

## Ralph Nader Radio Hour Episode 528 Transcription

**Mumia Abu-Jamal:** This is Mumia Abu-Jamal. You're listening to the *Ralph Nader Radio Hour*. Enjoy.

**Steve Skrovan:** Welcome to the *Ralph Nader Radio Hour*. My name is Steve Skrovan, along with my co-host, David Feldman. Hello, David.

**David Feldman:** Good morning.

**Steve Skrovan:** And the man of the hour, Ralph Nader.

**Ralph Nader:** Hello, everybody. Today we have the controversial case of Mumia Abu-Jamal, what it says about our criminal justice system, what it says about how he used his life for over 40 years in jail to constructively communicate week by week to people all over the world.

**Steve Skrovan:** Yes. Today we pay tribute to Mumia Abu-Jamal as he approaches his 70th birthday. Forty-two of those years have been spent in a Pennsylvania state prison, twenty-nine and a half of those in solitary confinement on death row.

Abu-Jamal was a journalist and one of the founding members of the Philadelphia Black Panther Party. As a journalist throughout the 1970s, Abu-Jamal had been extremely critical of infamous Mayor Frank Rizzo, in the Philadelphia Police Department. On a fateful evening in late 1981, Abu-Jamal was found at the scene of a shooting in downtown Philadelphia. Despite a plethora of conflicting and recanted testimony, dubious assertions of a confession, racial bias, and shaky forensic evidence, Abu-Jamal was convicted of the killing of a police officer and sentenced to death.

That death sentence was overturned 30 years later when a judge determined that there were too many inconsistencies in the original sentencing process. He remains a prisoner for life without the possibility of parole, yet has maintained his innocence and his journalistic career behind bars, penning numerous books, including *Live from Death Row*, *Death Blossoms: Reflections from a Prisoner of Conscience*, and *Classroom in the Cell: Conversations on Black Life in America*, while also doing regular commentary on *Prison Radio*.

Due to the conditions of his incarceration, we will not be able to speak to Mumia directly, although we did record some questions for him, for which he was able to record some answers for us through the efforts of one of his most steadfast supporters, our first guest, Noelle Hanrahan. We will speak to Noelle about Mumia's life, as well as hearing from Professor Joy James, who will help put Mumia's incarceration in the broader context of our criminal justice system.

As always, somewhere along the line, we'll check in with our relentless corporate crime reporter, Russell Mokhiber. But first, let's lay out the whole story with our first guest. David?

**David Feldman:** Noelle Hanrahan is the founder and legal director of *Prison Radio*, a multimedia production studio that brings the voices of incarcerated people into the public debate. Since 1992, she has produced over 3500 multimedia recordings from over 100 prison radio correspondents, including the critically acclaimed work of Mumia Abu-Jamal.

Welcome to the *Ralph Nader Radio Hour*, Noelle Hanrahan.

**Noelle Hanrahan:** Really glad to be with you.

**Ralph Nader:** Yeah. Welcome, indeed. I want to preface the program with a framework here. I never was inclined to call our system a criminal justice system. It's a criminal injustice system, because it reflects race and class bias to an extraordinary degree.

The studies have been overwhelming on this. You don't see many corporate criminals in jail these days. You don't see many prosecutions of them either. You don't see many investigations of the corporate crime wave that takes a far greater toll in lives, injuries, and property than street crime does. But the system reflects the power structure.

The second thing I'd like to say is the Innocence Project, which has proved itself again and again and has been worked through many law school clinics, has shown that prisoners, most of them of color, have been convicted wrongfully under the most one-sided, biased procedures and distortions of the facts of the case. And these prisoners have been released through the efforts of the Innocence Project, which is no small factor when you consider some of them have been in for 10, 20, 30 years and some of them were on death row, which is another hands-on critique of the system.

The third one is, the defense counsel are not usually alert to levels of procedural defense that they are entrusted with. First of all, a lot of them are greatly overburdened. The pay for public defenders is very, very low. Last time I checked in Florida, it was under \$50,000 a year. And secondly, more than a few times, the defense counsel is incompetent. There is a case in the south, listeners, where there was a motion for a new trial because the defense counsel kept falling asleep during the trial. And the judge turned down the motion for a new trial, saying there's no constitutional right of the accused to have a counsel who's awake during the trial.

If you're not already aware, law schools have paid some attention to this in some of their clinics. But by and large, the first-year course in criminal law is over after a half a year, and most of the law students head for corporate practice and never look back.

So, with that, let's get to the case of Mumia Abu-Jamal, which has received world attention for many years. Bishop Desmond Tutu and Nelson Mandela are among many people around the world who have asked for a new trial because of the severe bias which we'll hear about shortly, procedurally and substantively.

Noelle, can you give us a summary over time of this case, which started in 1981 in Philadelphia?

**Noelle Hanrahan:** In 1981, December 9th, Mumia Abu-Jamal was driving a cab on the streets of Philadelphia. And at 13th & Locust, he had just pulled over to the side of the road to let out a fare.

