

# The Fantasies of Joe McGill

## Introduction



In December 2009, African American filmmaker Tigre Hill's film *The Barrel of a Gun* will be presented to the public, purporting to be a documentary on the December 9, 1981 killing of Police Officer Daniel Faulkner, for which the Black journalist Mumia Abu-Jamal was convicted and sentenced to death in 1982.

Significantly, the working title of that film had been *13<sup>th</sup> and Locust*, referring to the intersection in Philadelphia's Center City where the incident took place, but that title has now been changed in a way that is by no means incidental.



The trailer of the new movie is now out, and put in a nutshell, it strongly implies that the killing of Officer Faulkner was the direct result of a long-harbored hatred of the police on Abu-Jamal's part and maybe even a planned hit engineered by Abu-Jamal and his brother Billy Cook.

Hence the new title of the film, which alludes to a quote from Mao Zedong Abu-Jamal made as the 15 year old information officer of the Philadelphia branch of the Black Panther Party (BPP) in response to the murder of BPP members Fred Hampton and Marc Clark by the Chicago police and the FBI in December 1969: "Political power grows out of the barrel of a gun."

On its myspace webpage, the movie is hailed as presenting a new and "alternative view of the crime" at 13<sup>th</sup> and Locust so many years ago. But in fact the thesis presented in the trailer – that Abu-Jamal acted out of sheer hatred for the police and may even have set the officer up together with his brother with the deliberate design to murder him – is neither new nor alternative.



It has already been presented by Abu-Jamal prosecutor Joseph McGill in tandem with Officer Faulkner's widow Maureen's lawyer, Michael Smerconish, in the context of the latter two's publication of the book *Murdered by Mumia. A Life Sentence of Loss, Pain, and Injustice* in December 2007. Days after the publication of the book, Smerconish broadcast a 35 minute interview with McGill on his radio show "The Big Talker."

Many of the factual claims jointly presented there by McGill and Smerconish are plainly false, and accordingly, their main speculations based on them are patently absurd. All the same, this "new" film now seems to be very much based on McGill's and Smerconish's core conclusions presented in that show: Abu-Jamal shot Faulkner out of pure ideological fanaticism and may have even planned to do so beforehand in conjunction with his brother Billy Cook.

It is thus exactly the right time to deconstruct the McGill/Smerconish story a bit.

## McGill's Tale I: Setting the Scene

McGill's reconstruction of the December 9, 1981 events at 13<sup>th</sup> and Locust begins with an outright invention. He claims that Billy Cook "was driving his old Volkswagen the wrong way on 13<sup>th</sup> Street and he goes on towards going south, takes a left turn on Locust," where he was "picked up literally by a police officer," because this "was a traffic violation."

**This is sheer fantasy.** There is no evidence that shows that Cook approached the intersection of 13<sup>th</sup> and Locust by driving along 13<sup>th</sup> Street the wrong way. After the shooting, police radio traffic reports a security guard just north of the intersection 13<sup>th</sup> and Locust talking about “a small compact car” going that way on 13<sup>th</sup> Street, and moreover, the police radio transmissions characterize that movement as going “south on 13<sup>th</sup> from Locust” (my emphasis) several times.

That is, whoever drove the wrong way on 13<sup>th</sup> around that time *crossed* Locust and went *further south* rather than making a turn onto Locust, a fact that was, and surely still is, known to Abu-Jamal prosecutor Joseph McGill. Even so, the mere – and unfounded – suspicion that the unspecified car observed by the unknown security guard might have been Billy Cook’s VW made it into the papers the very next day, creating a long-lived myth Abu-Jamal’s detractors now try to capitalize on – and in rather shameless ways, as we will see later on (see below).

Apart from the above, McGill certainly also has to know there is *positive evidence* for the falsity of the “one-way” thesis. Prosecution witness Albert Magilton, a pedestrian who testified to not having seen the shooting himself but said he first saw both Faulkner and Cook approaching the intersection and, a while later, Abu-Jamal running across the street, stated at Abu-Jamal’s trial that Cook had approached the intersection 13<sup>th</sup> and Locust driving on Locust, *not* 13<sup>th</sup> Street.

