This year marks the 90th anniversary of the Russian Revolution, the only workers revolution that ushered in a workers government, put the working class in power. Despite the fall of the USSR in 1991-92 and the deep retrogression of political consciousness that has deepened since then, the task of fighting for new Octobers remains our primary task. In fact, it is more urgent than ever as American imperialism has gained renewed impetus in the fall of the Soviet degenerated workers state—gained renewed impetus in its pursuit to maintain military domination internationally, all the while grinding down working people, the poor and oppressed here at home. As capitalist counterrevolution swept through East and Central Europe and the USSR, we stood at our posts from Berlin to Moscow, throwing our forces into the struggle to defend the endangered workers states. In sharp contrast, the bulk of our leftist opponents, such as the International Socialist Organization, mimicked their own bourgeoisie in hailing capitalist counterrevolution, unable and unwilling to recognize and see the precious gains that were lost for the international working class.

James Cannon put it eloquently when he pointed out that the Russian Revolution put flesh on the bones of the program of revolution. It showed us *how* the working class *can* take power by reorganizing the social system. It proved the superiority of a nationalized and planned economy over the profit-driven anarchy of capitalist production. Though not an easy task, we know how to, and more importantly, we know that we can do what *must* be done. So I invite you to join us! To crib from class-war prisoner Ed Poindexter, we're looking for some people with fire in their bellies. I invite you to join us in the struggle to free Mumia Abu-Jamal and all class-war prisoners, join us in the fight against racist oppression and join us in the fight for a socialist future. ■



WV Photo

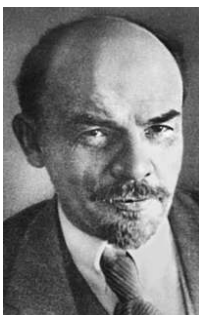
### Bourgeois Democracy and Proletarian Revolution

Writing at the close of World War I, Bolshevik leader V.I. Lenin exposed bourgeois democracy as a cover for brutal exploitation and oppression, a facade to conceal the dictatorship of the bourgeoisie.

Marx and Engels in their last joint preface to the *Communist Manifesto* (in 1872) considered it necessary specially to warn the workers that the proletariat cannot simply lay hold of the ready-made (that is, the bourgeois) state



TROTSKY



LENIN

machine and wield it for its own purpose, that it must smash it, break it up....

It is sheer mockery of the working and exploited people to speak of pure democracy, of democracy in general, of equality, freedom and universal rights when the workers and all working people are ill-fed, ill-clad, ruined and worn out not only as a result of capitalist wage-slavery, but as a consequence of four years of predatory war, while the capitalists and profiteers remain in possession of the “property” usurped by them and the “ready-made” apparatus of state power. This is tantamount to trampling on the basic truths of Marxism which has taught the workers: you must take advantage of bourgeois democracy which, compared with feudalism, represents a great historical advance, but not for one minute must you forget the bourgeois character of this “democracy,” its historically conditional and limited character. Never share the “superstitious belief” in the “state” and never forget that the state even in the most democratic republic, and not only in a monarchy, is simply a machine for the suppression of one class by another.

The bourgeoisie are compelled to be hypocritical and to describe as “popular government” or democracy in general, or pure democracy, the (*bourgeois*) democratic republic which is, in practice, the dictatorship of the bourgeoisie, the dictatorship of the exploiters over the working people....

The dictatorship of the proletariat alone can emancipate humanity from the oppression of capital, from the lies, falsehood and hypocrisy of bourgeois democracy—democracy *for the rich*—and establish democracy *for the poor*, that is, make the blessings of democracy *really* accessible to the workers and poor peasants, whereas now (even in the most democratic—*bourgeois*—republic) the blessings of democracy are, *in fact*, inaccessible to the vast majority of working people.

—V. I. Lenin, “‘Democracy’ and Dictatorship” (December 1918)

## WORKERS VANGUARD

Marxist Working-Class Biweekly of the Spartacist League of the U.S.

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The Spartacist League is the U.S. Section of the International Communist League (Fourth Internationalist).

*Workers Vanguard* (ISSN 0276-0746) published biweekly, except skipping three alternate issues in June, July and August (beginning with omitting the second issue in June) and skipping the last issue in December, by the Spartacist Publishing Co., 299 Broadway, Suite 318, New York, NY 10007. Telephone: (212) 732-7862 (Editorial), (212) 732-7861 (Business). Address all correspondence to: Box 1377 GPO, New York, NY 10116. E-mail address: [vanguard@tiac.net](mailto:vanguard@tiac.net). Domestic subscriptions: \$10.00/22 issues. Periodicals postage paid at New York, NY. POSTMASTER: Send address changes to *Workers Vanguard*, Box 1377 GPO, New York, NY 10116.

Opinions expressed in signed articles or letters do not necessarily express the editorial viewpoint.

The closing date for news in this issue is 31 December 2007.

No. 905

4 January 2008



# John White Must Go Free!

In a trial recalling Southern Jim Crow “justice,” John White, a black 54-year-old construction foreman, was convicted of manslaughter in Suffolk County, New York, for defending his home and family from a mob of five white youth spewing racist epithets and threatening to kill his son. He was also convicted of possessing an unlicensed gun. John White faces up to 15 years in prison after the December 23 verdict, a travesty that tramples on the elementary right of self-defense.

White thought he had found his dream home in the mainly white town of Miller Place in suburban Long Island. But Suffolk County is notorious for its segregation and racist violence, including by the Klan, against black people and immigrants. On 9 August 2006, White’s 19-year-old son Aaron was driven out of a party after a white girl spread a story, which she admitted at trial was an Internet hoax, that he had threatened to rape her. Seizing on the claim of rape, which has always been a rallying cry for racist lynch-mob terror, 17-year-old Daniel Cicciaro Jr. and his drunken crew drove up to White’s home in two cars, revving their engines and shining their headlights.

With Cicciaro threatening him on his cellphone, the terrified Aaron woke his father, putting the phone on speaker as Cicciaro howled, “Come out of your house you n---r. I’m going to kill you.” John White grabbed his pistol and ran out of the house. The five thugs, one of them with a baseball bat, surrounded him on the driveway and threatened his family. One said, “We can take that skinny n---r motherf---er.” When White turned back to his house, Cicciaro lunged for the gun. White’s gun went off accidentally, killing Cicciaro.

At the trial, White explained that his actions in defense of his family came from experience. His pistol had been given to him by his grandfather, Napoleon White, who fled Alabama after the Ku Klux Klan torched his store in the 1920s. He also described how other members of his family had been lynched. He testified of his reaction when he saw the headlights of the mob’s car in his driveway: “In my family history, that’s how the Klan comes. They pull up. They blind you with their lights. They burn

## Convicted for Defending Family Against Racist Attack



Kuntz/NY Times

John White with his wife, Sonia, arriving at courtroom in Riverhead, Long Island, on November 27.

your house down. They threaten your family. That’s how they come.” After moving to Long Island in 1988, White said he had decided to keep his grandfather’s gun for protection after hearing of another black family’s house being burned down. Not only most blacks but also many whites feel sympathy for this man who defended his family and home.

The jury that convicted White was composed of eleven whites and one black man. After four days of deliberation, they told Judge Barbara Kahn that they were deadlocked. But the judge ordered the jury to continue meeting on Saturday, indicating that she would order them to meet again on Sunday, two days before Christmas. Following the trial, Francois Larché, one of two jurors who favored acquittal but were bullied by the others, pointed to the pressure applied by the judge, stating that Kahn told the jury that a mistrial would only cause more pain and suffering and burden another jury. The two jurors caved in. White’s

lawyers have announced that they will appeal.

As Marxists, we have always stood for the right of armed self-defense and in opposition to gun control schemes, which are most often promoted by Democratic Party liberals and black politicians. The right to bear arms, a product of the Revolutionary War against British colonial rule, and other democratic rights were won and defended through social struggle. In going after White, the prosecution argued that he introduced a gun into “a volatile situation”—in essence, blaming the victim for the racist attack he endured. The logic of White’s conviction is to deny black people the most fundamental right of self-defense. It recalls the Jim Crow courts and lynch-rope mobs that targeted blacks who dared to defend themselves against race-terror.

Gun control kills, and it kills blacks in particular. It is a means to enforce a monopoly of violence in the hands of the capitalist state. As we wrote in “Clinton’s

Racist ‘Law and Order’—Defend the Right to Bear Arms! No to Gun Control!” (WV No. 593, 4 February 1994): “Gun control leaves guns in the hands of cops, criminals and Klansmen while making the country’s black, poor and working people defenseless in the face of racist terror and armed strikebreakers.”

In capitalist America, black self-defense against racist terror has historically been met with frenzied state repression. The earliest 20th-century gun control laws were passed in states like South Carolina, Tennessee and Mississippi as a way to disarm blacks in the face of the KKK. In 1965, the New York City Council passed a bill especially to keep black militant Malcolm X from carrying a carbine for protection. In 1967, the California legislature banned the carrying of a loaded gun after legally armed Black Panthers began patrolling ghettos where police terror was rampant. The California ban was followed by nationwide gun control laws—especially after the ghetto upheavals that broke out following Martin Luther King’s assassination in 1968—pushed by then-attorney general Ramsey Clark (a current favorite of the reformist Workers World Party and its International Action Center).

In response to John White’s conviction, Al Sharpton’s National Action Network has called for a “March for Justice” on January 5. White has also received support from the Nation of Islam. The conviction of John White must be protested. But the program of Al Sharpton and other black Democrats such as Jesse Jackson has always meant support for gun control laws in the name of fighting crime and violence. For their part, the Nation of Islam black nationalists, while not supporting gun control, have echoed the bourgeois rulers’ racist diatribes about “black-on-black crime” and grotesquely put themselves forward to help police the ghettos—for example, as security guards in housing projects—for the racist killer cops. It is in the name of the “war on crime” and “war on drugs”—long supported by Sharpton and Jackson—that America’s prisons have swelled to more than two million people, over half of them black and Latino.

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## Editorial Note

# Article Confirms: WV Told the Truth About KAL 007

In the early morning of 1 September 1983, an unidentified aircraft entered the airspace of the Soviet Union, flying over sensitive military installations on Kamchatka Peninsula and the island of Sakhalin near Japan. This was not by error. Korean Air Lines (KAL) Flight 007, which was bound for Seoul, deviated from its assigned flight path after having refueled in Anchorage, Alaska. The aircraft flew without its navigational lights, refused to respond to repeated Soviet attempts to contact it and took evasive actions. Soviet fighter jet pilots sent to intercept the 747 believed it was a military aircraft (for example an E4B, a converted 747). After two and a half hours in Soviet airspace, the aircraft was shot down. All 269 passengers and crew died. In the midst of the U.S. Cold War II drive against the Soviet degenerated workers state, President Ronald Reagan seized upon the downing of the flight to whip up anti-Communist hysteria, decrying the “act of barbarism” supposedly committed by the Soviets in shooting down a civilian plane that had supposedly strayed off course. We immediately responded with an article headlined “Reagan’s Story Stinks!”

(WV No. 337, 9 September 1983).

As more facts became known, we described how Flight 007 was in fact a spy operation designed to trigger and then monitor Soviet air defenses, and its passengers were victims of the anti-Soviet war drive (see our October 1983 pamphlet, *KAL 007: U.S. War Provocation* and WV articles in subsequent years). Now, almost 25 years later, the aviation journal *Airways* (August, September and October 2007) has published a three-part article titled “Flight KAL007: The Anatomy of a Cover-up.” Authors Robert Allardyce and James Gollin meticulously analyze the evidence to show how the official investigation of KAL 007 by the International Civil Aviation Organization in 1983 “appeared to have labored in their determination not to explain how and why the 747 became so far off course.” They conclude that the flight path of KAL 007 under South Korean captain Chun Byung-in was deliberate:

“We must thrust aside all pretenses that Chun and his crew were innocently lost.... It is quite obvious that Chun had embarked upon a ‘ferret’ mission carefully designed to bring the Soviet defenses to the highest possible state of military alert.”

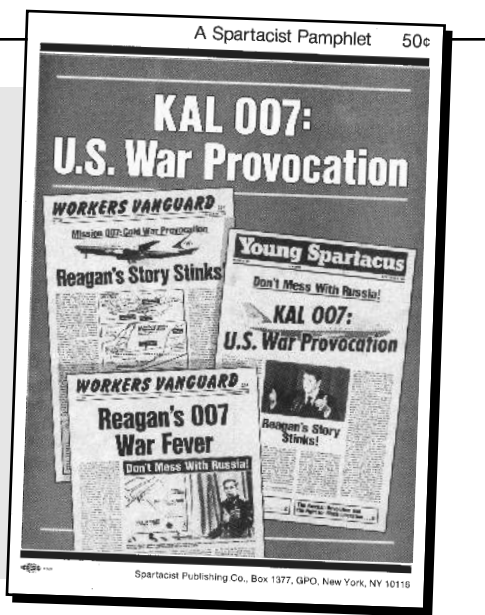
In the aftermath, Allardyce and Gollin write, “the world teetered on the brink of a nuclear holocaust.” At the time, we declared in “Reagan’s 007 War Fever” (WV No. 338, 23 September 1983) that, with much of the fake left capitulating to Reagan’s counterrevolutionary crusade, “we

stand at our posts, defending the homeland of the October Revolution.” The Spartacist League/International Communist League fought to the end in defense of the Soviet Union against imperialism and capitalist counterrevolution. WV told the truth: KAL 007 was an anti-Soviet war provocation.■

Pamphlet contains first articles published in the U.S. that told the truth about Reagan’s spy plane (September 1983)

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# Torture...