Across an intersection, he saw a police officer beating his brother. He got out of the cab, ran across the street and was shot. He was on the ground. Someone else likely shot the police officer. The police officer died. Mumia Abu-Jamal was arrested. He was tried within six months and convicted of first degree murder.

At the time of his arrest, he was a working journalist, also driving a cab, but he was working for a variety of different outlets throughout the Delaware Valley, and he was an award-winning journalist. He was the president of the National Association of Black Journalists locally. He had been an anchor for WUHY, which then became "Wider Horizons for You and Yours," (WHYY) a primary PBS affiliate. He was hired by William "Bill" Siemering, the station manager of WHYY, who was a founding board member of National Public Radio (NPR). And Bill thought Mumia was going to be the next Ed Bradley.

He is an amazing, talented journalist who was caught up on the streets of Philadelphia, imprisoned through a very distinctly unfair trial over the murder of a police officer. And when a police officer dies in Philadelphia and many other jurisdictions, the rush to conviction is vast and extreme. It is an extraordinary burden to overcome the rush to judgment.

Mumia was tried very quickly by Judge Albert Sabo, who said on the first week of the trial to a court reporter and in front of another jurist, "I'm going to help them fry the (N-word)." That is the kind of justice Mumia Abu-Jamal received. He's been fighting for his case and his innocence since then. It has been 42 years. He has had very good counsel over that time. But he's facing a system in Pennsylvania and Philadelphia which literally does not privilege the US Constitution. It's more interested in finality in the Post-Conviction Relief Act (PCRA—a law ~~that have been~~ written in order to deny criminal defendants the opportunity to get a new hearing by privileging procedure over merit (in other words exposing evidence that previous prosecutors kept from the defense).

Something happened recently in his case. He had the chance to have an evidentiary hearing. We had a newly elected district attorney, who was not as capable of shredding the Constitution as the prior district attorneys. So when he found exculpatory evidence in a box in the storage locker number 17, he turned it over to the defense. That evidence included a statement from one of the main witnesses, who asked three weeks after the trial, ~~who~~ asked the prosecutor for his money. Where is his money?

That document was buried for 41 years. It was never given to the defense. And they recently refused to hear that in court to give an evidentiary hearing. The guy, Robert Chobert, a cab driver, is still alive. That cab driver said he saw Mumia shoot the officer. So, they could have brought him in and determined whether he was credible. But the judge in the case, Lucretia Clemons, decided that they weren't going to bring him in because procedurally, they didn't have to, and that the recantation evidence was—the bar was so high and there was plenty of other evidence in the case that would have convicted Mumia.

That's a summation that isn't true, in fact. He's one of the key eyewitnesses. There were only two. The other one, there was also documents in these files that prove that they'd given favorable treatment through Cynthia White, a prostitute who, after being used as a primary witness in Mumia's case, was literally never again arrested in Philadelphia for prostitution,.

**Ralph Nader:** The federal court of appeals took him off death row. Why?

**Noelle Hanrahan:** Judge William Yon issued an opinion from the Third Circuit Court of Appeals that said that his sentence should be overturned and that his conviction should be confirmed.

So what that meant is that he had to be tried again just on the sentence, life or death. When Seth Williams, the DA, got that ruling, he elected not to retry Mumia on whether he would get life or death, that part of the trial. So, without a hearing, Mumia Abu-Jamal was given life in prison. That is the sentence that he's serving right now in SCI Mahanoy (state medium security male prison).

**Ralph Nader:** Tell us about the discrimination in the prosecutor's office against allowing African Americans on juries. How'd they go about doing that? And Mumia was convicted by an all-White jury, is that correct?

**Noelle Hanrahan:** It wasn't an all-White jury, but they removed Black jurors who had the same kinds of experiences, educational attainment, whether they were employed, how close they were to city employees, all of those different variables that go into picking a jury. They removed people based on their race.

There was a set of handwritten notes from the prosecutor in these boxes that the new district attorney found. They recorded whether each jury was Black or White, with a B or a W. But in addition to that, not just the cataloging of the race, there were notes next to each person's name describing why they did or didn't want them. And they were different based on the race of the juror. That was one of the reasons why he should have gotten relief on Batson (V Kentucky, Supreme Court case on racial discrimination in jury selection) but he did not get relief on Batson in both this local recent court case that just happened nor in the Third Circuit (Court of Appeals).

So what the prosecutors did. Videotapes were released by Lynne Abraham when she was running for election against another guy, (Attorney Louis Schwartz). These tapes were training tapes from the department, from the very prosecutor's office who did this in Mumia's case, and they are extraordinarily, intensely racist. They say things like—and this was around the time that Mumia was convicted, the same office, the same training—we need to remove all African American women from the jury because they don't believe in the justice system. You're not going to get a conviction. Look, this is all about getting a conviction.

So it was a training tape that's up online and you can pull a clip off of it. It's just shocking how the Philadelphia district attorney's office was only interested in railroading the defendant. Not even just getting 100% conviction rate, but railroading the poor people that were in front of them. And they detailed it explicitly in this training tape.