Thus McGill must be aware that his claim about Cook’s “traffic violation” is false.

And his claims about this become doubly dishonest given the fact that he was also the prosecutor in Billy Cook’s trial for aggravated assault on March 29, 1982, two and a half months before Abu-Jamal’s murder trial began in which he also served as the prosecutor. Nowhere in this trial (nor in Abu-Jamal’s own trial) did McGill make the slightest allusion to Cook having driven the wrong way on 13<sup>th</sup> Street, even though proving a traffic violation on Cook’s part would have certainly made it easier to have Cook convicted for his alleged offense.

## McGill’s Tale II: How Faulkner Got Shot in the Back

McGill then claims that Faulkner took Billy Cook to the sidewalk on the southern side of Locust: “He took him right over to the sidewalk, this is police procedure.” Then, according to McGill, Cook punched Faulkner “in the mouth,” after which Faulkner turned Cook around to arrest him. At Abu-Jamal’s trial, the star witness and prostitute Cynthia White had testified to exactly this version.

And then, “while this was occurring, and almost simultaneous to when this was occurring, which was rather curious,” Abu-Jamal allegedly started running, “with his gun out,” from the parking lot on the north side of Locust and started to shoot at Officer Faulkner.



**The scurrilous thing about this** is that the shot that hit Faulkner in the back exited just below his throat and that if Faulkner arrested Cook turning his back towards the street, it would have required almost a miracle for Cook to escape that bullet.

**But there is more:** Assuming the direction from which Abu-Jamal approached the scene according to McGill, the gunshot traces found at the scene are totally inexplicable.

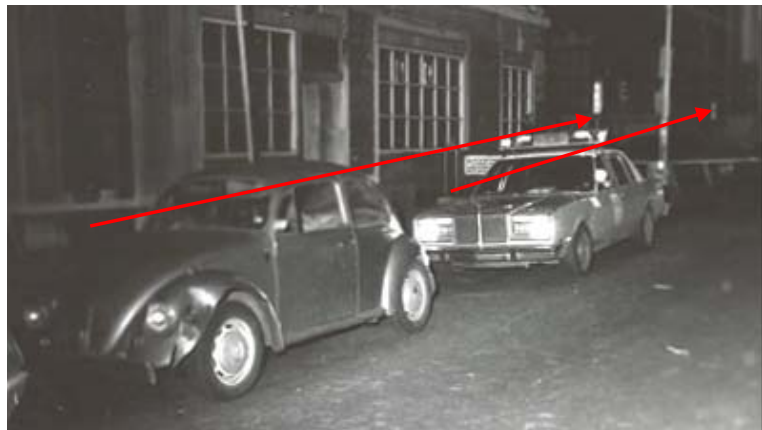
One full bullet was found quite low in the right part of the door frame of the building Locust 1234, the entrance of which we see on the photograph. Apart from this, a bullet fragment en-

tered the upper part of the entrance door and ended up in a wall of the vestibule 2 meters within the building, and sharply to the right of the position where the bullet struck the door.

For the first one to be the one which struck Faulkner in the back, there is almost no imaginable position (being on his knees and bending forward would come closest, but there is no evidence for this). Any possible relation of the second gunshot trace with McGill's scenario is even more mysterious as it was *only one quarter of a full bullet*, found sharply to the right from Abu-Jamal's alleged direction towards the scene.

That is troublesome enough, but a quarter century ago, McGill had presented a witness at both the trials of Cook and Abu-Jamal whose testimony was just as problematic – and in flat contradiction with Cynthia White's testimony.