(continued from page 1)

skip a beat, with Bush retorting that Iran may be working toward a “covert nuclear weapons program.” Meanwhile, both Democratic and Republican spokesmen portray Iran as a source of instability and terror in the Near East. In the face of threats from the nuclear-armed imperialists and their Israeli allies, Iran *needs* nuclear weapons to deter attack. *Hands off Iran!*

Seizing on the increasing tribulations of the demented Bush gang, the Democratic Party is pushing to retake the White House, in good part to refurbish U.S. imperialism’s “democratic” facade. In the Democrats’ tow is the reformist left, whose protests over everything from immigrant rights to the occupation of Iraq have pushed “Anybody but Bush” politics. Typical is the reformist Revolutionary Communist Party (RCP), which is currently promoting January 11 protests against the U.S. torture camp at Guantánamo.

An article titled “Torture Scandal & Fascistic ‘New Norms’” in the RCP’s *Revolution* (30 December 2007) gives the game away. First, it makes the basic statement that “the fundamental point of departure for the Democrats, no less than the Republicans, is the interests of the U.S. ruling class.” The article then points to the “various tensions and disputes within the power structure” caused by the CIA tapes scandal and the Iraq occupation and delivers the punch line: the demonstrations can “bring new momentum into the movement to drive out the Bush regime and bring this whole program of the U.S. rulers to a halt.” When the presidential elections last rolled around, the RCP’s *Revolutionary Worker* (29 August 2004) advised: “Go ahead and vote for Kerry if you feel you really have to.”

“Driving out” the Bush administration is of course precisely the Democrats’ aim. The program of the RCP and other reformists only serves to further bind the working class, black people and radical youth to the capitalist system. As V.I. Lenin wrote in 1917 in *The State and Revolution*: “A democratic republic is the best possible political shell for capitalism, and, therefore, once capital has gained possession of this very best shell...it establishes its power so securely, so firmly, that *no* change of persons, institutions or parties in the bourgeois-democratic republic can shake it.”

The government’s deliberations over waterboarding are a sure sign of a capitalist system in decay. As Eric Weiner noted in a 29 December 2007 article posted on National Public Radio’s Web site (“Waterboarding: A Tortured History”): “As the Enlightenment swept across Europe, many countries banned the practice.... Waterboarding moved under-



WV Photo

**Spartacists at March 2002 protest in Brooklyn against detention of Arab and Muslim immigrants.**

ground, but did not disappear by any means. In fact, it has experienced something of a revival in the 20th century.” What Weiner describes is the decline of such torture methods during the period marked by the bourgeois French Revolution of 1789-93 and their resurgence in the epoch of imperialism, the epoch of capitalism’s death agony. Weiner notes the use of waterboarding by Japan in World War II, by U.S. troops in the Philippines at the start of the 20th century, by the French in Algeria and by the British in Palestine (against both Arabs and Jews) in the 1930s, and by others.

The capitalist rulers who claim the banner of “freedom” and “civilization” have carried out mass murder and torture on an immense scale in their drive to secure world markets, cheap labor and raw materials. American capitalism was born on the backs of black chattel slaves and its rulers carried out the genocide of the Native American population as they expanded their reach on the continent. U.S. imperialism marked its entrance on the world scene with the Spanish-American War of 1898, a time when black people in the U.S. were being lynched at a rate of one every other day. U.S. forces slaughtered up to half a million Filipinos between 1899 and 1902 to suppress a nationalist uprising.

Many of the most notorious and bloody activities of U.S. imperialism were carried out under Democratic Party administrations: the A-bombing of Hiroshima and Nagasaki in 1945; the reduction of Korea to rubble in the early 1950s; the napalming and systematic devastation of Vietnam, along with torture and mass murder; the terror bombing of Serbia in 1999. U.S. imperialism killed some six million people in its counterrevolutionary wars in Korea and Vietnam. Particularly after WWII, the U.S. has supported and armed murderous neocolonial rulers—from Mobutu in Zaire (now Democratic Republic of Congo) to Pinochet in Chile—as well as death squads in Latin America and elsewhere in order to rein-

force imperialist subjugation.

To put an end to imperialism and its atrocities requires a proletarian revolution that smashes the bourgeois state and creates a workers state with a planned, collectivized economy. Such a revolution, extended internationally, will create a world of abundance in which torture, along with militarism and other props of capitalist rule, will be consigned to the dustbin of history. To mobilize the multiracial American proletariat in this fight requires the leadership of a revolutionary workers party. Such a party can be built only through breaking the chains forged by the labor bureaucracy—and rein-



Reuters

**Iranian student demonstration outside Uranium Conversion Facility in Isfahan, August 2005.**

forced by the reformists—that bind the proletariat to the Democrats and the capitalist order.

## Torture U.S.A.

A key component of the U.S. prison-torture network is Pakistan, a major outpost for the occupation of Afghanistan and the “global war on terror” (see article, page 1). Under the Pervez Musharraf dictatorship, there have been mass arrests and abductions in collaboration with the CIA, often for bounties of thousands of dollars, with victims routinely disappeared or sent directly to Guantánamo Bay. One of those detainees was Abu Zubaydah, whose 2002 interrogation with “severe techniques” (in the understated words of the *New York Times*) was on one of the videotapes destroyed by the CIA.

Statements extracted from Zubaydah played a central role in the U.S. government’s prosecution of Jose Padilla, who was convicted in August on bogus terrorism “conspiracy” charges. Padilla was originally arrested at Chicago’s O’Hare airport in May 2002 on trumped-up charges of plotting to set off a radioactive “dirty bomb” on U.S. soil. As an “unlawful enemy combatant,” Padilla had no way to challenge his imprisonment and no access to lawyers. When the Bush administration finally brought criminal charges against him in November 2005, it was to avoid a decision in the Supreme Court on his “unlawful enemy combatant” designation.

In its legal argument against Padilla, the government stressed that his legal team could not prove that Zubaydah had been tortured. Zubaydah had been shot during his capture and was denied painkillers as a method of torture. Interrogators strapped him to a board, wrapped his nose and mouth in cellophane and forced

water into his throat. They also threatened him with death. Bombarded with noise and lights, he was deprived of sleep and became completely unhinged under torture, speaking of plots against everything from shopping malls to the Brooklyn Bridge. Binyam Muhammad, another source of “evidence” against Padilla, was reportedly whipped after his arrest in Pakistan, hung from the ceiling of his cell and later taken to Morocco, where he was tortured with a razor.

The torture of “terror suspects” marked the Padilla case from the beginning. The source of the “dirty bomb” tale was Khalid Shaikh Mohammed, allegedly Number Three in command of Al Qaeda. Mohammed was one of the first of hundreds of Guantánamo detainees, charged with absolutely nothing, to be brought before a military “Combatant Status Review” tribunal. There he “confessed” to being the mastermind of the September 11 attacks—and fantastical plots to assassinate Jimmy Carter, Bill Clinton, the Pope, et al. All evidence of torture was blacked out of transcripts of Mohammed’s testimony.

In an *amici curiae* (friends of the court) brief submitted on behalf of Jose Padilla, the Spartacist League and Partisan Defense Committee noted that “the Executive has imposed martial law on Jose Padilla, a citizen, on the pretext of an alleged ‘war on terrorism’ which is in fact not a military conflict but a political agenda. This is an unprecedented assertion of imperial powers by the President.”

(The brief is printed in *Class-Struggle Defense Notes* No. 31, Summer 2003.) Warning of the dangers that the Padilla case posed, the brief noted: “A tool of government repression is to declare political opponents of government policy ‘terrorists.’ This defines them as ‘outlaws’ of civil society, providing the state with a license to suspend democratic rights, criminalize political activity and ultimately to engage in legalized murder.” It is in the direct interest of the labor movement, opponents of racist repression and defenders of civil liberties to demand: **Free Jose Padilla! Free all the detainees!**

Frame-ups, spying, police terror are the everyday workings of the capitalist state. The *New York Times* recently reported that longtime FBI director J. Edgar Hoover sent a proposal to Democratic president Harry S. Truman, just days after the start of the Korean War in 1950, to suspend the right to *habeas corpus* and imprison some 12,000 Americans suspected of “treason, espionage and sabotage.” While this particular plan was turned down, Congress later that year authorized the detention of “dangerous radicals” if a national emergency were declared by the President. In the 1970s, the FBI’s “administrative index” (ADEX) list included the Spartacist League and other organizations and individuals among the thousands to be rounded up and put into concentration camps in the event of a national emergency. The Spartacist League successfully sued, compelling the FBI to concede that Marxist ideas and activity cannot be equated with violence, terrorism and criminal enterprise.

The bourgeois state is an apparatus of violence designed to protect capitalist rule and profits against the exploited and the oppressed. In the U.S., this machinery of repression, with the death penalty at its

## SPARTACIST LEAGUE/U.S. Local Directory and Public Offices

**Web site:** www.icl-fi.org • **E-mail address:** vanguard@tiac.net

**National Office:** Box 1377 GPO, New York, NY 10116, (212) 732-7860

**Chicago** ..... Box 6441, Main PO, Chicago, IL 60680, (312) 563-0441  
chicagospartacist@sbcglobal.net  
**Public Office:** Sat. 2-5 p.m., 222 S. Morgan (Buzzer 23)

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slsycla@sbcglobal.net  
**Public Office:** Sat. 2-5 p.m., 3806 Beverly Blvd., Room 215

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nysl@tiac.net  
**Public Office:** Sat. 1-4 p.m., 299 Broadway, Suite 318

**Oakland** ..... Box 29497, Oakland, CA 94604, (510) 839-0851  
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**San Francisco**... Box 77494, San Francisco, CA 94107, slbayarea@sbcglobal.net

## TROTSKYIST LEAGUE OF CANADA/LIGUE TROTSKYSTE DU CANADA

**Toronto** ..... Box 7198, Station A, Toronto, ON M5W 1X8, (416) 593-4138  
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**Vancouver** ..... Box 2717, Main P.O., Vancouver, BC V6B 3X2, (604) 687-0353  
trotskyist\_vancouver@shawcable.com

# Pakistan...

(continued from page 1)

for extricating Pakistan from its crisis or rooting out Al Qaeda and the Taliban, which have made the country their most important rear base.”

Bush’s Democratic Party opponents have seized on the assassination to reaffirm their support for Washington’s “war on terror.” Like Bush, the Democrats are committed to bolstering the bloodsoaked Pakistani regime, which is key not only for the occupation of Afghanistan, with its massacres of civilians and other atrocities, but also for U.S. imperialism’s increasing military pressures on the Chinese deformed workers state. Congressional Democrats recently voted that \$50 million in further aid to Pakistan would be conditional on “improved counterterrorism work and democratic and judicial reforms.” The U.S. imperialists’ talk of “democratic reforms” is sheer cynicism and a cover for a brutal dictatorship that rules through police terror, torture and death squads.

In the lead-up to and during the invasions of Afghanistan and Iraq, the Spartacist League stressed that it was in the class interest of the international proletariat to take a side in defense of those countries against imperialist attack, without extending any political support to the Taliban cutthroats or Saddam Hussein’s bloody capitalist regime. Today we call for the military defense of Iraqi and Afghan forces insofar as they aim their blows against the imperialist occupiers and their lackeys. At the same time, we stand in intransigent political opposition to the Islamic fundamentalists and nationalists who have also engaged in communist slaughter.

We demand: U.S. out of Afghanistan and Iraq now! We call for class struggle in the U.S. against the capitalist rulers, whose “war on terror” has served as a pretext for war and occupations abroad and for a massive increase in repressive powers “at home.” We fight to forge a workers party—in opposition to both the Democratic and Republican parties of capital—to lead the struggle for socialist revolution, the only way to put an end to imperialism and its global depredations.

Both Republican and Democratic leaders have demanded that the Pakistani military step up its efforts against Al Qaeda and other Islamist forces operating near and along the Afghan border. In fact, these very forces are largely the creation



Young Spartacus

**Spartacist/Spartacus Youth League contingent at March 1980 anti-draft demonstration in Washington, D.C., called for unconditional military support to Soviet forces against U.S.-backed Islamic fundamentalists.**

of the Pakistani military and Inter Service Intelligence (ISI) as well as the American CIA. The U.S., Pakistan and Saudi Arabia, among others, armed, funded and trained *mujahedin* reactionaries to kill Soviet soldiers following the entry of the Red Army into Afghanistan in 1979 at the request of the modernizing nationalist PDPA regime.