You don't want a jury that considers reasonable doubt. You want to get rid of those people. If you have to have a Black on the jury, you might want to have a southern Black, older man who came up from the south, because those people are the ones that are going to get by Batson. You're going to get by the issue of whether you have an appropriate racial composition of the jury. They're going

to help you get by. That's the kind of language that these guys use in Philadelphia in the 80s and 90s.

**Ralph Nader:** This was a time in Philadelphia, wasn't it, where Frank Rizzo was a police chief and then mayor, and he was a notorious, nationally publicized race baiter. One time he said, "People say I'm not speaking the truth. I'll take a lie detector test." He took the lie detector test and failed. And one of the New York City publications said, "He lied." That was the headline.

So this was not a particularly propitious climate for due process of law and a fair trial. What was the quality of the defense counsel for Mumia?

**Noelle Hanrahan:** I'm going to actually push us to say it's not just on Frank Rizzo and now the sons of Rizzo, because our 6500-person majority White police force are the sons of Rizzo. It is also on the district attorney at the time of Mumia's conviction. That is Ed Rendell, the kingmaker.

It's not just on the extraordinary racism. It's on the system that's created that privileges people like Ed Rendell, whose dimple makes us not want to excoriate him for who he was, but he ran that department. So, yes, there were extraordinary.

**Ralph Nader:** He became governor of Pennsylvania, correct?

**Noelle Hanrahan:** Yes. And he was chairman of the DNC.

**Ralph Nader:** Democratic National Committee.

**Noelle Hanrahan:** Right. And he's part owner of the *Philadelphia Inquirer*. His wife is a federal judge. Those are the kinds of systematic people that have kept Mumia's conviction in place, who are less easy targets than Frank Rizzo, but equally culpable.

**Ralph Nader:** Let's talk about Mumia. Tell us what he did with his extraordinary life in jail as a journalist, author of six books, archives that are so valuable that Brown University solicited them for safekeeping for the historical context of his times. Tell us about him.

**Noelle Hanrahan:** Mumia Abu-Jamal just kept reporting. Mumia was a trained journalist from the Black newsrooms of Philadelphia when they had a lot of diverse and amazing training programs. Joe Davidson was his colleague, and Juan Gonzalez were his colleagues. ~~and he was trained in reporting.~~ Mumia Abu-Jamal never stopped reporting.

What he says about his time on death row is he invested in himself in terms of his ability to connect with people and to read and to grow. Over the course of his career, He has done many things. He is fluent in French. He's fluent in German. He's conversational in Spanish. He got his BA degree from Goddard College. He got his master's degree from Dominguez Hills in California. And he's all but dissertation right now, writing it on (Franz) Fanon out of the University of California at Santa Cruz in their History of Consciousness program.

He reached out to all of us through his radio commentaries. He has done weekly radio commentaries, thousands of them. He's written 13 books, the latest *Prison Radio* published, which is called *Murder Incorporated: Empire, Genocide, and Manifest Destiny*. It's the send-up of the United States and its imperial and neocolonialism realities. Because he's hard-hitting, because he is in a position where he's telling the truth, his own truth, and his people's truth, he's not compromised.

When he was out on the street, he was offered a very high-paying job on television in 1980, and they had two requirements – change his name and cut his hair. And he told his sister, it wasn't the biggest deal, changing my name or cutting my hair, but it was the next compromise that they would have asked me to do. So I didn't take the job because I knew it was just the beginning of the compromises if I had to change my name or cut my hair.

He had dreads before Bobby McFerrin. He was wearing dreads in the early '80s, pretty unusual. ~~I'm just saying.~~ He's an amazing guy, very resilient. Alice Walker says he's got, like, 99 lives. He's been able to continue under these, really repressive awful conditions. His conditions now are extremely bad. He's had double bypass heart surgery. He survived hepatitis C. We got him the cure. We went to court. We were able to get people all over the country in prison, the cure.

Just so your listeners know. The liver association said they couldn't do interferon treatments anymore, and the prison was refusing to give people the hepatitis C cure, which was bought by Gilead from Sofosbuvir. So it's a public health imperative that we treat hepatitis C in this country. It's like polio. You could get rid of it. But they were not giving it to people in prison, and they aren't giving it to poor people.

**Ralph Nader:** How old is he now?

**Noelle Hanrahan:** Mumia will be 70 on April 24th of this year.

**Ralph Nader:** And he lost his wife of many years, who is a great sustaining force with her visits to the prison over the years. What was she like?

**Noelle Hanrahan:** Wadiya Jamal was incredibly beautiful, warm and gracious. They spoke every day on the phone, and she visited as much as she could. She was his wife 41 years. It was an incredibly devastating blow to Mumia.

**Ralph Nader:** Was Judge Clemons' decision last year the final word about trying to release him from prison after all these decades?

**Noelle Hanrahan:** Lucretia Clemons did not rule on the merits of the case at all. The Fraternal Order of Police and his widow have gotten enough support from the Pennsylvania Supreme Court that they can conduct frivolous appeals.