At Cook's assault trial, where Joe McGill also acted as the prosecutor, but never asked Cook whether he committed a "traffic violation" by driving down 13<sup>th</sup> the wrong way, the central (and together with Cynthia White only) prosecution witness Michael Scanlan claimed that Faulkner, standing in the street roughly facing in the direction given by the left-hand arrow, had *spread-*



*eagled* Cook on the hood of Cook's own VW when Abu-Jamal shot him in the back, an achievement hardly feasible even for a professional body artist given the fact that Abu-Jamal approached the building we see on the photo above from a parking lot on the other side of the street. If Faulkner had indeed managed to spread-eagle the recalcitrant Billy Cook on the hood of Cook's own VW as claimed by Scanlan at Cook's assault trial, and if therefore his own back pointed to the car parked in front of Cook's VW, it is a mystery how Abu-Jamal could

- approach the scene without Faulkner noticing him
- circle him and get in his back, with him, Faulkner and Cook all crowding in between the car in front of the VW and the VW itself, and
- manage to shoot Faulkner, who was presumably bent over Cook in order to handcuff him, in the back without hitting Cook or the shot leaving traces on Cook's VW.

At the Abu-Jamal trial, all this had changed, but not too much. Scanlan now placed the same scene, not in front of the VW, but in front of Faulkner's police car: closer to where White claimed things had happened, but in the recounting of events still squarely at odds with White's.

But in his chat with his long-time ally to get Abu-Jamal executed, Michael Smerconish, close to three decades later Joseph McGill doesn't really care. He just ignores Scanlan, and settles for the equally absurd version of Cynthia White that places events, not in the street, but on the sidewalk.

Among many others, this is a part of the events the prosecution has never given a plausible account for. Only two prosecution witnesses ever claimed to have seen how Faulkner was shot in the back by Abu-Jamal, Cynthia White and Michael Mark Scanlan. Even if in his account for the Smerconish show, McGill opted for the White account, the contradictions between her account and Scanlan's remain irreconcilable, and what is more, given the ballistic facts at the scene her own account cannot possibly be true, even disregarding many glaring contradictions *in her own statements* made from December 9, 1981, to Abu-Jamal's 1982 trial which can't be analyzed here.

### McGill's Tale III: How Faulkner Got Killed

But then comes the crunch, McGill describing to Smerconish in an all-excited tone how Faulkner was allegedly killed. This passage starts like this: Faulkner



*“fell to the ground. He was on his back. And then what Jamal does [...] at that point, Jamal just stands over him, like you see in the television. He puts his two hands together, as in so many of these TV shows, and he points down, and fires, remember, he had five bullets in there [...], and he just kept firing.”*

**This is simply untrue.** As McGill has to know perfectly well, none of the three prosecution witnesses who claimed to have seen the deadly shots at Faulkner – Cynthia White, Robert Chobert, and Michael Scanlan – described the shooter as firing with both hands. After he had White graphically demonstrate in court how Abu-Jamal allegedly shot Faulkner, McGill himself summarized her performance like this: “Indicating for the record this time *using her right arm* she was pointing and going up and down *with her right arm* three times towards the floor.”

On the prodding by McGill, prosecution witness Robert Chobert made the very same demonstration in front of the trial court.

Why, then, does McGill resort to this barefaced lie? Of course simply to even better achieve the whole purpose of this interview, namely, to present Abu-Jamal as a cold-blooded, deliberate executioner who leaves nothing to coincidence when it comes to killing a cop.

Even more importantly, having set the scene in this way, McGill continues:

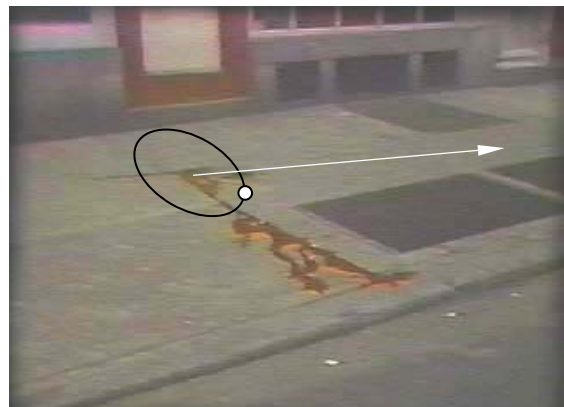
*“At that point, Jamal just stands over him, just like you see in the television, he put his two hands together, as in so many of these TV shows, and he points down, and fires. Remember he had five bullets in there [...], and he just kept firing. One of those bullets hit Danny Faulkner between the eyes. And the other one went through part of the clothing, and the other was remiss.”*