That war, in which imperialist-backed forces threatened the southern flank of the Soviet Union, posed an acid test for revolutionaries. The Soviet military intervention was one of the few genuinely progressive acts carried out by the Stalinist bureaucracy. The Red Army intervened on behalf of a regime that sought to introduce minimal social reforms and faced a *jihad* (holy war) led by landlords, tribal chiefs and mullahs who burned down schools and flayed teachers alive for the “crime” of teaching young girls to read.

The international Spartacist tendency, now the International Communist League, said: “Hail Red Army in Afghanistan!” and called to extend the gains of the October Revolution to the Afghan peoples. In stark contrast, the bulk of the left internationally lined up with the imperialists by denouncing the Soviet intervention. In 1988-89, when then-Soviet leader Mikhail Gorbachev, in a vain attempt to appease the imperialists, withdrew forces from Afghanistan, we denounced this as a crime against both the Afghan and Soviet peoples. That betrayal by the Kremlin bureaucracy opened the road to *mujahedin* rule in Afghanistan and pre-

pared the ground for the counterrevolutionary destruction of the Soviet degenerated workers state itself in 1991-92, a historic defeat for the proletariat and the oppressed around the world.

Osama bin Laden and Al Qaeda are, in fact, U.S. imperialism’s Frankenstein’s monsters, and Benazir Bhutto crucially assisted their growth. She first took office as prime minister in 1988, and, with U.S. support, her regime continued to provide bases where the *mujahedin* were equipped and organized for the anti-Soviet “holy war.” In one of her first acts as prime minister, Bhutto sought to outdo the Islamic fundamentalists by whipping up a murderous frenzy over Salman Rushdie’s *The Satanic Verses*. The second time around (before her ouster on corruption charges), the Bhutto government sponsored the rise to power of the medievalist Taliban murderers in Afghanistan in 1996.

In its editorial following Bhutto’s killing, the *New York Times*, mouthpiece of the U.S. imperialists, wrote with its typical haughtiness that Bhutto was a “democratic” leader who was, nevertheless, “indifferent to human rights.” That’s putting it mildly! Bhutto’s regimes were marked by rampant torture, killings and deaths in police custody.

With degrees from Harvard and Oxford and with great wealth derived from her family’s huge landholdings in Sind province, Prime Minister Bhutto ruled over a country marked by intense poverty and all-sided oppression. In a leaflet protesting Bhutto’s appearance at Harvard

University in June 1989, at a time when the Afghan city of Jalalabad was besieged by the *mujahedin* killers, the Spartacus Youth Club wrote that “this first female leader of an Islamic state” had “betrayed the hopes of thousands of women who expected her to do away with the hated Haddood Ordinance against ‘moral offenses,’ under which women are condemned to death by public stoning for ‘adultery’ and even prohibited from testifying at their own ‘trials’.” The leaflet noted, “Her government bleeds the poor to fund the Afghan war and oppress the many different ethnic peoples who live in the prison house that is Pakistan” (see “Protest Benazir Bhutto! Hail Heroic Afghan Defense of Jalalabad!” WV No. 478, 26 May 1989).

Pakistan was created through the partition of the Indian subcontinent by the British imperialists in 1947—culminating some three centuries of colonial “divide and rule” in the region—which unleashed the communalist slaughter and forced migration of millions of Muslims, Sikhs and Hindus. The ruling classes of Pakistan and India—which is also nuclear-armed—rest on that legacy of deadly nationalism and communalism.

Today in Pakistan, India and throughout the world, religious and social reaction has flourished in a period marked above all by the imperialist-backed counterrevolution in the Soviet Union. Swimming against the stream of “death of communism” ideology, we seek to imbue advanced sections of the working class with the understanding that only the fight for new October Revolutions can pose a way out of brutal oppression, exploitation, imperialist domination and war.

The task of liberating all the exploited and oppressed of the Indian subcontinent demands the forging of Leninist-Trotskyist vanguard parties dedicated to the revolutionary overthrow of the bourgeoisie in India, Pakistan and Bangladesh and the establishment of a socialist federation of South Asia. Crucial to such a proletarian-internationalist perspective is the fight for workers political revolution in the Chinese deformed workers state, a fight that must be premised on the unconditional military defense of China against imperialism and domestic counterrevolution. Only an internationalist perspective, uniting social struggle on the subcontinent with the fight for workers revolution in the U.S. and other advanced capitalist countries, can open the door to real social liberation for the impoverished masses. ■

pinnacle, is racist to the core. In Chicago, a July 2006 special prosecutor’s report acknowledged some instances of beatings and torture by the police Violent Crimes Unit from 1973 to 1991 that particularly targeted black “suspects” on Chicago’s South Side. Despite testimony that nearly 200 people were brutalized and tortured, the special prosecutors decided not to prosecute a single cop.

Charles A. Graner, sadistic torturer at Abu Ghraib, was trained as a guard in the enormous U.S. prison system. In 1998 he was accused of putting a razor in a dish of mashed potatoes that was served to an inmate at Pennsylvania’s State Correctional Institute-Greene, the facility that holds class-war prisoner Mumia Abu-Jamal, a former Black Panther and later a prize-winning journalist and supporter of

Philadelphia MOVE, on death row. In San Francisco, a case against eight former Black Panther Party members charged last January for the 1971 killing of a police officer rests in part on “confessions” by two of the accused that were coerced by New Orleans cops in 1973 through electric shocks, cattle prods and other torture methods. In its efforts to destroy an entire generation of black militants, the FBI-police COINTELPRO campaign included the killing of 38 Black Panthers and the frame-up of hundreds of others. *Drop the charges against the S.F. 8!*

The apparatus of the capitalist state has

been greatly strengthened by measures enacted in the “war on terror.” However, what the government is actually able to get away with will ultimately be determined by the level of social struggle. We fight to forge a workers party that acts as a tribune of the people, mobilizing the social power of the proletariat on behalf of all the exploited and oppressed. In the course of such struggle, the proletariat must be won to understanding the need to carry out a socialist revolution that smashes the capitalist state and establishes a dictatorship of the proletariat, a workers government where those who labor rule. ■

## Spartacus Youth Club Events

### BAY AREA

Saturday, January 19, 12 p.m.

#### The State and Revolution

1634 Telegraph Ave., 3rd floor, Oakland (near 19th St. BART)

Information and readings: (510) 839-0851 or e-mail: sycbayarea@sbcglobal.net

### NEW YORK CITY

Saturday, January 5, 5 p.m.

#### Video showing and discussion on black soldiers’ fight for freedom in the American Civil War

#### Glory

Spartacist Public Office

299 Broadway, Suite 318

(take any train to Chambers Street)

Information and readings: (212) 267-1025 or e-mail: nysl@tiac.net

### LOS ANGELES

Wednesday, January 16, 6:30 p.m.

#### Imperialism and War

UCLA, Ackerman Union

Meeting Room 3516

Information and readings: (213) 380-8239 or e-mail: slsycla@sbcglobal.net

### VANCOUVER

Wednesday, January 23, 6 p.m.

#### The Revolution Betrayed: Trotskyism vs. Stalinism

UBC, Student Union Building, Rm. 212

Information and readings: (604) 687-0353 or e-mail: trotskyist\_vancouver@shawcable.com

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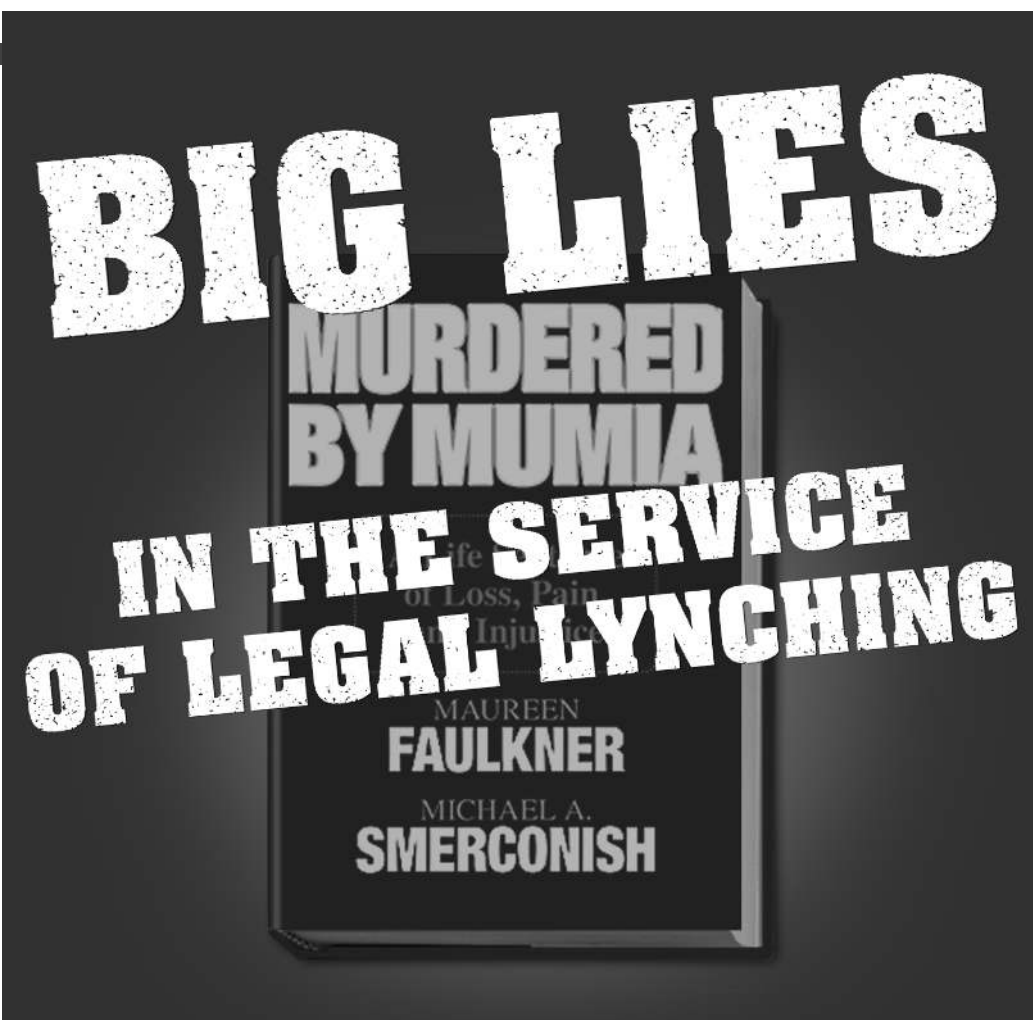
The following was issued by the Partisan Defense Committee on 31 December 2007.

*Murdered by Mumia* (The Lyons Press, December 2007) by Maureen Faulkner and Michael Smerconish is a compendium of myths, falsehoods, misrepresentations and omissions—all aimed at the legal lynching of an innocent man, Mumia Abu-Jamal. Mumia is a former Black Panther Party spokesman, targeted by the Feds and cops since the age of 15, who later became a supporter of the MOVE organization and a respected journalist renowned as the “voice of the voiceless.” He was framed up for the 9 December 1981 killing of Police Officer Daniel Faulkner and sentenced to death explicitly for his political views. An abundance of evidence proves Mumia’s innocence, including the confession of another man, Arnold Beverly, that he, not Mumia, shot and killed Officer Faulkner.

Published at a time of waning support for capital punishment—most recently demonstrated by New Jersey’s repeal of the death penalty—as well as the highly publicized release of inmates falsely convicted on murder charges, *Murdered by Mumia* is a rallying call for the barbaric death penalty, which in the U.S. is a legacy of black chattel slavery. In *Murdered by Mumia*, Maureen Faulkner, Daniel Faulkner’s widow and a major spokesman for the Fraternal Order of Police campaign to execute Mumia, joins forces with right-wing radio broadcaster and newspaper columnist Michael Smerconish.

Faulkner and Smerconish make no bones about the political nature of Mumia’s frame-up, retailing the lie that Mumia’s Panther membership proved that he had been planning to kill a cop. They boast that the prosecution had “successfully established that Abu-Jamal had an anti-police, anti-establishment, anti-government philosophy that accounted for his desire to murder Danny” (page 44). It is because Mumia has always been an outspoken and unrepentant fighter for black people and the oppressed that the forces of “law and order,” represented by both the Democratic and Republican parties, want to see Mumia dead. To the racist rulers, he represents the spectre of black revolt.

*Murdered by Mumia* repeatedly claims that the records of Mumia’s 1982 trial and pre-trial witness statements “tell the story of how Abu-Jamal murdered my husband” (page 29). The trial records are replete with inconsistencies, unproven assertions, contradictory evidence and all the hallmarks of a racist frame-up. *There is no evidence that Mumia shot Daniel Faulkner, and the “facts” claimed in Murdered by Mumia supposedly proving*



## PDC Fact Sheet

*this story do not exist in the trial record.* Since the 1982 trial, there has been a growing mountain of new evidence proving not only that Mumia is innocent, but that the police and prosecution falsified and suppressed evidence, coerced witnesses and orchestrated a monumental frame-up.