**Ralph Nader:** We're out of time, unfortunately. We've been speaking with Noelle Hanrahan, the founder and director of *Prison Radio*. Ms. Hanrahan is a licensed private investigator, specializes in recording, salvaging, transfer, noise reduction, and the enhancement of audio in all media

formats, as well as conducting research and interviews for civil and criminal defense investigations. She's a graduate of Stanford University with a MA in criminal justice from Boston University.

Thank you very much, Noelle Hanrahan.

**Noelle Hanrahan:** Really happy to be here.

**Steve Skrovan:** We've been speaking with Noelle Hanrahan. We will link to her work at [ralphnaderradiohour.com](http://ralphnaderradiohour.com).

Coming up, we continue our tribute to Mumia Abu-Jamal on his 70th birthday with Professor Joy James. But first, let's check in with our corporate crime reporter, Russell Mokhiber.

**Russell Mokhiber:** From the National Press Building in Washington, D.C., this is your *Corporate Crime Reporter Morning Minute* for Friday, April 19, 2024. I'm Russell Mokhiber.

For people avoiding caffeine, decaf coffee seems like a harmless option. But some health advocacy groups argue otherwise, and they are petitioning the Food and Drug Administration to ban a key chemical involved in the decaffeination process due to cancer concerns. That's according to a report from CNN.

That chemical is methylene chloride, a colorless liquid that's used in certain industrial processes, including paint stripping, pharmaceutical manufacturing, paint remover manufacturing and metal cleaning and degreasing. "Methylene chloride has long been known to be a carcinogen," said Dr. Maria Doa, senior director of chemical policy for the Environmental Defense Fund, one of five groups and individuals behind two food and color additive petitions sent to the federal Food and Drug Administration (FDA) in November.

For the co *Corporate Crime Reporter*, I'm Russell Mokhiber.

**Steve Skrovan:** Thank you, Russell. Welcome back to the *Ralph Nader Radio Hour*. I am Steve Skrovan, along with David Feldman and Hannah and Ralph.

We continue our reflections on the life of Mumia Abu-Jamal. Before we hear from Mumia himself, our next guest is going to reflect on what his incarceration says about what Ralph calls our criminal injustice system. David?

**David Feldman:** Joy James is Ebenezer Fitch Professor of Humanities at Williams College. Professor James has published numerous articles on political theory, police, prison and slavery abolition, radicalizing feminism, diasporic anti-Black racism, and US politics. She's the author and editor of several books, including *The New Abolitionists: (Neo) Slave Narratives and Contemporary Prison Writings*, *Imprisoned Intellectuals*, *Resisting State Violence*, and *Warfare in the American Homeland*.

Welcome to the *Ralph Nader Radio Hour*, Professor Joy James.

**Joy James:** Thank you.

**Ralph Nader:** Welcome indeed, Professor James. You heard what Noelle Hanrahan had to say, and you're familiar with the Mumia case. We'd like you to comment on it and give it broader context, because you have studied the broader context of the criminal injustice system in our country.

**Joy James:** Right. I appreciate the conversation that you and Noelle had together, and so much of the important legal aspects came out. But to go back to the point of Mumia's function, if that's the right word to use, or maybe it's inspiration that someone who's been incarcerated for decades, I believe, over 40 years, still has productivity in terms of analyses about incarceration, racial bias, and legal malfeasance in the United States.

I see Mumia as an public educator. And in my job we teach and we work with students and we develop political critiques. But what I appreciate a lot about Mumia is his compassion. He doesn't romanticize from the sight that he's endured for 40 some years, very difficult struggles to stay centered, let alone stay alive. He's been a constant educator for me and many of my colleagues and comrades.

**Ralph Nader:** On that point, Mumia's radio commentaries range the world. He doesn't just focus on the criminal injustice system. He has very trenchant comments on national politics, Republican-Democratic parties, Congress, the empire abroad, the invasion of Iraq. He follows the news and gives trenchant commentary. It's just remarkable how concise, precise and professional his radio programs are under horrendous conditions, one might add, as you said.

What do you think is the impact on law schools and scholars on our so-called justice system? He has compared the treatment under our law of corporate criminals who have taken staggeringly larger lives. Just think of the opiate manufacturers, for example. Think of the chemical toxic waste corporations, for example. Think of the lead industry, which to this day, imperils poor children in inner-city schools with lead-based paint peeling off the walls and lead-contaminated drinking water. Think of the asbestos manufacturers—200,000, 300,000 lives lost, mostly asbestos workers, in the United States.

He has not neglected that. He also has commentary on conditions in other countries—how Norway treats its prisoners, and the laws in other Western countries that are much more humane and rehabilitative, instead of priests with vengeance. Do you want to give us your thoughts on his broader impact beyond his jail confinement?

**Joy James:** He's a treasure, and I don't want to make him an isolate. There are a number of people who've been incarcerated for decades who study and struggle. That's a phrase people use in terms of books reaching the incarcerated, but also the writings of the incarcerated coming out of prisons, that allow us to be able to learn and study with them, if not physically in the same space, definitely with the same ethics and the same commitments.