He describes Faulkner as having fallen down and lost his gun, now allegedly lying prone on the sidewalk, “literally immobile and unable to do anything.” Then “this coward steps over him, and with his high velocity bullets kills him and continues to fire until he has no more shots.”

This is a point McGill repeats on and on in many of his public performances, namely, Abu-Jamal firing three to four shots at the prone and defenseless officer at point blank range.

**This is the central and most appalling lie the prosecution started out with right away and has clung too rigidly over the years.**

Miraculously, at no point in their investigations, either the police or the prosecution made any attempt to explain what had happened to the two to three bullets Abu-Jamal had allegedly fired at the prone Faulkner but that had missed him.



And with good reason: The trouble with McGill's oft-pronounced version of the killing and the testimony of the three prosecution witnesses upon which it is based is that all the eight

known photographs of the area around the spot where Officer Faulkner's head finally came to be located do not show the slightest trace of any of these bullets. Such traces, however, would inevitably be visible and impossible to overlook.

This would even be more true had someone shot several .38 caliber bullets with a weight of more than 140 grain (the weight of the incomplete bullet found in Faulkner's brain) into a concrete sidewalk with a velocity of 900 feet/s (allegedly the data for Abu-Jamal's Charter Arms 1382 revolver), +P ammunition propelling the bullets to greater speed and impact (which the prosecution claimed Abu-Jamal had used) and at point blank range.



The interesting thing in the McGill/Smerconish interview is that McGill even has the audacity to mention the bullet that – and this is one of the few things about which there is no doubt in this case – entered the right upper shoulder part of Faulkner's police jacket from the front and exited it at the back without even touching the officer's body, and which according to his scenario should have hit the sidewalk immediately afterwards.

Assuming from the picture on the previous page (and the one to the left) as well as from the descriptions of the position of Faulkner's body by police who found him on the scene, that the pool of blood within the oval encirclement on the first picture marks the position of Faulkner's head (and the arrow the general position of Faulkner's body), for this bullet we even know exactly where to look for it, but there is absolutely nothing on any of the photographs.

Even if one moves the assumed position of Faulkner's head to a point further towards the curb from where the blood from his head might have streamed both towards the building and the curb, the picture doesn't change: There is no bullet, or bullet fragment, or gunshot trace, in a spot where at least one of these three should be easily detectable. Note that this is also true for the metal grid next to the blood stain: for the shooter to get the bullet that went through Faulkner's jacket's garment through the open spots offered by the grid without visibly damaging the metal would already be miraculous in this single case, and certainly even more so if one adds two more shots that by accident also ended up in the grid area rather than elsewhere.

**According to common sense, it is impossible for a seasoned prosecutor such as Joseph McGill** (who rightfully boasts of his experience in murder trials even before the 1982 Abu-Jamal trial) not to have been, and still be, painfully aware of this glaring inconsistency. The ballistic facts on (in this case literally) the ground simply do not bear out, but rather, squarely contradict what the prosecution had its so-called eyewitnesses testify in court.

For almost three decades now, Joe McGill's response to this has always been to simply increase the volume of his loudspeaker about a crazed Abu-Jamal firing away like mad at the prone officer as he lay defenselessly on the ground, in the hope that the noise created thereby will drown out the two very simple questions any decent defense lawyer would have asked from the start if only Abu-Jamal had had one in 1982:

- **Where are the missing bullets, bullet pieces, or bullet traces in the sidewalk?**
- **How is it that the prosecution can't account for shooting traces that would have had to be there had there three core witnesses told the truth?**

That this very simple and very obvious question is not hotly debated – or for that matter, even asked – in the U.S. media in general and the dominant media in Philadelphia in particular is

only testimony to the fact that their self-perception as being critical, cantankerous, and a pain in the ass for the forces of the status quo is quite out of place in more than one place.