This fact sheet will expose the enormity of the lies that underpin every premise in *Murdered by Mumia*. Our aim is to arm those fighting for Mumia with the facts to refute the mendacity of those who want to execute him. This is part of our effort to mobilize mass protest action on Mumia’s behalf that is centered on the social power of the labor movement and is based on the understanding that Mumia Abu-Jamal is an innocent man, the victim of a racist and political frame-up who must be immediately freed!

In refuting the lies in *Murdered by Mumia*, we cite the transcripts, including the dates and page numbers where testimony appears, from the 1982 trial and pre-trial testimony and 1995-97 post-conviction relief (PCRA) hearings (all designated as “N.T.” [Notes of Testimony]), as well as declarations, affidavits and police investigation reports (IIR [Investigation Interview Record]). Citations from

*Murdered by Mumia* are followed by the page number. Readers are also urged to review the July 2006 PDC pamphlet, *The Fight to Free Mumia Abu-Jamal—Mumia Is Innocent!*, which includes detailed presentations of the facts of the case as well as a series of affidavits and declarations. The pamphlet is available at <http://www.partisandefense.org/pubs/innocent>.

### What Happened on 9 December 1981

**Lie:** In virtually every chapter of the book, Faulkner and Smerconish claim that neither Mumia nor his brother William Cook, who was at the scene of Faulkner’s shooting, gave an accounting of what happened on 9 December 1981. They write, for example, “Never, in twenty-five years and despite a worldwide campaign on his behalf, has he [Mumia] offered an explanation of what occurred on December 9, 1981” (page 47).

**Truth:** From the beginning, Mumia has always made clear that he is innocent. On 3 May 2001, he gave a sworn declaration, as did his brother on 15 May 1999 and 29 April 2001, detailing what they saw the night of Faulkner’s shooting. On 8 June 1999, Arnold Beverly swore an affidavit detailing how he, not Mumia, killed Faulkner. Smerconish and Faulkner know this—the declarations and Beverly’s affidavit are on the original Daniel Faulkner Web site! (See <http://www.danielfaulkner.com/original/testimony.html>)

In his declaration, Mumia stated, “I did not shoot Police Officer Daniel Faulkner. I had nothing to do with the killing of Officer Faulkner. I am innocent.” He described how he ran from his parked cab in Center City after he heard shots and saw other people running, recognizing his brother staggering in the street. “I saw a uniformed cop turn toward me gun in hand, saw a flash and went down to my knees.” Mumia was shot in the chest and was critically wounded. He continued: “The next thing that I remember I felt myself being kicked, hit and being brought out of a stupor.” He recalled how cops were “hollering and cursing, grabbing and pulling on me.” “I was pulled to my feet,” he continued, “and then rammed into a telephone pole beaten

where I fell and thrown into a paddy wagon.” He stated that later the police wagon door opened and a white cop in a white shirt “came in cursing and hit me in the forehead. I don’t remember what he said much except a lot of ‘n-----s’, ‘black motherfuckers’ and what not.” (See <http://www.partisandefense.org/pubs/innocent/maj.html>)

In his 1999 declaration, William Cook stated, “Mumia Abu-Jamal did not shoot Officer Faulkner and I did not shoot Officer Faulkner.” Cook stated that he “was stopped by Officer Faulkner while I was circling around City Center in my Volkswagen with Kenneth Freeman.” He also stated that Freeman, his passenger and business partner, “told me after that night that there was a plan to kill Officer Faulkner, that Freeman was part of that plan, that he was armed that night and participated in the shooting.” Cook also asserted that Freeman “ran from the scene after Officer Faulkner was shot.” In his 2001 Affidavit, Cook stated that Freeman was “wearing his green army jacket.” (See <http://www.partisandefense.org/pubs/innocent/wc.html>)

In his affidavit, Arnold Beverly stated that “Mumia Abu-Jamal did not shoot police officer Faulkner.... Jamal had nothing to do with the shooting.” Beverly explained that he “was hired, along with another guy,

and paid to shoot and kill Faulkner. I had heard that Faulkner was a problem for the mob and corrupt policemen because he interfered with the graft and payoffs made to allow illegal activity including prostitution, gambling, drugs without prosecution in the center city area.” Beverly said that he was given “a .38 caliber policeman’s special and I was also carrying my own .22 caliber revolver.” Beverly, who like Freeman was wearing a green army jacket, stated that as he came onto the scene of 13th and Locust, he “saw police officers in the area,” but “was not worried” because “I believed that since I was hired by the mob to shoot and kill Faulkner, any police officers on the scene would be there to help me.”

Beverly described that he saw Faulkner get out of his patrol car and go up to a VW. He heard a shot and then another one that grazed his left shoulder. He continued: “I ran across Locust Street and stood over Faulkner, who had fallen backwards on the sidewalk. I shot Faulkner in the face at close range. Jamal was shot shortly after that by a uniformed police officer who arrived on the scene.” Beverly concluded that he left the area through the Speedline subway system “and by pre-arrangement met a police officer who assisted me when I exited the speedline underground about three blocks away. A car was waiting for me and I left the center city area.” (See <http://www.partisandefense.org/pubs/innocent/ab.html>)

The sworn declarations by Mumia and William Cook and Arnold Beverly’s affidavit, along with a host of supporting evidence that we will detail below, were submitted to state and federal courts in 2001. But the courts have refused to even consider them. For their part, Faulkner and Smerconish dismiss Beverly’s confession as “pure idiocy” (page 28). Predictably, they say not a word about the rampant corruption of the Philadelphia Police Department, including its working relationship with the mob. At the time of Faulkner’s murder, the police department was under at least three federal investigations for corruption, including police ties with the mob. (See <http://www.partisandefense.org/pubs/innocent/rw.html>)

The cops want to kill Mumia not only



James/Philadelphia Inquirer

Mumia Abu-Jamal as Minister of Information for Philadelphia Black Panther Party in 1969.

# Mumia Is Innocent! Free Him Now!





Freelancer Pedro Polakoff's photos, taken only minutes after Faulkner's killing and suppressed for some 25 years by prosecution, confirm police and prosecution lied. Left: There is no car behind Faulkner's cruiser, refuting claim that key prosecution "witness" Chobert was parked directly behind Faulkner. Center: Cop mishandles gun found at scene with bare hands wrapped around grip, tainting key piece of evidence that was not turned in for nearly two hours. Right: Police's own photo shows no divots or bullet markings in sidewalk, proving prosecution scenario of Faulkner's shooting was concocted.

because he has been an outspoken voice for black freedom, but also so that they can bury the proof of their own criminality.

### The Eyewitnesses

**Lie:** According to Faulkner and Smerconish, "three people saw Abu-Jamal do it—four if you count [Albert] Magilton who temporarily looked away" (page 42). The other three are Cynthia White, Robert Chobert and Michael Mark Scanlan. The "trial testimony and pre-trial statements from the eyewitnesses to the murder... provide lucid and consistent confirmation of Abu-Jamal's conduct," and "illustrate a high degree of specificity, recounting such details as Abu-Jamal's brand of car, color of shirt, and style of hair" (page 29). **Truth:** No witness testified to seeing Mumia, with gun in hand, actually shoot Officer Faulkner. Witness statements are confused, inconsistent and in their specifics describe someone other than Mumia as the shooter. Not a single prosecution witness ever described Mumia's "brand of car"—i.e., his taxicab.

Mumia wore his hair in dreadlocks, was over 6 feet tall and weighed about 170 pounds. He was wearing a blue quilted ski jacket with a wide vertical red stripe on either side of the front.

Mark Scanlan, a 24-year-old white male, initially described the man he claimed to have seen shoot Faulkner as wearing a red and yellow, or red, yellow and black sweater and a black hat. Scanlan explicitly stated that the man did not have MOVE-like dreadlocks, but an Afro hairstyle. Scanlan further stated that he could not see the man's face. (IIR 12/9/81) He testified at trial that he had been drinking and told police, "I don't know which male shot the officer." (N.T.6/25/82:13, 46; IIR 12/11/81)

Robert Chobert, a 23-year-old white cabdriver, first described a person he saw standing over and shooting Faulkner as heavyset and wearing a light tan shirt and jeans. (IIR 12/9/81) Three days later, he described the shooter as weighing 220-25 pounds and wearing a dark gray dress shirt with a red and green picture on the back. (IIR 12/12/81) He admitted both times that he did not see a gun, and in his second interview that he did not see any flash. (IIR 12/12/81)

Albert Magilton, a 26-year-old white male, testified that all he saw was Mumia walking fast into the street (N.T.6/25/82: 100, 106) and that he didn't have a hat. (N.T.6/25/82:92) He also stated that he did not see anyone with a gun. (IIR 12/9/81; N.T.6/25/82:100) Prosecution witness Cynthia White, a 23-year-old black prostitute, described the shooter as "short." (IIR 12/9/81)

Some 20 witnesses who saw different portions of the entire incident from different vantage points, and saw each other, described varying accounts of what happened.

In addition to Beverly and Cook, six witnesses, including two cops and two civilian prosecution witnesses, reported that someone at the scene was wear-

ing a *green army jacket or coat*. These witnesses include Mark Scanlan, Albert Magilton, Officer James Forbes, Officer Stephen Trombetta, Robert Pigford and William Singletary. (Scanlan: N.T.6/25/82:26 and IIR 12/11/81; Magilton: G.M. Newman 7/19/95 Interview; Forbes: IIR 12/9/81, 12/16/81; Trombetta: IIR 12/9/81; Pigford: IIR 12/9/81; Singletary: N.T.8/11/95:235-36) Witness Robert Pigford, who would go on to become a cop, told police the night of the shooting that immediately after hearing shots he saw a man in an army jacket bent over Faulkner. (IIR 12/9/81) Neither Mumia nor William Cook was wearing a green army jacket. In his 1999 affidavit confessing to the murder of Faulkner, Beverly stated, "I was wearing a green (camouflage) army jacket." In his 29 April 2001 declaration, William Cook stated that he had a passenger in his car, Kenneth Freeman, and that Freeman was also "wearing his green army jacket."

**Lie:** Faulkner and Smerconish write that Cynthia White "was a critical witness in

story to make a stronger case against Mumia. (N.T.6/21/82:159-90; 6/22/82:31, 33, 55-58) During the 1997 PCRA hearings, prostitute Pamela Jenkins testified that White told her that she was being threatened by police. (N.T.6/26/97:48) A 2002 sworn statement by Yvette Williams, who was in jail with Cynthia White, also stated that White was threatened by the police. (1/28/02 Declaration) **Lie:** Faulkner and Smerconish write that cabdriver Robert Chobert, who during the 1982 trial "pointed at Abu-Jamal" as the killer (page 37), "witnessed Danny being knocked to the ground and the 'gunman' standing over him firing three more shots" (page 14). They include a claim by Chobert that he was parked behind Daniel Faulkner's car at the time of the shooting (page 308).

**Truth:** In 1995, Chobert admitted that he *never saw the shooting*. (G.M. Newman 9/25/01 Affidavit) Chobert was not parked behind Faulkner's police car, a fact confirmed by freelance photographer Pedro Polakoff's recently unearthed crime



Mumia at hospital after being shot and beaten by cops, December 1981.

our case" because "she was the one witness who, because of her location, saw the entire incident from start to finish" (page 280).

**Truth:** Cynthia White *was not even there during the shooting*. Prosecution witnesses Chobert, Scanlan and Magilton, as well as defense witness Veronica Jones, who knew White, all testified at trial that White was not on the corner where she claimed to see the shooting. (Chobert: N.T.6/19/82:227-28; Scanlan: N.T.6/25/82:58; Magilton: N.T.6/25/82:86; Jones: N.T.6/29/82:129-30) During the 1995 PCRA hearings, William Singletary testified that White came up to him *after* the shooting to ask him what happened. (8/31/90 Deposition 25)

Veronica Jones testified at the 1982 trial that White was given police favors in return for her false testimony. (N.T.6/29/82:129, 134-36) Faulkner and Smerconish falsely claim that Jones first raised this at the 1996 PCRA hearings (page 183). White's photo was posted in Faulkner's precinct with instructions to call Homicide when she was taken in. She was arrested twice in eight days after the shooting, and she was let go only after she signed new witness statements for Homicide. Each time, she changed her

scene photos, which the prosecution had suppressed for nearly 25 years. Taken only minutes after the shooting, the photos show *no car* parked behind Faulkner's vehicle.