As somebody who's been teaching for decades, I welcome Mumia's interventions, but not just Mumia's. I've done a number of anthologies around multiple people. I focus on people who were engaged in political dissent, such as Leonard Peltier and H. Rap Brown, also known as Jamil Al-Amin, and environmental activists who've been incarcerated.

There's a way in which the incarcerated, whose ethics and politics are clear, can be taught in the classroom. And that's something I've been trying to do over the years. Not just have on the syllabus an academic pax—we got the PhD and produced whatever—but to have people who've struggled with ideas, concepts, and politics. And as you pointed out, Mumia has a global view that's very much focused on justice and compassion.

**Ralph Nader:** What's amazing is in order to produce such cogent reports on radio, he's got to assemble a lot of facts and do a lot of research. It isn't just normative assertions of this is right, this is wrong. And he's been able to do this when his health has been seriously jeopardized and suffering sporadic crackdowns by angry guards and the warden, and having to go to court often just to get traditional prisoner rights restored to him.

What's the scene on campus here? You've probably spoken at law schools and you teach at Williams College. Is there a growing interest in the double standard of justice in this country, which is really spectacular? These corporate criminals have now, with the advice of their brilliant corporate law firms who operate in the shadows, achieved almost immunity from criminal prosecution. And the Justice Department (DOJ) under Biden has brought fewer corporate crime cases than the Justice Department did under Trump. And under Trump, they were fewer than under Obama. And they have these deferred prosecution agreements, or no prosecution agreements that let these companies off. They hardly ever go after the top executives, such as in the Boeing case and the criminal negligence, to put it mildly, that led to the crashes in Indonesia and Ethiopia.

Sometimes it's much easier to focus on the criminal injustice system for minorities or for others; poor Whites, who don't have adequate legal representation and are railroaded into copping a plea. If you compare with the lenient treatment, to put it mildly, of corporate crooks who take far more lives, produce far more injuries and disease, and steal far more money than street criminals have done, tell us, for starters, what percentage of prosecutions against indigent accused people end up in copping a plea, and what level of coercion is operating here by prosecutors?

**Joy James:** You've asked multiple big questions.

~~I would say~~ I cannot directly give you a number or percentage based on the last question that you raised. But I can talk a bit—and people also could go log in and look at the prison policy reports at [prisonpolicy.org](http://prisonpolicy.org). They create pie charts, just like the War Resisters League does. They want to see where our money is going, but also in different ways, how this funding for carceral settings and systems actually harm the democracy itself and all the people in it.

Going back to the [prisonpolicy.org](http://prisonpolicy.org), I want to start with some of the numbers. We've got over 1.9 million people incarcerated in the United States. But the way in which the system works is very diverse. There are thousands of federal, state, local and tribal systems to navigate. Some of the quick numbers would be 1,566 state prisons, 98 federal prisons, over 3,000 local jails. Plus there's

1,300 plus juvenile correctional facilities. correctional facility is a euphemism. The ICE or the immigration detention facilities. In addition there are the indigenous or the Indian Country jails (operated by sovereign tribal authorities and the U.S. Bureau of Indian Affairs).

The way that I see what we're struggling against, which I believe echoes what Mumia has been writing about and talking about, is very complex, overlapping systems of containment and control in which poor and working-class people are the most negatively affected. And yes, race is an issue. I believe that's what you brought up both in the conversation with Noelle and what we're chatting about now.

When I think about 2020, and Mumia has written about all the atrocities that I see as becoming public lynchings in some ways, and oddly, driving clicks or media sells, from before George Floyd to 2020 to what's going on today. There are ways in which our public funds are redirected to maintain prisons that are harmful and dysfunctional, and are themselves violent. Our funds are used to settle, I would call it, compensation—I can't find a good word for it—but it doesn't bring back a dead family member.

Through these allotments, for example, in New York City, where I spent a lot of time, Eric Garner's family received \$5 million. But that's public money, and that's not saying the family shouldn't have received it, but there's this loop that we have to dig out of or sever from—not just massive amounts of money going into carceral systems that harm people on a regular basis, but the way in which we can't control our economies from being used for warfare, and also for what I call domestic warfare on people in the United States.

The last thing I would say to this is—you mentioned, or maybe I was thinking about it—the Koch brothers. I know there's only one now, but their attempt to change legal rules about pollution reflected the fact that their father made their money through oil and gas industries, through the Third Reich, if I recall what Jane Mayer was wrote about, the way in which billionaires, like the Koch brothers, were able to use money to create predatory systems of accumulation and then try to flip the policing apparatus to only favor the rich.

**Ralph Nader:** Listeners should realize there are pilot projects in prisons that have worked to produce more humane rehabilitative conditions and lower recidivist rates when they've served their time to help them adjust to society on reentry.

Steve McNamara, who pioneered prison newspapers in California, told us on this program a while back, that his newspaper, the *San Quentin Times*, is run by prisoners. They have reporters, editors, photographers. And the record is that when they get out, they have a far, far lower recidivist rate, near zero, because of the experience they've had in prison journalism. And there are a lot of other people examples around the country, but there doesn't seem to be a very accelerated diffusion rate.