### McGill's Tale IV: A Conspiracy to Kill an Unsuspecting Cop

Prodded by the right-wing talk show host, death penalty advocate and long-term champion of Abu-Jamal's execution Smerconish, McGill finally also explicitly brings in something that apparently had been lingering in the background of the thinking of the "Fry Mumia" crowd up to that time for quite a while: namely, that the killing of Officer Faulkner was the result of a deliberate plan on the part of the long-time and fanatic cop hater Abu-Jamal and his brother Billy Cook. The story line is supplied once again by the interviewer, Michael Smerconish, himself, who can barely contain his greed to push his partner into a maximally sensationalist direction:



*“Joe, you earlier made reference to the fact that that Abu-Jamal was, I think you used the word “coincidentally,” at this intersection [...] when Danny Faulkner pulled over his brother. Have you, you must have given consideration to the possibility that the whole thing was perhaps a set-up to execute a cop, a set-up perhaps to execute Danny Faulkner in particular!”*

And McGill takes the bait more than willingly. After rather lamely explaining why he decided *not* to bring Abu-Jamal's brother Billy Cook into this, and then raving against Abu-Jamal's allegedly “terrible” radical leanings, he continues in a very upset mood matching that of his host: “*NOW*, it was awfully coincidental, that his brother is stopped going the wrong way on 13<sup>th</sup> Street, I mean, how dumb is that, in an area where there are cops, but all of a sudden he does! He goes down 13<sup>th</sup> Street, the wrong way, south, and he is stopped by a police officer!”

And he continues: “All of a sudden, William Cook is *STOPPED*. And then he stops and he's getting out. And again, Mr. Jamal, the coward he was, *would wait until his back was to him*, and then he ran across, and it almost happened simultaneously, and it just seemed to me, although I couldn't prove it, that it was *AWFULLY* coincidental.” Then, given Abu-Jamal's alleged past proven hatred of law and order and of the police, he claims he still has to ask himself: “Yet – *Was it coincidental or not?* Michael, I still wonder.” (italics mine, capitals reflecting McGill's emphases)

Here we are back at the alleged – but imaginary, see above – “traffic violation” committed by Abu-Jamal's brother Billy Cook, which is now presented as the first part of a sinister scheme to lure a police officer – and perhaps this particular one – into a situation where his back is unprotected to give a long-term cop-hating beast such as the ex-Panther Abu-Jamal an opportunity to finish him off.

Except that it never happened, as Joseph McGill, who jovially and joyfully indulges in these unfounded and false speculations fed to him by the equally unscrupulous Smerconish, knows perfectly well. To this day, nobody knows why Officer Faulkner stopped Billy Cook that fateful night, **but what we do know squarely tells us that it was NOT for committing a traffic violation by driving down 13<sup>th</sup> the wrong way.**

What Cook himself now says in the other, now no longer *brand*-new but still extremely informative, exciting, and much more balanced and objective documentary than the present one on the Abu-Jamal case, *In Prison My Whole Life*, is that what he got was the all-too usual (not

only) nightly treatment of a black driver in an American city controlled by a disproportionately white police force. Asked what had happened after the stop, he says he was subjected to “slurs,” and pressed further as to what these were, he responds: “Well the usual. The nigger.”

Given the behavior of the police in America’s cities to this day and the frame-up trials both Billy Cook and his brother Mumia Abu-Jamal were subjected to (and which I analyze thoroughly elsewhere), this statement has much plausibility, whereas McGill’s and Smerconish’s conspiracy thesis is a combination of a flat lie (Cook committing a traffic violation by driving on 13<sup>th</sup> in the wrong direction, contradicted by the prosecution’s own witness Albert Magilton) and malicious speculation (he did what in fact he did not do to lure Faulkner to his death).