During the 1982 trial, Chobert admitted that Mumia did not fit the description Chobert had given the police of a heavy-set black man. (N.T.6/19/82:234-35) Chobert initially told police the night of the shooting that the shooter "ran away," which would have been impossible for Mumia given his near-fatal gunshot wound. (N.T.6/1/82:70; 6/19/82: 234-35) It was only after further interrogation that Chobert changed his story. (N.T.6/19/82:236-37) Chobert was driving with a suspended license while on probation for being hired to throw a Molotov cocktail into a school. (N.T.6/19/82:220-22; 8/15/95:5-6) During the 1995 PCRA hearings, Chobert admitted he was secretly given favors by the prosecution in exchange for his testimony and was kept under wraps by the police at all times during the 1982 trial. (N.T.8/15/95:4-10)

**Lie:** Faulkner and Smerconish write, "Only two people were seen by the five eyewitnesses to have come that close to Danny—William Cook and Mumia Abu-Jamal" (page 172). Besides White, Chobert, Scanlan and Magilton, the fifth

"witness" referred to is Robert Harkins. Faulkner and Smerconish describe his testimony at the 1995 PCRA hearings as "corroborating Chobert's and White's accounts" (page 23).

**Truth:** Five witnesses said that one or two black men ran away eastward after the shooting. At the 1982 trial, defense witness Dessie Hightower insisted that he saw someone run from the scene. (N.T.6/28/82:125-27) Debbie Kordansky, Veronica Jones and Robert Chobert initially reported to the police that they saw someone flee the scene (Kordansky: IIR 12/9/81; Jones: IIR 12/15/81; N.T.6/1/82:70), though Jones and Chobert denied this at the trial after police pressure. (N.T.6/19/82:236-37; 6/29/82:99-102) During the 1996 PCRA hearings, Veronica Jones recanted her 1982 trial testimony, explaining that she had been threatened by the police with many years in prison on felony charges and loss of her children if she did not testify against Mumia. (N.T.10/1/96:20-24, 32-33) During the 1995 PCRA hearings, William Singletary testified to seeing the shooter run away (N.T.8/11/95:235-36), and Hightower reiterated that he saw a man flee the scene of the shooting and stated that he had faced harassment from the police for telling the truth. (N.T.8/3/95:18-19, 23-24, 103)

Harkins' statements to police were so varied from the prosecution witnesses and scenario of how Faulkner was killed that the prosecution did not call him to testify at the 1982 trial. In his statements to police (IIR 12/9/81, 12/17/81) and during the 1995 PCRA hearings (N.T.8/2/95:205-06), Harkins asserted that he saw only *one* person in proximity to Faulkner, the shooter.

**Lie:** Faulkner and Smerconish uphold the prosecution's story that William Cook was alone in his VW when he was stopped by Faulkner, claiming that Cook "never told the police that there was anyone with him in the Volkswagen" (page 141).

**Truth:** There was a passenger, Kenneth Freeman, in the car with William Cook. In both his May 1999 and April 2001 sworn declarations, William Cook confirmed that Freeman was in the car with him. During the 1995 PCRA hearings, William Singletary testified that there was a passenger, that he was wearing an army coat (confirming Cook's declaration), that this man was the shooter and that he ran away. (N.T.8/11/95:234-36)

During the 1995 PCRA hearings, it was also revealed that police had found the driver's license application of one Arnold Howard in Faulkner's possession. (N.T.8/9/95:6; 8/11/96:131, 139-40, 167) This information was concealed from the defense at the 1982 trial. It was critical because Howard had given the application to Kenneth Freeman. Freeman's presence in the car would explain how Faulkner got Howard's license application. In 1995, Howard stated that Freeman told him that he was in the VW at the time of the shooting. (N.T.8/9/95:9-10, 23;

*continued on page 8*

# Fact Sheet...

(continued from page 7)

Howard 8/8/95 Affidavit)

Joseph McGill, who prosecuted Mumia in 1982, had, prior to that, prosecuted William Cook on assault charges. At Cook’s trial, Cynthia White—who according to other witnesses did not see the shooting and had asked Singletary what had taken place—testified that there was a passenger in Cook’s VW who got out of the car when Officer Faulkner approached the driver’s side. (N.T. 3/29/82:33; Singletary 8/31/90 Deposition 24-25) At Mumia’s trial, she changed her testimony to claim that there was no one else on the sidewalk. (N.T. 6/22/82:134)

Even in her book, Maureen Faulkner acknowledges that after pulling William Cook over, Daniel Faulkner made “the normal call for a backup before getting out of his car, and then changed his request, saying to the dispatcher, ‘on second thought send me a wagon’” (page 22), indicating that there was likely another person in the car.

### The Phony Confession

**Lie:** Faulkner and Smerconish write: “In the ER, Abu-Jamal was heard by two eyewitnesses to shout defiantly, ‘I shot the motherfucker and I hope the motherfucker dies!’” (page 24). The two “eyewitnesses” were hospital security guard Priscilla Durham and Police Officer Garry Bell.

**Truth:** There never was a confession. As Mumia stated in his 2001 affidavit, “because of the blood in my lungs it was difficult to speak, and impossible to holler. I never confessed to anything because I had nothing to confess to.” The “confession” was manufactured by the prosecution at a roundtable meeting with cops *two months* following the shooting (N.T.8/1/95:78-79, 91), after it became clear that an earlier bogus confession concocted by Inspector Alfonzo Giordano, who was a target of a corruption investigation, could not be used (see below).

Gary Wakshul, the police officer assigned to guard Mumia throughout the night of the shooting, reported that same day: “The negro male made no comments.” (IIR 12/9/81 and N.T.8/1/95:38) The prosecution and Judge Albert Sabo prevented Wakshul from testifying at the 1982 trial, but at the 1995 PCRA hearings he testified that *neither Durham nor Bell were even present at the time of the supposed confession.* (N.T.8/1/95:23, 51) In several reports, Stephen Trombetta, the other police officer assigned to guard Mumia, made clear that Mumia made no confession, including at the hospital. (IIR 12/9/81, 12/17/81, 2/12/82)

In fact, at the hospital Police Officer Garry Bell threatened Mumia, stating “if he [Faulkner] dies, you die.” (LeGrand: IIR 2/2/82; Prayer: IIR 2/8/82; Durham: IIR 2/9/82) None of the cops and hospital security guards reported hearing



Shadd/Philadelphia Inquirer

**Philadelphia cops screaming for Mumia’s execution besiege hospital workers union hall, July 1995.**

what Bell and Durham claimed to have heard, even though Durham reported some 15 or 20 cops were in close proximity. (N.T.6/24/82:57) Neither Bell nor Durham even report that the other was present. Bell never mentioned the “confession” in his police log that night nor in a statement he gave to detectives on 16 December 1981. Bell first reported hearing Mumia confess on 25 February 1982.

Faulkner and Smerconish point to an unsigned, typewritten piece of paper—supposedly dated December 1981 and written by Durham’s supervisor—recording the “confession” (pages 309-10). But at trial Durham denied that she had ever seen that report. (N.T.6/24/82:98-99) In 2003, Durham’s stepbrother, Kenneth Pate, submitted a declaration that Durham told him she was pressured by the cops to falsely say Mumia confessed. (4/18/03 Declaration)

### Smoke-and-Mirrors Ballistics

**Lie:** Faulkner and Smerconish write that the bullets removed from Faulkner “matched the gun purchased by Abu-Jamal” (page 24).

**Truth:** There was never a “match,” not even any evidence that Mumia’s gun was fired that night! The police firearms unit claimed that the main bullet fragment removed from Faulkner’s head was too damaged to test, and a second bullet fragment removed from the head wound simply disappeared without a trace. (N.T. 6/23/82:108; 8/2/95:62-66, 75-77) Incredibly, the police did not report ever testing Mumia’s hands and gun for evidence of gunpowder or that the gun had been fired that night. (N.T.8/2/95:66-72) As the Polakoff photos show, the cop who collected the guns at the scene was improperly holding them with bare hands. He did not turn them in to the firearms unit for two hours, providing more than ample time for tampering with them. (N.T.6/19/82:169; 12/9/81 Prop. Rect.)

Faulkner and Smerconish state that a

bullet removed from Faulkner was “consistent” with Mumia’s Charter Arms gun (page 24) and include a snippet of testimony at the 1982 trial by the cops’ own ballisticians Anthony Paul (page 318). “Consistent” is a code word prosecutors use when they *cannot match* evidence. Indeed, Smerconish and Faulkner omit the next two pages of testimony where Paul admits that the bullet would be consistent with “multiples of millions” of other guns as well. (N.T.6/23/82:168-69) **Lie:** *Murdered by Mumia* states that the defense has “never offered any shred of evidence” that there is a missing bullet fragment (page 117).

**Truth:** The lead fragment and its measurements (10x3x2 mm) are *recorded in the Medical Examiner’s autopsy report.* (12/9/81 Postmortem Report) As already noted, this fragment has disappeared and was not preserved as part of the ballistics evidence—facts established by Mumia’s expert witnesses at the 1995 PCRA hearings. (N.T.8/2/95:75-77; 8/4/95:40-42; 8/9/95:151)

*Murdered by Mumia* cannot refute the fact that the Findings of the Medical Examiner, whom the D.A. qualified as an “expert” in ballistics at the 1982 trial (N.T.6/25/82:176), state that Faulkner was shot with a .44 caliber bullet; Mumia’s gun was a .38 caliber. (12/9/81 Findings; N.T.8/2/95:73-74; 8/9/95:190) The disappeared fragment could be the remains of the .44 caliber bullet initially recorded by the Medical Examiner or from the .22 caliber revolver that Beverly said he was carrying the night of Faulkner’s shooting.

**Lie:** Faulkner and Smerconish claim that Mumia’s gun “was recovered at the scene along with five cartridges, all of which had been fired,” that Mumia shot Daniel Faulkner in “his upper back” and then in the “center of his face,” and that “both bullets were fired from less than twenty inches away” (page 24). Throughout the book, Faulkner and Smerconish retail the prosecution’s story that after shooting Faulkner in the back, Mumia stood over him as he lay on the pavement and fired at least three shots at his face.

**Truth:** There is no evidence of these three or four bullets, all but one of which supposedly missed their target at near pointblank range. As the Polakoff photos confirm, there are no divots (or bullet markings) in the sidewalk, proving that the prosecution’s scenario is concocted.

**Lie:** *Murdered by Mumia* states that “the shells found in Abu-Jamal’s gun were all Special +P ammunition (4 were Federal brand, 1 was Remington),” “a unique bullet with an extra heavy load of gunpowder” that “devastates its target” (page 115). Faulkner and Smerconish claim that this shows that Mumia was “fully resolved to shoot and seriously injure or kill someone,” that he wanted to carry out “the execution of anyone who crossed his path” (page 87).

**Truth:** Mumia’s gun did not have Plus P ammunition. The police Firearms Identification Unit report of 5 January 1982 does not identify the cartridges in Mumia’s gun as Special Plus P even though such cartridges would have been clearly

stamped. Demonstrating the web of inconsistencies in the prosecution’s lies, Police Officer James Forbes, who had possession of the guns after the shooting, testified during the 1982 trial that the cartridge casings in Mumia’s gun were Winchesters, not Federal or Remington brands. (N.T.6/19/82:175-76)

Mumia had a legally registered gun that he carried for protection after he had been robbed at gunpoint while driving his cab.

**Lie:** Smerconish and Faulkner write, “The bullet that struck Abu-Jamal was determined to have been fired from Danny’s police-issued .38-caliber Smith & Wesson gun” (page 24). The prosecution has always claimed that Faulkner fired his gun as he was falling down after being shot. (N.T.6/19/82:12)

**Truth:** The prosecution’s scenario is disproved by the fact that Mumia’s wound took a steep *downward* path. (N.T.8/4/95:16-19, 21-22) The Medical Examiner’s record from 9 a.m. on 9 December 1981 (some five hours after Faulkner’s shooting) stated that Sergeant Westermann of Homicide told a Medical Examiner’s investigator that Mumia was shot by “arriving police reinforcements.”

The weapon that Faulkner purportedly used to shoot Mumia was not in a condition one would expect from a hunting enthusiast and ambitious officer about to take a detective’s examination, and one patrolling Philadelphia’s Center City at 4 a.m. According to the police ballistics report, the gun had a bent hammer spur, contained powder fouling, dirt and lint in the chambers and could not cock as designed in single action because of oversized rubber grips. The gun was likely a “throwaway.” Finally, not a single prosecution witness testified to seeing Daniel Faulkner shoot Mumia. (Chobert: N.T.6/19/82:267; White: N.T.6/21/82:104; Scanlan: N.T.6/25/82:47; Magilton: N.T. 6/25/82:88-89)

### The Frame-Up Trial

**Lie:** Faulkner and Smerconish describe Judge Albert Sabo, who presided over the 1982 trial and the 1995-97 PCRA hearings, as a “reserved and dignified” judge who “had a reputation for being very seldom reversed on appeal” (pages 31-32).