The pilot projects that work, and are humane, increase the safety of our society and salvage the lives of these prisoners and release the ones that have been wrongfully convicted. But they don't diffuse fast enough through the prison system. There are too many perverse incentives that counter it. I wanted to make that point, in order to provide a larger context.

Steve?

**Steve Skrovan:** Professor James, what does the establishment fear about Mumia that will not allow them to release him? What's the fear?

**Joy James:** He has had a huge impact on people around the world. As Noelle mentioned, he's fluent in French. An avenue in Paris is named after Mumia. I don't want to make him, or project that he's a charismatic person, because sometimes that could go either way, and it's not always positive. But he has dedicated his life to supporting life, even while he was on death row and even while he's been caged for decades.

The fear is a combination of things. It's partly that he's Black, and the notion that you would have an autonomous Black voice that critiques the state, capitalism and imperialism, and environmental devastation on a regular basis, is problematic. I mean, to have a Lloyd Austin, like the black face of empire, that works for state, corporate media. But anybody who would be seen as being more independent, some people would say a rebel, ~~that~~ would be problematic.

His history, that he was in the Black Panther Party, is another factor. "Just for a brief moment of time," as Kathleen Cleaver would say, when most of its members were very optimistic/aspirational there was a whole policing mechanism to destroy dissent in the United States, whether it was the US war against the Vietnamese, though you could think Kent State or Jackson State, or the way in which COINTELPRO, the Chicago Police Department, dealt with Fred Hampton and Mark Clark in 1969.

Mumia, in a way, has the love, but he is also fearless as an analyst, as a compassionate, ~~quote,~~ "citizen" and writer who is locked up. So, his narratives and his lineage of struggle is what makes him very problematic to the bureaucracy and very problematic to the traditional policing mechanism.

**Ralph Nader:** David?

**David Feldman:** Clarence Thomas was a Black Panther briefly. Could you tell me what solitary confinement actually means? Did I hear that Mumia was in solitary for 20 years? What is solitary confinement?

**Ralph Nader:** Twenty-nine and a half years.

**David Feldman:** Twenty-nine and a half years in solitary. What does that mean?

**Joy James:** That's a great question. I pause because I can't imagine how one could maintain their united emotional, intellectual, and physical selves while being isolated from talking to other people, from touching other people, even just a fist bump or a hug, and at times from seeing the sky and knowing if it's day or night, what the weather is, etc.. The disconnection from Earth, from humanity, is probably one of the worst punishments, short of death, that could be inflicted. I consider it to be torture. And although President Obama, at one time, attempted to ban it. Somehow these improvements or these policies that are supposed to improve policing and

incarceration in the United States, don't stabilize to the degree that they need to be stabilized to help people.

In New York, I remember, because we have Rikers Island, that a number of people rightly argue, should be shut down, it's used against teenagers as well. And I consider teenagers, as children because their brains are not fully formed. So this is a torture implement in order to break the spirit of people who don't want to conform to incredibly harsh and dehumanizing environments. And they shouldn't conform to dehumanizing environments. They should try collectively to stabilize environments so that people can have healthy lives, and do not need to be in a setting with so much protection because they have issues with self-regulation.

I don't have all the words that I want to say because maybe I have too many words, but solitary confinement is barbaric.

**Ralph Nader:** There is some progress here. Some states have started to ban it. People like Jim Ridgeway, who pioneered the advocacy against solitary confinement and was in contact with a lot of prisoners in solitary confinement, saw before he unfortunately passed away, some glimmers of hope here, including equating it with torture and judicial cases calling it unconstitutional because it's so equated in the minds of many professional psychologists who've studied this with torture. So there is some light at the end of the tunnel, it is hoped.

Professor James, there's a requirement that they have to have one hour a day out in the yard, don't they?

**Joy James:** There may be a requirement—from what I know, which is not comprehensive of people that I correspond with who were incarcerated, getting the guards to actually follow rules that are healthy; they don't tend to have that kind of capacity.

One quick example would be when incarcerated people go on strike, and they're not being violent, they're just striking about the lack of clean conditions, rotten food served to them, brutality perpetrated by the people who are employed to run the prisons, and that the way they're treated is not always in ways that conform to the status of protecting health and life.

**Ralph Nader:** A lot of prison rules are violated in practice, but the norm is if you're confined in an incarcerated tiny room, you're supposed to be given one hour of exercise in the open air prison yard. Hannah?

**Hannah Feldman:** I was wondering if you could expand on your discussion about the public support for Mumia and how he's viewed as this advocate for love.

And I've read some of your writing about him and his case and what he's come to symbolize. Can you expand on how it's not just he's being objectified; he's becoming the symbol for people as an abstract emblem of resilience and peace. That it's actually a more deliberate choice, and part of why he was incarcerated was the political landscape that led to his incarceration, was being part of the Black Panthers, being part of this caretaking network, that it actually is a radical choice to actively choose love.

**Joy James:** Thanks, Hannah. First, I agree with Ralph that things can be functional in prisons. But I am so committed to abolition that I don't focus on what works. I focus a lot on what is ~~the~~ dysfunctional.