But at least we now know why the core of the fanatics who want to see Abu-Jamal executed rather today than tomorrow in their publications keeps insisting on such seemingly irrelevant views on why Billy Cook was stopped.

### McGill’s Tale V: Abu-Jamal, the Disrespectful and Cruel Hater of Any Civilized Order

Above, I have sketched some of the core lies and fantasies in the McGill/Smerconish interview. The list can’t be complete without mentioning McGill’s attribution to Abu-Jamal himself of a *quote* the latter made from the works of Mao Zedong in order to characterize the brutality of the American political system, **a quote the young Abu-Jamal had used to characterize the United States’ police forces** following the assassination of Black leaders Fred Hampton and Mark Clark: “Political power grows out of the barrel of a gun.”

Before I come to the full maliciousness of that attribution, I want to add another *new* fantasy presented by Joe McGill in his Smerconish interview which, given his solid knowledge of the facts, must count as another probably conscious lie.

Towards the final third of the interview, McGill rants and raves for more than a minute about how Abu-Jamal, after he had read, before the sentencing phase, a statement to the jury concerning the jury’s finding him guilty, allegedly fought with Judge Sabo to not go to the witness stand for the cross-examination prosecutor McGill claimed he was now entitled to on account of Abu-Jamal’s address to the jury. It was this cross-examination that provided the context that enabled McGill to bring in the Mao quote about political power growing out of “the barrel of a gun”:



*“Jamal then says, he doesn’t even move, he sits down, he had stood for his five pages [of the statement he had read], and then Judge Sabo says, Mr. Jamal, you’re being cross-examined, so please will you go up here to the witness stand. And then, nothing! He didn’t even hear it, he was looking right through Judge Sabo. He does not recognize anyone. Judge Sabo did this for five times! (my emphasis)”*

In the Smerconish interview, McGill claims he then made the suggestion to let Abu-Jamal where he was, at the table of the defense rather than having him enter the witness stand, because he wanted to have the opportunity to cross-examine him.

Of course, Abu-Jamal had indeed had run-ins with the presiding judge over Abu-Jamal’s right to represent himself and many other issues and was thrown out of the courtroom for more than half of his trial for these reasons. Everybody who has looked at that trial even superficially is

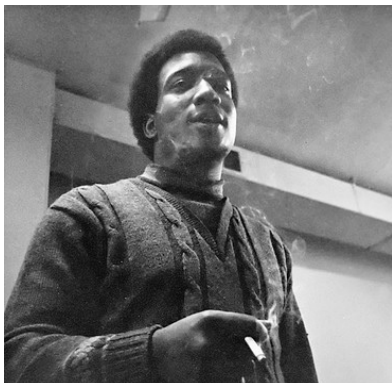
bound to know that, but what most people can't know or realize when listening to the Smerconish/McGill diatribes is that everything McGill says in the quote above is to 100 percent invented. The actual full quote from the trial transcripts for the period between the end of Abu-Jamal's personal statement and the beginning of McGill's cross examination reads like this:

*“Defense lawyer: I have no further questions, Your Honor. – Mr. McGill: May I proceed, Your Honor? – The Court: Go ahead. – Mr. McGill: Perhaps it would be better, Your Honor, if I would stand over here and direct my comments to him. – The Court: I don't care. – Mr. McGill: It seems kind of silly if I turn to the right (whereupon the District Attorney stands at the witness box, directing his cross-examination to the defendant). – [A sidebar conference follows in which only the lawyers and the judge are involved, and it is followed by the cross examination of Abu-Jamal.]”*

So McGill's whole anger directed against Abu-Jamal even a quarter of a century after the facts is caused by an event that is only of a figment of his own imagination, or as we should rather, his wishful fantasies, as of all people concerned with this case, McGill must be one of those who actually knows the facts best, which also means that he must have known the story he told Michael Smerconish in December 2007 to be patently untrue.

### **McGill's Tale VI: “The Barrel of a Gun”**

One of the worst and most mendacious parts of McGill's tale as told to Smerconish is the part that immediately follows the one just sketched, the one where McGill proceeds to subject Abu-Jamal to cross-examination.