**Truth:** Sabo was reversed on appeal in *more than a third* of his cases (J. Henderson, “Philadelphia’s Judge Sabo: The Judge Who Became Death Row’s King” [1996]). At the time of the 1982 trial, he was overheard by court reporter Terri Maurer-Carter as saying, “I’m going to help them fry the n----r,” a fact completely disappeared in *Murdered by Mumia*. Sabo banished Mumia from the courtroom for nearly half the trial, depriving him of the ability to participate in his own defense. During the 1995 PCRA hearings, the *Philadelphia Inquirer* (16 July 1995) wrote of Sabo: “The behavior of the judge in the case was disturbing the first time around—and in hearings last week he did not give the impression to those in the courtroom of fair-mindedness.” A 1996 study showed that Sabo sent more than twice as many men, overwhelmingly black and Latino, to death row than any other sitting judge in the country. He was a retired member of the Fraternal Order of Police and was widely known, including by the Philadelphia legal establishment, as a “prosecutor in robes.”

**Lie:** Faulkner and Smerconish state that Joseph McGill, the 1982 trial prosecutor, was “determined to qualify as many black jurors as possible” (page 156).

**Truth:** Joseph McGill used *11 out of 15* peremptory strikes to bar black people from Mumia’s jury. A statistical survey showed that Philadelphia prosecutors in the 1980s were 5.2 times more likely to throw blacks off juries than whites. In 1987, the Philadelphia D.A.’s office produced an official training tape, based on its longstanding practice, on how to exclude black jurors and get away with it. A one-minute excerpt of the video is posted on YouTube by Journalists for Mumia. (See [http://www.youtube.com/watch?v=rv9SJPa\\_dF8](http://www.youtube.com/watch?v=rv9SJPa_dF8)) It features Assistant D.A. Jack McMahon advising prose-

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SEE PAGE 28



cutors to choose jurors that are “unfair and more likely to convict”! He also advises prosecutors to avoid “the blacks from the low-income areas,” warning, “you don’t want smart people.”

## The Facts About the Arnold Beverly Confession

The 8 June 1999 Arnold Beverly affidavit detailing how he was hired to kill Faulkner, who had become a problem for the mob and corrupt cops, is a key piece of evidence that clearly demonstrates the depth of the frame-up of Mumia Abu-Jamal. As they dismiss the Beverly confession out of hand, Faulkner and Smerconish barely say a word about the 2001 federal and state court proceedings in which the defense sought to present the confession and a substantial body of supporting evidence. Along with the sworn declarations of Mumia and William Cook, this included the affidavits of Donald Hersing, an FBI confidential source during its 1981-82 investigation of Center City police corruption, and private investigator Michael Newman. It also included the 28 July 2001 affidavit of Partisan Defense Committee counsel Rachel Wolkenstein, who served on Mumia's legal defense from 1995-99. Wolkenstein's affidavit described the body of substantial evidence supporting Beverly's confession and why Mumia's prior lead attorney, Leonard Weinglass, had refused to present that evidence in court.

*Murdered by Mumia* so studiously avoids the Beverly confession and supporting evidence that the authors do not even mention the lawyers who headed up Mumia's defense at that time—Marlene Kamish, Eliot Grossman and Nick

of collecting this information was to help them determine how much of a payoff they should demand.”

**Fact:** Virtually the entire chain of command for the “investigation” of Faulkner’s death was under suspicion in federal corruption probes, including the head of the Central Division, John DeBenedetto (convicted), and the head of Homicide, James Carlini (unindicted co-conspirator). Inspector Alfonzo Giordano, who pled guilty to corruption in 1986, was the senior officer at the scene after Faulkner’s shooting and played a key role in initiating and orchestrating the frame-up. Donald Hersing declared under oath that Giordano was part of a group of police officers engaged in corruption activities. (D. Hersing 5/10/99 Affidavit) Hersing also stated that police knew about the FBI investigations. *Murdered by Mumia* does not mention Giordano’s name even once.

**Fact:** Giordano was the right-hand man for Frank Rizzo, Philadelphia's racist police chief and later mayor in the late 1960s and '70s. From 1968 to 1970, Giordano was in charge of the Stakeout squad, which helped lead a police raid on the Black Panthers' headquarters in 1970. He was also the supervisor of the 15-month police siege of MOVE's Powelton Village house in 1977-78, which resulted in nine MOVE members being sent to prison on frame-up charges of killing a cop who had been shot in the police cross fire. Giordano knew exactly who Mumia was. The senior officer on the scene, he had both motive and opportunity to frame up Mumia for Faulkner's killing.

**Fact:** Giordano originated the claim that Mumia's gun—the putative murder weapon—



## Tobia/Philadelphia Inquirer

**Faulkner and Smerconish boast of support they received from racist xenophobes such as Joey Vento, who owns Geno's Steaks and demands customers "speak English" when ordering.**

Brown—instead falsely asserting that Mumia’s current lawyer, Robert Bryan, “replaced Leonard Weinglass,” whom Mumia fired in 2001 (page 292).

The fact is that Faulkner and Smerconish *cannot* refute Beverly's confession and the mountain of evidence that backs it up. **Fact:** At the time of Faulkner's killing, the Philadelphia Police Department was under at least three federal investigations for corruption involving cop-mob ties. (D. Hersing 5/10/99 Affidavit) The Justice Department also had Philadelphia cops acting as sources in the investigations, including an officer whose brother was also a cop. Faulkner's brother was a cop. Faulkner also owned a very expensive "Topcon" camera model often used by the FBI at the time, and had used it the night of his death. (Wakshul IIR 12/16/81) The camera, which was in the possession of Philadelphia cops, has since disappeared. In *Murdered by Mumia*, Maureen Faulkner cryptically recounts that during the 1982 trial, defense attorney Anthony Jackson "asked me a very odd question. He asked me if Danny owned a camera. I said he did" (page 36).

**Fact:** Maureen Faulkner writes that Ed Frederick, a member of the Philadelphia police Stakeout unit, informed her that after meeting Daniel Faulkner at Broad and Race Streets, Faulkner “had to leave around 2:00 or 3:00 a.m. to do ‘club checks’ when the bars let out” (page 18). In his 10 May 1999 affidavit, FBI informant Donald Hersing explained: “Uniformed officers would perform routine ‘club checks’ at the Morning Glory and other after-hours clubs to count the number of people at the clubs. The purpose

on—was lying beside him on the street despite the fact that according to police records, the cops were still looking for the gun some 14 minutes after hordes of police had arrived on the scene. (Police Memo. 12/17/81) It was Giordano who claimed that, while in the back of the police van at the scene, Mumia confessed to shooting Faulkner. (IIR 12/9/81) This claim was refuted by Stephen Trombetta, who was in the van with Mumia and made clear that Mumia made no such statement. (IIR 12/9/81)

Giordano is also the cop who arranged for Chobert's supposed identification of Mumia. (N.T.6/1/82:70-71) Giordano was a key witness for the prosecution against Mumia at the January 1982 preliminary hearing and bail hearing. (N.T. 1/8/82:90-99; 1/11/82:71-78) He testified again at a 1 June 1982 hearing regarding the bogus confession. (N.T.6/1/82:67-98) Nonetheless, Giordano was *not* called to testify at the 1982 trial. He was reassigned to desk duty and resigned from the Philadelphia police force *one working day after the trial was over*. As Rachel Wolkenstein noted in her 28 July 2001 affidavit, the fact that Giordano was not called to testify by the prosecution is a "powerful indication that the prosecution knew of Giordano's involvement in corruption and thought it would be too risky to present him at Mr. Jamal's trial." Notably, not only do Faulkner and Smerconish disappear Giordano from their book, but these pre-trial hearings are conspicuously missing from the transcripts on the Faulkner Web site.

**Fact:** As already noted, at least six witnesses, including two cops, reported



Barger/WCAU-TV



UPI

**May 1985: Police helicopter dropping bomb on MOVE's Osage Avenue house. Eleven people, MOVE members and their children, were killed and an entire neighborhood destroyed in the ensuing inferno.**

someone at the scene thought to be the shooter wearing a green army jacket. Both Beverly and Kenneth Freeman, William Cook's passenger, were wearing green army jackets. Substantiating Beverly's assertion that he was hired with another man to kill Faulkner is Cook's 15 May 1999 declaration in which he states that Freeman told him he was part of the plan to kill Faulkner and had "participated in the shooting." Beverly's statement that Mumia was shot by a "uniformed police officer who arrived on the scene" is substantiated by the account of Sergeant Westermann, a Homicide police officer, who stated that Mumia was shot by "arriving police reinforcements." (12/9/81 Medical Ex. Inv. Log)

**Fact:** Beverly stated he saw two undercover cops and a uniformed police officer in a car nearby. In late 1996, an eyewitness named Marcus Cannon came forward with information that he saw two white men who appeared to be undercover police officers on the scene during Faulkner's shooting. (N.T.6/30/97:123-25) William Singletary has testified that he saw two police "white shirts" and other cops at the scene immediately after the shooting. As Beverly put it in his affidavit, "any police officers on the scene would be there to help me."

## Mobilize to Free Mumia Now!

Referring to those fighting to prove Mumia's innocence, Faulkner and Smerconish write, "It's like that old Nazi propagandist said, if you tell a lie, tell it big enough, tell it often enough, it becomes truth" (page 30). This, in fact, is exactly the methodology of *Murdered by Mumia*.

In her drive to kill Mumia, Maureen Faulkner brags that she and the Fraternal Order of Police have taken every measure to prevent Mumia's voice from being heard from prison, openly boasting about trampling upon his First Amendment rights. She and Smerconish attack the most basic of democratic rights, ranting against

# We Demand the Immediate Freedom of Mumia Abu-Jamal-New York, an Innocent Man.

Mumia Abu-Jamal's appeal is now on the "fast track" in the federal appeals court and the state is determined to carry out his execution.


Mumia Abu-Jamal is an innocent man. A former Black Panther Party spokesman, supporter of the MOVE organization and award-winning journalist known as the "voice of the voiceless," Mumia was framed up in 1982 in false charges of killing a Philadelphia police officer. Sentenced to death based on his political history and beliefs, Mumia has spent 24 years on death row for a crime he did not commit. The frame-up of Mumia Abu-Jamal shows what the death penalty is all about. It is a legacy of chattel slavery and a barbaric outrage. It is the Lynch rope made legal.

The case of Mumia Abu-Jamal exemplifies the race and class bias of the U.S. justice system against workers, black people, the poor and all the oppressed. The notorious trial judge, Albert Sabo, was overheard at the time promising, "I'm going to help them fry the f---er." Racist jury-rigging, false testimony coerced through police threats, and prosecutorial cover-up were the basis for Mumia's conviction. Both the Pennsylvania state courts and the federal courts have refused to consider the reams of documented evidence that prove Mumia's innocence. Foremost is the sworn confession of Arnold Beverly that he, not Mumia, shot and killed the police officer, and that Mumia had nothing to do with the shooting.

We stand with the millions around the world—workers, students, death penalty abolitionists, fighters for black rights and immigrant rights, socialists—who have taken up the fight to free Mumia Abu-Jamal now!

## An injury to one is an injury to all! Free Mumia Abu-Jamal now! Abolish the racist death penalty!

**United States:** 1196052 United Negro College Fund; E. Earl, New York; J. Nelson M. Abram-Hendt Ad-Are; New African Liberation Front; Philadelphia, PA-Jeanette M. Adams, President, Southern California Coalition of Black Trade Unions (CCBTA); Los Angeles, CA-Royce Adams, Former Vice President, International Longshoremen's Association (ILA) Local 1391; P. Afram-Beau, USA - United Healthcare Workers-East, Chicago - United Healthcare Workers-West, Los Angeles, CA-Pam Altheim, Chairman, International Concerned Family and Friends of Mumia Abu-Jamal; Philadelphia, PA-Muhammad Ahmed, Assistant Professor, Temple University; Philadelphia, PA-Assistant Attorney General, Chicago IL-Andriana Andreou, SC Representative, Atlanta Georgia; ATIO Local 1560, New Orleans, LA-American Federation of State, County and Municipal Employees (AFSME), DC, Local 2627; New York, NY-Clyde Anderson, President, National Public Health Officers Union, New York Chapter; New York, NY-Nelsie Heller Blair, Director, National Tenant Council; New York, NY-Nydia Caraballo, sister of Mumia Abu-Jamal-Charles Barnes, member New York City Council; New York, NY-Bernard Bernier, Campaign to End Death Penalty; Baltimore, CA-Etienne Bick, Chairman, Puerto Luterano Council; New York, NY-VBB Apollo Brown, Director, National Student Relocation Council; New York, NY-Sirronnwanne Freeman, President, Panther 21; Bronx, Brooklyn, CA-Wilfrido Bryson, US Representative, Wisconsin International Democratic Organization; Washington, DC-William C. Chubb, Jr., Chairman of the Judiciary Committee, House of Representatives, Maryland; New York, NY-Chuck D'Amico, Editor of the Advocate, Philadelphia; RW-Howard Chubb, coeditor of Mumia Abu-Jamal; Kathleen Cleaver, Senior Lecturer, Research Fellow, Emory Law School; Atlanta, GA-Andrew Collins, Director, American Revolution Center; New York, NY-Louis D'Amico, President, New York City Council; New York, NY-David DeLoach, Director, FBI; Washington, DC-Dan DeLoach, Director, FBI; New York, NY-Kenneth Delmont, North Dakota; Los Angeles, CA-Congregation B'nai Kodesh; Dallas, TX-Daniel Dennis, U.S. House of Representatives; Chicago, IL-Dorena S. Denver, President, Central America AFSCIO; Columbia, SC-Barbara Denise, Chicago, IL-Henry Doss-Patterson, President, AFSCMO Local 1272; Chicago, IL-Essey Gregory, Boardman Africa, West Africa Trade Union; Chicago, IL-Doris G. Drake, Vice President, IWSMIL; New York, NY-Gladys Goodfriend, Executive Board member, TWU Local 286; Evanston, IL-New York, NY-Louis L. Davis, Executive Director, American Jewish Archives; Philadelphia, PA-Fredrick Green, Secretary of Pennsylvania; New York, NY-Johnathan Greenberg, New York, NY-William H. Harrison, New York, NY-Fredrick Greenberg



COC Productions

**PDC statement as it appeared in black newspaper, *Philadelphia Tribune*, on 27 April 2007. Over 800 individuals and organizations, including unions representing hundreds of thousands of workers, have signed on to the statement.**

# L.A. Ports...

(continued from page 12)

racist vigilantes carrying anti-immigrant signs provocatively tried to make their way into the picnic. The bigots were thwarted by members of immigrant rights groups and individual trade unionists, including some from the ILWU.