In terms of Mumia, it's important that we don't make icons out of political prisoners or former political prisoners. That is not productive. We should welcome people's contributions, and we appreciate them, as and we work to get them out to the best of our ability. Sometimes that's through writing letters, sometimes that's through hiring new attorneys and so forth. I don't consider Mumia to be a martyr in a way that that becomes someone who's elevated above the masses, if that makes sense.

This is my take as an African-American woman who has been organizing for a number of years with incarcerated people. The United States is very unclear about its history. We're already dealing with these book bans from conservatives and reactionaries, but there are also ways in which we, as progressives or liberals, can distort what it means to be a political detainee or someone who's incarcerated based on ethics and the organizing that they did. So, I don't conflate political prisoners so much with the majority of people who are incarcerated.

I understand both sectors are victimized by neglect, victimized by just being caged and everything that comes with that, but if we understand that they make contributions, but also that while we're reading them, we have to also make our own contributions, that we have to read critically, that we have to think about things as adjacent to each other. And we also have to see in what ways our politics or our organizing prove to be productive. In other ways, our politics are not productive because our organizing skills don't meet the task of dealing with the largest carceral infrastructure or bureaucracy in the world.

**Ralph Nader:** We're out of time, unfortunately. We would have liked to talk a little bit about prosecutorial coercion of indigent accused defendants. Over 80% are coercive plea deals, where an indigent is told, you can get 30 years for this, and if you agree to 8 years in jail, we can close the deal. The indigent usually doesn't have a very time-available counsel, assuming the counsel is even capable of performing the duties.

Anyhow, what's the best way for people to reach you if you'd like to give a contact, Professor James?

**Joy James:** I do different kind of conversations. I have conversations with Black Power Media, so I would suggest people look that up. They would love to interview you, Ralph Nader. And this is where communities are talking about what we've been talking about, but also focusing a lot on working-class, unhoused people, and the specificity of the ways in which policing works when Black and indigenous people, poor people, and undocumented people are on the receiving end, the brunt of what happens in terms of carceral destabilization and violence from the state.

**Ralph Nader:** Well, thank you very much. We've been speaking with Professor Joy James at Williams College. She authored many books and articles, and one of them is titled *Resisting State Violence*. Thank you again for coming on the show.

**Joy James:** Thank you all. Take care.

**Steve Skrovan:** We've been speaking with Professor Joy James. We will link to her work at [ralphnaderradiohour.com](http://ralphnaderradiohour.com).

We end today with the man himself. We recorded some questions for Mumia, which Noelle was able to take back to him and have him record some answers, and he was able to do that over a phone line. So without any further ado, let's hear from Mumia.

**Ralph Nader:** I'd like to ask Mumia his comments on the commercialization of state and federal prisons, as well as the spread of corporate-owned prisons. I mentioned the former because the telephone companies, for example, have made a horrendous profit on charging prisoners to make phone calls to their families. And there are a lot of aspects of publicly-owned prisons that have been commercialized.

**Mumia Abu-Jamal:** Ralph, I remember fondly, Eliot Spitzer, who was the governor of New York several years ago. When he got elected, one of the first things he did, was order that all phone charges be localized across New York State. So a guy calling from a prison in the far north of New York State making a call to Brooklyn, Bronx, Harlem, would be a local call. The phone company didn't like it, but this was the law because he was the governor. No matter, his little problem that he had and his removal, I always thought that that was pretty cool, what he did. And I'm sure guys of New York felt the same thing.

But if you look at profiteering in prison phones are a small matter. And the real issue we should think about is the cost of prisons in terms of the dollars that people pay through their taxes. And once they get a grip on that, billions of dollars are paid in prisons, most of that money goes to waging for rural people from the crime bill years ago, and subsidized the building of prisons across the country.

I thought of that, and I said, this is a White, rural employment program, and that's just the truth of the matter. I thought he was using it for a political ploy and a political play to try to get rural people to think of Democrats in a new way. That didn't work out.

When I heard and thought about it, it just made the issue of prison abolition more clear. And that's the real dollars and the real profiteering. The average guard makes about \$60,000. And I knew a guard here at this jail, she's now retired, who made almost \$100,000 a year. I mean, come on. It's just crazy.

**Ralph Nader:** To what extent have you been able, Mumia, to connect with fellow prisoners where you are incarcerated and other prisoners, often called political prisoners, in other prisons and penitentiaries around the country?

**Mumia Abu-Jamal:** Well, I talk to them and walk with them in the yard if they want to walk fast, I sometimes teach the brothers around me. As for other brothers who are like political prisoners in

other jails, it's real difficult to communicate with them because mail is censored. And guys will write here and you won't get it. You write to them, they're not going to get that mail.

**Steve Skrovan:** I hope this is not too obvious, but when you see and read about the trials of Donald Trump and see how the court in the legal system treats him, and in particular, his plea for absolute immunity to commit crimes, a man who said he could shoot somebody on Fifth Avenue and get away with it, what do you have to say about that? And how does that make you feel?