Almost exactly twelve years before the shooting death of Police Officer Daniel Faulkner, there was another shooting that led to the death of two young Black activists and that became famous and notorious to this day. In the early morning of December 4, 1969, fourteen cops of the Chicago Department of Police (CDP) broke into the Chicago Black Panther Party (BPP) chairman Fred Hampton's apartment on Monroe Street which doubled as the local BPP's headquarter.

During the raid that later on turned out to be organized by the FBI on false charges of the possession of illegal weapons based on reports by an informer who also supplied a floor plan of the apartment for the attackers, the police fired close to a hundred rounds whereas the lone person in the flat who was able to get off a single shot, BPP security officer Mark Clark, was already dying in a hail of police bullets as he reflexively pulled the trigger of his shotgun to defend himself and the other dwellers.



Hampton, who was sleeping in his bed, and Clark were killed, and four other Panthers were wounded. The seven survivors of the raid, including Fred Hampton's eight and a half months pregnant wife Deborah Johnson, were then brutally abused, arrested, and charged with the attempted murder of the attacking police officers.

But due to both the diligent efforts of the BPP to rectify the record and the brilliant work of some local journalists, the official story rapidly collapsed, and it became

clear to all but the most blinded observers that the real victims in this case were the Panthers, and that they had been set up as the targets of a state operation that the famous linguist and political activist Noam Chomsky has called “a Gestapo-style murder.” Not too long after the operation, it turned out that it had been organized not just locally, but on a national level, namely, by the FBI.

Shortly afterwards, on December 8, 1969, the Los Angeles Police Department (LAPD), as it turned out later once again in conjunction with the FBI, mounted an eerily similar early morning attack on the LA offices of the BPP, including the party’s main office on Central Avenue.

Once more the pretext was a search warrant gained on false information about guns and imminent danger, and once again the source was an informer who also supplied the attackers with a floor plan including the location of local BPP leader Geronimo Pratt’s bed on which fire was to be concentrated according to the police plan. Luckily for Pratt, due to his painful back wounds suffered as a GI in Vietnam, he slept on the floor instead in his bed and was thus able to survive.



Different from Chicago, in Los Angeles the Panthers were able to fight back against the police, but of course they, too, finally had to surrender, with six occupants of their headquarters wounded and thirteen arrested. The above photograph shows how the office looked like after the LAPD and the FBI had finished their work.

A similar attack on Panther premises in Seattle, Washington, planned for January 1970 by federal agencies was canceled only after Seattle’s Democratic Mayor Wes Uhlman blocked it, expressing concern over “Gestapo-type tactics” that could lead to a time when every citizen would have to fear “the knock on the door at 2 o’clock in the morning.”

This was the situation when a young BPP member was assigned to report on the state terror directed against the BPP. This young Panther was none other than the then fifteen year old Mumia Abu-Jamal, then still carrying his original name Wesley Cook. In this function, he flew to Chicago, personally inspected the blood-soaked bed in which Fred Hampton had killed at point blank range by agents of the state, reported on the event for the party newspaper, and finally gave the keynote speech at the memorial for the slain Panther leader in Philadelphia in December 1969.

It was in this function that he talked to the *Philadelphia Inquirer’s* reporter Acel Moore in an interview that was published on the paper’s front page on January 4, 1970. And it was, quite obvious to anyone, in this interview that he approvingly quoted Mao Zedong’s dictum that political power grows out of the barrel of a gun, arguing that the recent events had indeed shown that Mao had been right about this. This is what Acel Moore reported:

*“‘Since the murders,’ says West [for Wesley] Cook, Chapter Communication Secretary, ‘Black brothers and sisters and organizations which wouldn’t commit themselves before are relating to us. Black people are facing the reality that the Black Panther Party has been facing: **Political power grows out of the barrel of a gun.**’ Murders, a calculated design of genocide, and a national plot to destroy the party leadership is what the Panthers and their supporters call a bloody two year history of police raids and shootouts.”*