Aside from issuing some perfunctory statements, including one by the ILWU International Executive Board declaring “injustice, hatred, and discrimination... will not be tolerated,” the union misleaders have refused to mobilize their members in action to halt the racist provocations. The January 2008 ILWU *Dispatcher* grossly alibis those responsible for the racist provocations, writing that “nobody knows exactly why the incidents happened or what was intended.” The ILWU bureaucrats are partnering with the racist PMA bosses in the “Joint Coast Labor Relations Committee,” which ruled that the contract prohibits the display of nooses on the docks. Longshoremen told WV salesmen that ILWU bureaucrats have encouraged them to file grievances with the PMA to get the bosses to discipline the workers involved in hanging the nooses. Granting the racist bosses the authority to deal with racist workers is suicidal and will only serve to strengthen the PMA’s whip hand. As a Spartacist League spokesman explained at the Los Angeles December 8 Holiday Appeal benefit for class-war prisoners, “The PMA will only intervene to the extent it can weaken the union. It is the power of the union that must be brought to bear against these racist provocations. The union must clean its own house!” The class-collaborationist program of the pro-capitalist labor tops ties working people to the class enemy, especially through support to the capitalist Democratic Party, and preaches the lie that the workers and bosses share common interests.

The desire to fight back against the racist filth is evident among the ranks of the ILWU. WV salesmen have talked with longshore workers who said that the union should have acted immediately after the nooses first appeared. But with the union bureaucrats doing nothing, the L.A. branch of the ILWU’s African American Longshore Coalition (AALC) and port security guard Eddie Jones and his L.A. Civil Rights Association have put themselves forward as defenders of black longshore workers.

Some 100 people, including ILWU members, were mobilized on December 7 by the L.A. Civil Rights Association and the AALC to protest in front of the PMA offices, demanding that the PMA stop the race-terror provocations. The L.A. branch of the AALC has been distributing a petition calling on the PMA to take “ACTION to stop the ‘Hate Crimes’ and ‘Racial Terrorism’” on the docks, calling on the PMA to discipline union workers. The AALC has also threatened to file “hate crime” charges with the police, giving a pretext for the notoriously racist L.A. cops to muck around in the union in the name of “fighting racism.” In fact, some in the AALC have a history of suing the union over discrimination.

We oppose suing the unions on principle. The capitalist state, which consists at its core of the cops, military, courts and prisons, exists to defend the class rule of the bourgeoisie. Opening up the unions to government intervention allows the bosses to gain control over the unions in order to weaken them. A stark example is the government’s decision, approved by a U.S. district judge in November, to take over the elections of ILWU Local 10 in San Francisco. This decision was the fruit of complaints by Local 10 members who ran to the Department of Labor to complain about having been disqualified from running for union office in prior elections (see “Government Hands Off ILWU Local

10!” WV No. 903, 23 November 2007). Prominent at the December 7 protest were Jones and other black security guards at the ports, many of them members of the ILWU. Black security guards observed and reported some of the noose incidents, and many of them are rightly revolted and outraged over the presence of nooses on the docks. Nonetheless, security guards, whether black or white, are *auxiliaries* to the cops and serve to protect the property of the bosses. Port security guards were doing their job when they crossed ILWU picket lines during the PMA lockout in 2002. More recently, in August port security guards and cops in Sacramento were responsible for an attack on two black longshoremen from San Francisco ILWU Local 10 because they called their union rep after refusing to submit to a search of their vehicle (see “ILWU Rally: ‘Drop the Bogus Charges Now!’” WV No. 900, 12 October 2007). We say: *Cops, security guards out of the unions!*

The racial oppression of black people has been built into the foundations of American capitalism from the very origins of the U.S., when black enslavement was enshrined in the U.S. Constitution. With the rise of Jim Crow segregation came its enforcement through racist terror, exemplified by the murderous lynch mob. Today, the threat of lynch-rope terror supplements the daily terror of the capitalist state, from its marauding cops in the ghettos to the incarceration of over two million people, nearly half of them black, to the pinnacle of the capitalist state’s apparatus of repression, the death penalty. The recent proliferation of nooses confirms what we have always said about the racist death penalty in America: it is a barbaric legacy of black chattel slavery.

Our struggle for black liberation is based on the program of *revolutionary integrationism*. While combatting every manifestation of racist oppression, fighting in particular to mobilize the social

power of the multiracial labor movement, we underline that full equality for the black masses requires that the working class rip the economy out of the hands of the racist capitalist rulers and reorganize it on a socialist basis. Only then will it be possible to eliminate the material roots of black oppression through the full integration of black people into an egalitarian socialist society based on a collectivized economy with quality jobs, housing, health care and education for all. For black liberation through socialist revolution!

We fight for a new, class-struggle labor leadership guided by the understanding that the interests of workers and of the capitalists are irreconcilably counterposed. This means politically combatting the existing pro-capitalist labor bureaucrats, those like the ILWU tops who would leave the struggle to defend black ILWU members to the PMA bosses and others. It means fighting to mobilize the ILWU to organize the largely immigrant port truckers, natural and indispensable allies of longshoremen. It means combatting the ILWU tops’ criminal support to the government’s maritime security measures and reactionary “war on terror,” a war on immigrants, black people and labor. The labor movement has every interest in fighting against the racist rulers’ anti-immigrant witchhunt and demanding full citizenship rights for all immigrants!

The struggle for a fighting labor movement is integrally tied to the struggle to forge a multiracial, revolutionary workers party that fights for the overthrow of the capitalist order through socialist revolution. As stated in the preamble to the program of the Labor Black Leagues, which are fraternally allied to the Spartacist League: “We fight to win the entire working class, including white workers as well as the growing number of Latino and other immigrants, to the fight for black liberation, strategic to the American revolution.”■

# John White...

(continued from page 3)

The role of the liberal black misleaders is to contain social unrest within bounds safe for the racist capitalist rulers. On September 20, as more than 50,000 overwhelmingly black people came out to demonstrate in defense of the Jena Six in Louisiana, Sharpton and Jackson preached reliance on the same “justice” system that from the county sheriff on up is a machine of racial and class oppression, pushing the deadly illusion that racist injustice is an aberration that can be set right by appeals to the government.

Had White not defended his family that night and had his son been killed, the liberals would have doubtless wrung their

hands and shed their tears, all the while intoning about “tolerance” and calling for more “hate crime” laws. In other words, they would have done everything to strip blacks of the right to *defend* themselves while pushing the lie that the capitalist courts of injustice can redress the oppression of black people, which has always been the cornerstone of American capitalism.

We stand in counterposition to the liberals and black nationalists, whose opposition to integrated class struggle serves to reinforce the capitalist status quo, which is based on oppression and exploitation. We fight for the independent mobilization of the multiracial working class against racist terror and in defense of the rights of black people, immigrants and all the oppressed. When Michael

Griffith, a black man, was lynched in New York’s Howard Beach in December 1986, we raised the call for the formation of integrated armed workers defense guards drawn from responsible union men and women to patrol the streets where he was murdered. In particular, we pointed to the Transport Workers Union, the powerhouse of New York City labor. The New York Labor Black League, which is fraternally allied with the Spartacist League, was founded in July 1986 after a successful campaign to defend black transit worker James Grimes. Grimes was being railroaded by the courts and his bosses for using his gun while on the job to defend himself against robbers who threatened to kill him.

Key to mobilizing the power of labor in defense of all the oppressed is a politi-

cal struggle against the pro-capitalist union tops who tie the working class to the class enemy, especially through support to the Democrats, the other party of American capitalism. Our purpose is to build a multiracial revolutionary workers party that fights to sweep away the barbaric system of capitalism and establish working-class rule—the only path to black liberation. *Overturn the conviction of John White!*

\* \* \*

The Partisan Defense Committee has contributed to a fund set up for John White’s legal defense. We encourage our readers to do the same. Send contributions to: John White Legal Defense Fund, Ideal Tax Consultants, 762 Belmont Ave., Babylon, NY 11704.■

# Fact Sheet...

(continued from page 9)

Attorney who prosecuted Mumia. Rendell was later the mayor of Philadelphia and is currently governor of Pennsylvania. At the same time, *Murdered by Mumia* targets even mainstream media spokesmen who say that while Mumia may be guilty, he should get a new trial given the evidence of misconduct by the cops, courts and prosecutors. These spokesmen primarily seek to refurbish the image of the American “justice” system. In attacking them, Faulkner and Smerconish are trying to clear the path for Mumia’s execution by intimidating anyone who even raises a question.

Over 800 individuals and organizations, including unions representing hundreds of thousands of workers, have signed a PDC statement titled, “We Demand the Immediate Freedom of Mumia Abu-Jamal, an Innocent Man,” that also calls for the abolition of the racist death penalty. Signatories include Nobel Prize-winning author Nadine Gordimer, black intellectu-

als Manning Marable and Henry Louis Gates Jr., actor Danny Glover and numerous trade unionists around the world. The crux of the PDC statement was echoed by the March 2007 issue of *Shopsteward*, published by the Congress of South African Trade Unions, which represents hundreds of thousands of workers. The unions that have gone on record in support of Mumia must be mobilized *in action* to combat this racist frame-up.

Mumia is the victim not of a rogue cop, bad prosecutor or racist judge, but of an entire “justice” system intent on silencing this courageous fighter for the oppressed. The capitalist state—at its core made up of the cops, courts and prisons—is an instrument of repression to uphold the class rule of the bourgeoisie. The lies peddled by Smerconish and Faulkner have been refuted many times over. That they are now given a renewed platform on national news stations should make it clear that those fighting on behalf of Mumia must be mobilized on the basis that he is an *innocent man*.

Every legal avenue must be utilized to

fight for Mumia’s freedom. But there should be no illusions that the forces that have kept him in the shadow of death for 26 years will give him justice. The only pressure that will have an impact on the rulers and their courts is the fear of the consequences of executing Mumia or entombing him for life. What is crucially needed is the mobilization of the social power of the international labor move-

ment in the fight for Mumia’s freedom. If undertaken with a mobilization of the union movement, the fight to free Mumia and abolish the racist death penalty would be a first, giant step toward infusing workers with the consciousness that this system must be overturned through proletarian socialist revolution. *Free Mumia Abu-Jamal now! Abolish the racist death penalty!*■

Labor Black Struggle League  
Workers Vanguard Readers’ Circle

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CHICAGO

Free Mumia...
(continued from page 12)

MOVE as responsible for this racist mass murder, which was carried out by the police under black Democratic mayor Wilson Goode and aided and abetted by the Feds.

Seeking to intimidate any who would take up Mumia's cause, the book includes a frontal attack on the Partisan Defense Committee, which solidarized with MOVE and has fought for 20 years for Mumia's freedom. Faulkner and Smerconish even attack Stuart Taylor, a conservative legal commentator who questioned the fairness of Mumia's 1982 trial presided over by "hanging judge" Albert Sabo. Sabo, who also presided over Mumia's post-conviction (PCRA) appeals, was overheard by a court reporter at the time of the trial saying, "I'm going to help them fry the n---r."

Smerconish and Faulkner make no bones about the political nature of the frame-up, retailing the prosecution line that Mumia's Panther membership proved that he had been planning to kill a cop for years. As the PDC's Erica Williamson remarked, "The racist capitalist rulers want to see Mumia dead because they see in him the spectre of black revolt. The fight to free Mumia is a key focus of the struggle to abolish the racist death penalty, a legacy of chattel slavery."