**Mumia Abu-Jamal:** Steve, I love it when I hear or read of so-called conservatives talking about two tiers of justice. If anything, there's at least three tiers. There's one tier for White people, another tier for Black folks, and a third tier for the very rich. Now, guess who gets the sweetest deals? It doesn't take a rocket scientist to understand that if you're rich in this country, you can get every break that you can afford. You can get the best justice, best lawyers, and they will fight wars (for you).

**David Feldman:** Mumia, prisoners in America are not allowed to vote. Could you tell us how civic-minded prisoners actually are, and why giving them the vote would be a net positive for both Democrats and Republicans?

**Mumia Abu-Jamal:** David, you asked about the right of prisoners to vote. All prisoners should be at least given the opportunity to vote.

If you think about it, if prisoners could have voted back during the 2000 Bush-Gore election, Gore would have won, or Bush certainly would have lost, because in that state, Florida, which was very, very close to several hundred votes. If prisoners were able to vote, it would have had a different result.

There are some states, by the way, that allow prisoners to vote—Maine and Vermont, I believe. And think about South Africa, post-apartheid citizens can vote in South Africa. But why, of all the 50 states, would Vermont and Maine allow prisoners to vote? If you look at who's in those states, that may answer that question.

Think about this. One of the issues with demands and protests sparking the American Revolution was taxation without representation. Well, guess what? When prisoners use the phone or go to the commissary, every item you buy and every call you make is taxed. So what about taxation without representation, in this so-called democracy, where every voice should be heard and every person should be allowed the opportunity to vote?

**Francesco DeSantis:** Mumia, what are your thoughts on the latest developments in Gaza and specifically South Africa's genocide case at the International Court of Justice?

**Mumia Abu-Jamal:** Francesco, that's a great name, by the way, I love the sound of that. You asked about Gaza, and it's just and fair that the country, formerly known as the apartheid state, objects to the newer apartheid State of Israel.

The late Desmond Tutu visited Israel and recognized apartheid when he saw it. He had spent most of his life under apartheid. He knew it very well. He said, if the Palestinians had a little more color, if they were Black people instead of light brown people, it would be very, very clear to see what was happening.

In South Africa, they know something about apartheid, but they also know something about genocide, at least in southern Africa. There was a tribe called the Hereros back in the early 1960s in southwest Africa. It's now Namibia. Out of 85,000 Hereros, the tribe itself, when the Germans got there, they opened concentration camps, slave labor, and they eradicated a lot of these people. When they left, it was something like 15,000 people out of 85,000. Call it by its name. Every colonized nation has dealt with genocide when the invaders brought conquest, colonialism, or imperialism. And they're well placed to make the charge. So Israel is no exception.

In an op-ed article of June 24, 2019 placed in the *New York Times*, an Israeli diplomat, Danny Danon, the ambassador to the UN, wrote he had two suggestions for Palestinian peace. One, they should commit "national suicide." And two, they should surrender. Those are the terms of peace announced by Israel in a published article in the *Times*.

**Hannah Feldman:** Mumia, what were some of the most audacious, petty, ridiculous experiences of censorship in your time producing *Prison Radio*?

**Mumia Abu-Jamal:** Hannah, I was doing a live report or commentary for *Democracy Now!* back when I was on death row. I was in the middle of my commentary when I saw a young blonde guard run down the hallway and he yanked the phone cord out of the socket and immediately the phone went dead. I'm sitting there, "Hello, hello, hello," because I couldn't believe it. And he just strutted away like he fought in a war and did something very heroic.

**Ralph Nader:** What would you urge the citizenry to be doing about the whole criminal injustice system in terms of your priorities for change?

**Mumia Abu-Jamal:** In prison, the most important thing, the one thing that stops guys from coming back is education. The most important thing is education. I would even say what people need is a de-colonial education, especially in prison.

**Steve Skrovan:** That's our show. I want to thank our guests again, Noelle Hanrahan, Joy James, and wish a very happy 70th birthday to Mumia Abu-Jamal.

For those of you listening on the radio, we're going to cut out now. For you podcast listeners, stay tuned for some bonus material we call "The Wrap Up", featuring Francesco DeSantis with "In Case You Haven't Heard". A transcript of this program will appear on the *Ralph Nader Radio Hour* Substack site soon after the episode is posted.

**David Feldman:** Subscribe to us on our *Ralph Nader Radio Hour* YouTube channel. And for Ralph's weekly column, it's free, go to [nader.org](http://nader.org). For more from Russell Mokhiber, go to [corporatecrimereporter.com](http://corporatecrimereporter.com).



**Steve Skrovan:** And remember to continue the conversation. After each show, go to the comments section at [ralphnaderradiohour.com](http://ralphnaderradiohour.com) and post a comment or question on this week's episode. We might not like them all, but we read them all.

**David Feldman:** Join us next week on the *Ralph Nader Radio Hour*. Thank you Ralph.

**Ralph Nader:** Thank you for everybody who makes the program possible and for everybody who listens in.

**Mumia Abu-Jamal:** Thank you for your time, folks. All the best. This is Mumia Abu-Jamal.