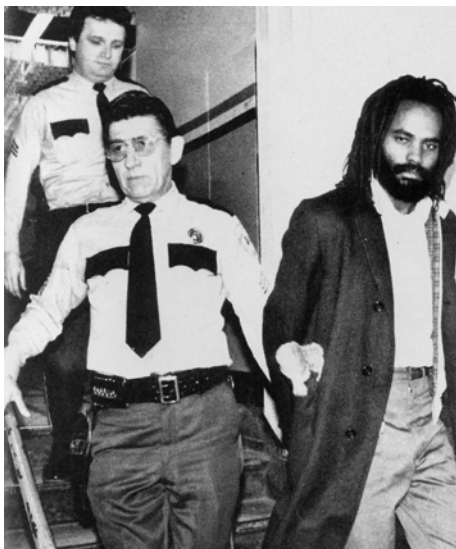
“Although there have been no shootouts between Philadelphia Panthers and police, Cook [...] says there could have been,” continues the article, and the young Cook/Abu-Jamal is quoted as saying that during yet another raid carried out on weapons charges, this time in Philadelphia, the police “would have shot us then. Except we were all out in the community working

at the time.” Adds the reporter Acel Moore: “There were no visible weapons in the Headquarters, ‘but we can’t hope to exist’ he said ‘without some kind of protection.’”

From this, the contextual meaning of the “barrel of a gun” quote as an analysis of the brutal actions of the state that had happened so recently, together with conclusions about the necessity of self-defense, *NOT* as a strategic slogan guiding the actions of the Panthers, should be very clear.

But just this quote from exactly this article was brought in by prosecutor Joseph McGill during the sentencing hearing of Abu-Jamal’s trial, when he started to cross-examine the defendant, and in the final parts of his Smerconish interview, he is still so proud of this that he drifts off in the fantasy mode with a vengeance and rhapsodizes about (1) Abu-Jamal being the *author*, not the interviewee of the article in question, (2) the Acel Moore article that quoted Abu-Jamal quoting Mao Zedong being a *Panther publication* authored by Abu-Jamal and most importantly (3) Abu-Jamal toting this slogan as a line of action for the Panthers, and particularly for himself.

**The inevitable conclusion is that while (1) and (2) are just laughable – and fantastic – distortions, (3) is a deliberate and toxic lie which, it appears now, will be the core thesis of an equally mendacious and toxic film.**



All of the above, basically coming out of the mouth of Abu-Jamal’s super-biased and super-partial prosecutor Joe McGill is not a huge surprise.

After all, in the Abu-Jamal case, as well as in so many others, the prosecution has mangled the facts right from the start to an extent where it requires an almost equally maniacal energy to try to set the distortions straight.

But turning to Tigre Hill, as the trailer of his film on Abu-Jamal already shows ten weeks before the expected release of the film, the facts were obviously also not very high on the list of those who framed the film as the movie, judging from the trailer, uncritically adopts all the basic premises (or should I say primitives) of the McGill/Smerconish narrative sketched in above.

It seems this film will be hammering home, in an extended and embellished form, a message that was already laid out in the Maureen Faulkner/Michael Smerconish book *Murdered by Mumia* and the subsequent interviews with the pro-prosecution people most involved in the case, two of the most important of which I have discussed here:

- **NO** doubts about Abu-Jamal’s perpetratorship, belief in his system- and cop-hating motive, and his eligibility for the death-penalty because of his fanatic single-mindedness.

**But if the trailer gives any direction as to what the final film will be, the film’s case will be built on sand.** It seems clear that the main sources that have fed what one can watch now are interested parties such as Michael Smerconish, Joe McGill and a few assorted right-wing reactionaries – and as the trailer thankfully makes clear, what they are armed with is fantasies and lies of the type sketched above. That, however, doesn’t make all of this any less dangerous.

*Michael Schiffmann, Journalists for Mumia, September 29, 2009*

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