Rachel Wolkenstein commented, "In being written as a memoir, this book avoids having to refute the massive evidence of Mumia's innocence that has been unearthed in the years following his trial. In fact, this evidence is irrefutable." Mumia's original trial was marked by racist jury-rigging, rampant intimidation of witnesses by cops and prosecutors, the concealing of evidence of his innocence and the manufacturing of phony ballistics and other "evidence" purportedly proving Mumia's guilt. Then in 1999, Arnold Beverly came forward in a sworn statement saying that he, not Mumia, shot and killed Officer Faulkner (go to http://www.partisandefense.org/pubs/innocent/ab.html). To those who base their protests on the call for a new trial for Mumia, Wolkenstein stated, "What is there to retry in this case? Mumia should never have spent a day in prison. There must be mass protests demanding that this innocent man be freed, now!"

Beverly stated in his affidavit that he and another man were hired to kill Faulkner, who was a problem for the mob and corrupt cops because he interfered with graft and payoffs over prostitution, gambling and drugs. At the time of Faulkner's killing in the Center City area, the Philadelphia Police Department was under at least three federal investigations for corruption involving cop-mob ties. One-third of the cops in Mumia's case were implicated in corruption charges. Wolkenstein remarked, "This underscores that the cops are insistent on Mumia's death not only because he has been an outspoken voice for black freedom, but so that they can bury the proof of their own wrongdoing." She

noted, "Murdered by Mumia includes not one word about these investigations." Among those who wrote to the Today show demanding that it present a truthful account of this case was Veronica Jones, one of the witnesses intimidated by police (http://i117.photobucket.com/albums/o59/jaysyro/JPGVJONES.jpg). Jones testified at a 1996 PCRA hearing that police had coerced her into lying at the 1982 trial, when she denied that she had seen

gun was fired that night. The absence of divots in the sidewalk contradicts the cops' tale that Mumia fired repeatedly as he stood over Faulkner, while bullet trajectories point to more than one shooter (see PDC pamphlet, The Fight to Free Mumia Abu-Jamal—Mumia Is Innocent! http://www.partisandefense.org/pubs/innocent/rw.html).

Photographs by freelancer Pedro Polakoff, recently unearthed by Michael



Jennifer Beach

Prepare Now for Emergency Protests!

On May 17, the Third Circuit Court of Appeals heard oral arguments in Mumia's case, and there could be a decision at any time.

If the Court rules to uphold the death sentence or denies Mumia's appeals for a new trial or a new hearing, the Partisan Defense Committee and the Labor Black Leagues have called for protests the day after the decision. Others have also called for protests.

For more information see the PDC Web site, www.partisandefense.org

Mumia Abu-Jamal Is an Innocent Man!
FREE MUMIA NOW!
Abolish the Racist Death Penalty!

someone run from the scene. That person could not have been Mumia, who was found seated on a curb bleeding profusely after having been shot by police. The district attorney arrested Jones while she was on the witness stand in 1996, hauling her away in handcuffs based on a years-old petty theft warrant.

Noting the "intimidation, threats and bullying I've endured since December 1981," Jones wrote, "If there were no merit or questions looming regarding Mr. Jamal's innocence, then can someone please explain to me why so much effort exerted to publicly try to discredit and humiliate me?" She offered in closing, "I knew Officer Faulkner and thought he was a nice person—to me. He helped and looked out for me several times. With that being said, I had no reason whatsoever to protect a man accused of murdering him—a man that I did not even know, that man being Mumia Abu-Jamal."

In a 2001 affidavit submitted to state and federal courts, Wolkenstein showed that there was no evidence that Mumia's

Schiffmann, further refute the cops' scenario (http://www.abu-jamal-news.com/). In addition to showing the absence of divots, the photos confirm that a cabdriver who testified against Mumia was not where the cops and prosecutors claimed he was. They also clearly show police tampering with guns and other evidence in order to pin the murder on Mumia. Polakoff's photos were featured at a December 4 press conference in Philadelphia which was picked up by Reuters. Matt Lauer showed some of them in questioning Faulkner, sending Smerconish into a fury.

The next day, Faulkner appeared on MSNBC's Hardball, hosted by former Democratic Party speechwriter Chris Matthews, who did not even give the appearance of evenhandedness. Matthews rehashed the claim that "for 26 years" neither Mumia nor his brother Billy Cook, who was on the scene that night, ever gave an account of what they saw. In fact, Mumia and his brother both gave sworn statements that, like the Beverly confes-

sion, have been consistently disregarded by state and federal courts. Mumia declared in 2001, "I did not shoot Police Officer Daniel Faulkner. I had nothing to do with the killing of Officer Faulkner. I am innocent." His statement describes how he ran from his parked cab in Center City after he heard shots and saw other people running, recognizing his brother staggering in the street. "I saw a uniformed cop turn toward me gun in hand, saw a flash and went down to my knees" (http://www.partisandefense.org/pubs/innocent/maj.html). Mumia was not only shot but beaten by cops who wanted to see him dead.

Billy Cook gave sworn statements in 1999 and 2001 that "Mumia Abu-Jamal did not shoot Officer Faulkner and I did not shoot Officer Faulkner" (http://www.partisandefense.org/pubs/innocent/wc.html). Cook states that Kenneth Freeman, a passenger in Cook's VW, told him after the shooting that there had been a plan to kill Faulkner and that Freeman was part of that plan.

Maureen Faulkner also appeared on Fox News' The O'Reilly Factor on December 6. While admitting that he had no idea what happened the night of the shooting, O'Reilly opined that Mumia must be guilty because his frame-up was upheld by the courts, declaring, "I've got to go with the system." Gene Herson, Labor Coordinator of the PDC, responded, "There is no justice in this system for people like Mumia, for fighters for black freedom, for labor militants, for opponents of the capitalist system and its Democratic and Republican parties. The fact that the conviction and death sentence have been upheld by court after court despite overwhelming evidence of innocence shows this."

Herson stressed the need to mobilize the social power of the labor movement, along with all fighters against racist injustice, behind Mumia's cause: "The only pressure that will have an impact on the capitalist rulers and their courts is the fear of the consequences of executing Mumia or entombing him for life. It took a campaign of international mass protest, crucially including trade unionists, to stay the executioner's hand when Mumia was under a death warrant in 1995." Herson pointed to the call by the PDC and other organizations for day-after emergency protests in the event of a negative decision by the Third Circuit and a planned national protest in Philadelphia the third Saturday after (http://www.partisandefense.org/events/index.html). He emphasized, "These protests must serve as a springboard to revive mass protest behind the call: Mumia is innocent—Free him now! Abolish the racist death penalty!" ■

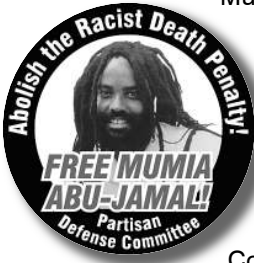
JOIN THE CAMPAIGN!

Funds are urgently needed for legal defense!

Make a contribution today, payable to "National Lawyers Guild Foundation" (earmarked for "Mumia") and mail to: Committee to Save Mumia Abu-Jamal, P.O. Box 2012, New York, NY 10159.

Organize protest! Pass motions in your unions, campus, community and religious organizations demanding Mumia's freedom. Get your union or organization to make a contribution and join rallies and protests for Mumia. Publicize Mumia's case in your union or organization's newsletter.

Spread the word! Contact the PDC for copies of The Fight to Free Mumia Abu-Jamal—Mumia Is Innocent! This pamphlet arms activists in the struggle for Mumia's freedom by presenting the political basis of the state vendetta against



Mumia and the explosive evidence which completely destroys the more than two-decades-long frame-up of this eloquent fighter for black freedom. It is available for \$1. Get the PDC button: "Free Mumia Abu-Jamal! Abolish the Racist Death Penalty!"—\$1 each. Order the PDC video, From Death Row, This Is Mumia Abu-Jamal—\$10 for DVD, \$15 for VHS. Bundles of the 4-page brochure, Mumia Is an Innocent Man: Free Mumia Abu-Jamal!—\$2 for 25 copies. Order from/make checks payable to Partisan Defense Committee at our New York City address below.

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# WORKERS VANGUARD

## Protesters Counter New Drive to Execute Mumia

# Free Mumia Abu-Jamal!

The following statement was issued by the Partisan Defense Committee on 9 December 2007. The PDC is a class-struggle, non-sectarian legal and social defense organization which champions cases and causes in the interest of the whole of the working people. This purpose is in accordance with the political views of the Spartacist League.

Chants of “Mumia is innocent! Free him now!” resounded outside NBC studios in New York on December 6, as Maureen Faulkner and right-wing radio broadcaster Michael Smerconish appeared on the *Today* show with Matt Lauer to push their book, *Murdered by Mumia*. The book rehashes police and prosecution lies used to falsely convict Mumia Abu-Jamal of the killing of Philadelphia police officer Daniel Faulkner on 9 December 1981. With a decision on Mumia’s case by the Third Circuit Court of Appeals due any day, the book makes its purpose clear by placing front and center the call to execute this innocent man.

The International Concerned Family and Friends of Mumia Abu-Jamal, Journalists for Mumia and Educators for Mumia waged a campaign calling on the *Today* show to allow Mumia’s supporters to counter Faulkner and Smerconish. Following the December 6 protest, called by the Free Mumia Abu-Jamal Coalition (NYC), Partisan Defense Committee counsel Rachel Wolkenstein remarked, “What was clear in the *Today* show and on the streets today is that there are two clearly defined sides: those who fight for

Mumia’s freedom based on his innocence and the forces of racist ‘law and order’ led by the Fraternal Order of Police who seek his execution.”

Wolkenstein, who served on Mumia’s legal team from 1995 to 1999, continued: “This is the case of a racist and political frame-up. Some 900 pages of FBI/COINTELPRO files show that Mumia was a target of the FBI and the Philadel-

phia cops from the time he was a 15-year-old Black Panther spokesman. He was further targeted when he became a MOVE supporter and a journalist widely known as the ‘voice of the voiceless’.”

Sparing no falsehood in trying to clear the road to Mumia’s legal lynching, Maureen Faulkner, Daniel’s widow, and Michael Smerconish paint a viciously lying portrait of MOVE, a back-to-nature

communal group that Mumia supports, as a bunch of “lawless” and “dangerous” murderers. Capping a years-long campaign of state terror against MOVE was the May 1985 police firebombing of its Osage Avenue home, killing eleven people, including five children, and destroying an entire black neighborhood. The authors of *Murdered by Mumia* obscenely paint

*continued on page 11*

New York, December 6: Supporters of the Spartacist League, PDC and Labor Black League join protest outside NBC’s *Today* show, which featured appearance by Maureen Faulkner and Michael Smerconish.



## ILWU: Fight Racist Noose Provocations at L.A. Ports!

LOS ANGELES—In a deadly, racist threat to black dock workers, hangman’s nooses were discovered on five separate occasions at waterfront marine terminals in the Los Angeles and Long Beach ports in October and November. Nooses were reportedly dangled from port vehicles by individuals from the foremen’s Local 94 of the International Longshore and Warehouse Union (ILWU), by an ILWU Local 13 member and by someone from another union on the docks, while another worker displayed a noose on his T-shirt. Make no mistake about it: the noose is a call to race terror, invoking the lynch mobs that brutally murdered thousands of black people in the century after the Civil War. Today, the racist death penalty in this country is the lynch rope made legal. The multiracial ILWU, a bastion of labor power, must mobilize in action to defend its black members. This is an elementary step for the union to fight for the unity and integrity of its entire membership.

The outrage and protests over Jim

Crow justice in Jena, Louisiana, where six black high school students are being persecuted for sitting under a “white tree” and defending themselves against racist provocations, have been answered with a nationwide epidemic of racist provocations in which lynch-rope nooses are being hung at workplaces, schools and homes to terrorize black people. On the waterfront, it is the bosses at the Pacific Maritime Association (PMA) who stand to gain from the fostering of poisonous racial and ethnic divisions within the workforce, especially with the union heading into negotiations for a new contract as its current contract with the PMA is set to expire in mid 2008. A struggle by the ILWU against the racist provocations, drawing in the other multiracial unions of the area, would send a message to the racists to crawl back into their holes and would make clear that such provocations will not be tolerated by the union. It would also galvanize the ILWU and be a show of union strength.

**Long Beach: Protesters demonstrate outside Pacific Maritime Association shipowners headquarters after hangman’s nooses were found at dock terminals in L.A. area, December 7. Bottom: Noose hanging from truck’s antenna at port.**

The heavily Latino ILWU membership in the L.A. ports, which are the largest in the U.S., has a vital stake in fighting back against these racist threats. As demonstrated by the “war on terror,” the forces of capitalist reaction in the U.S. take aim at blacks and foreign-born workers alike, while seeking to foment

anti-immigrant chauvinism among black people and anti-black racism among the immigrant-derived population so that the filthy rich capitalists can safely get their profits to the bank. During the September 2006 L.A. Labor Day march and picnic, a dozen Minutemen and Save Our State

*continued on page 10*



Jay/Long Beach Press-Telegram



Floyd Mitchell