

# **THE MEDIA RHETORIC OF LAW AND ORDER**

**How ABC Framed the Mumia Abu-Jamal Story**

Thomas N. Gardner

With a Foreword by  
Robert W. McChesney

The Edwin Mellen Press  
Lewiston•Queenston•Lampeter

## TABLE OF CONTENTS

List of Tables .....	i
Foreword by Robert W. McChesney, PhD .....	iii
Acknowledgments.....	vii
INTRODUCTION .....	1
1. THE CASE OF MUMIA ABU-JAMAL .....	9
The story of Mumia Abu-Jamal.....	10
The case .....	13
Sources.....	17
The trial.....	31
The prosecution witnesses .....	31
Defense witnesses .....	45
Closing arguments .....	61
Legal issues on appeal .....	68
2. THE TV NEWS MAGAZINE GENRE IN THE CORPORATE MEDIA WORLD.....	75
Market-driven content.....	87
A propaganda model of news .....	94
3. EXAMINING TELEVISION AT THE JUNCTURE OF RHETORIC AND CULTURAL STUDIES .....	105
Rhetoric and Cultural Studies in dialogue .....	105
Rhetoric.....	112
Burke's Dramatist Pentad .....	116
Integrating rhetorical critique in cultural context .....	118
4. CULTIVATION ANALYSIS AND THE SHAPING OF THE FRAME .....	121
5. MEDIA LITERACY AS CULTURAL INTERVENTION.....	135
What is media literacy?.....	139
Communication scholarship and media literacy effects .....	142

6.	METHODOLOGY .....	147
	The research questions .....	147
	Rhetorical/Discursive analysis .....	149
	Experimental design .....	150
	Hypotheses for experimental design and focus groups .....	153
	Focus groups .....	155
	Cultivation analysis .....	156
	Ancillary research .....	156
	Conception and production of "Framing an Execution" .....	157
	The web woven .....	161
7.	RHETORICAL ANALYSIS OF "HOLLYWOOD'S UNLIKELY HERO" AND "FRAMING AN EXECUTION" .....	163
	The 20/20 story "Hollywood's Unlikely Hero" – a summary .....	165
	Dissecting the story .....	167
	Framing the story .....	169
	Casting .....	171
	Sam Donaldson .....	172
	Maureen Faulkner .....	183
	Joseph McGill .....	184
	The defense cast .....	187
	Mumia Abu-Jamal .....	187
	Leonard Weinglass .....	194
	Ed Asner, Mike Farrell, and the "Celebrity Left" .....	198
	Mumia's supporters .....	203
	Missing supporters on both sides .....	210
	Evidence, proofs, and arguments .....	213
	Ballistics .....	215
	The confession .....	217
	Eyewitnesses .....	219
	Applying the pentad .....	223
	"Framing an Execution" .....	228
	"Framing" through the pentad .....	230
	Structure and content of "Framing an Execution" .....	233
	Focusing the pentad .....	238
	A view through Aristotle's triad .....	239
	Conclusion .....	243
8.	FINDINGS FROM EXPERIMENTAL DESIGN .....	247
	Shorthand glossary .....	247
	Selection of the sample and research procedure .....	247
	Procedure .....	248
	Demographics of sample using pretest forms (n=334) .....	250

Gender.....	250
The findings .....	252
Media use .....	252
Other findings reflecting attitudinal perspectives .....	255
Views of law enforcement .....	258
Elements in the story.....	261
Attitudes toward news magazines and Sam Donaldson .....	263
Discussion of hypotheses.....	265
Gender differences .....	281
Bias in the programs .....	286
Perception of racial unfairness in legal system.....	290
Limitations .....	293

## 9. FINDINGS FROM FOCUS GROUPS.....295

Procedure and content.....	295
The research questions.....	298
Post "Hollywood" findings .....	299
Post "Framing" findings .....	319
Observations, limitations, and implications.....	346

## 10. CONCLUSIONS.....351

Implications for media literacy education.....	369
Implications for journalism.....	373
Implications for further research.....	379
Final words.....	379

## APPENDICES

A. SOCIETY OF PROFESSIONAL JOURNALISTS CODE OF ETHICS .....	381
B. LETTER FROM ABC NEWS 20/20 TO PENNSYLVANIA PRISON OFFICIALS .....	383
C. TRANSCRIPT OF "HOLLYWOOD'S UNLIKELY HERO".....	385
D. TRANSCRIPT OF "FRAMING AN EXECUTION" .....	399
E. FORMS FOR AUDIENCE RESEARCH COMPONENT .....	419

## BIBLIOGRAPHY.....437

## INDEX.....453