

# Jailing the messenger

**AMERICANS** experiencing the reign of George W. Bush are operating on outrage overload. Nothing, it seems, will shock us anymore. No story is too absurd or too outrageous to believe as we sit as spectators witnessing our own demise.

This month's indignation is the NSA snooping scandal. No one's surprised to find Bush administration officials once again holding the smoking gun next to a buckshot-peppered Constitution. As far as impeachable offenses go, this is just one more to add to a growing pile of White House-orchestrated crimes and conspiracies. But there will be no impeachment. Checks don't work when there is no balance, and right now the House and Senate are packed with Bush's fellow conspirators, squatting on both sides of the aisle.

Of course there's that third branch of government – the final check, the one that is supposed to be above partisanship – the judicial branch, led by the nation's top law enforcement official, Attorney General Alberto Gonzales. But no one is holding their breath waiting for Gonzales to ride in and indict the treasonous lot of bastards in the White House. That's because Bush was already over his head in criminal activity when he nominated his personal attorney and co-conspirator, Alberto Gonzales, to be the man whose responsibility it would be to prosecute him.

As Bush's former consigliere, no one expected the nation's top cop actually to start enforcing the law and hand down indictments against the administration officials who ordered the illegal NSA surveillance of America's telephone-using population.

Gonzales, however, didn't just act like a crooked cop letting criminals ply their trade under his watch. No. In true Bush administration fashion, he took it to the next level of criminality, dancing the Gestapo goosestep while threatening to prosecute not the criminals within the administration but the journalists who exposed them.

Speaking on national television this past Sunday, May 21, the attorney general

## **JAILING THE MESSENGER / 2**

threatened to prosecute and jail journalists who report "classified information" in the press. Classified information, legally, is any information the White House arbitrarily deems as classified. Hence, under Gonzales' rule, the Bush administration now has effective censorship power over the press, unconstitutional though it may be. With the White House deeming all information about its own criminality as classified, reporting on that criminality becomes a criminal infraction.

Connect the dots. Spineless as the profit-driven American corporate media usually is, all stories about the Bush administration's criminal activity, and all other controversies dogging the Bush junta, broke in either the alternative or mainstream press. These stories were either dug up by investigative reporters or handed to them by patriotic whistleblowers within the federal government.

With Gonzales' Justice Department refusing to prosecute criminal activity in the White House, the public wouldn't have become aware of such activity without the reporting of a handful of conscientious reporters and editors who broke these stories. With the legislative and judiciary branches of government now subservient to their co-conspirators in the executive branch, the press is our last hope for some semblance of checks and balances.

If the press only reports that news which the Bush administration allows it to report, then it is no more than a government propaganda tool. It is only when the press engages in critical reporting that it fulfills its responsibility to a democratic society.

### **Shoot the messenger**

Gonzales' attack on the press, unprecedented in modern times, comes on the heels of whistleblower allegations that the Bush White House has ordered intelligence agencies to snoop on journalists in the hope of finding out who their government contacts are. The White House, using Gonzales as its hit man, hopes to prosecute not those in the government who are engaging in criminal activities against the American people but those patriots who have exposed the Bush administration evildoers by turning them in to the press.

Gonzales assured the nation during his televised appearance that the Bush administration respects freedom of the press. This is one of the most common contemporary rhetorical devices for attacking something – first praise it, then launch your "but..." In typical fashion, Gonzales explained that he respected freedom of the press, then went on: "But it can't be the case that that right trumps over the right that Americans would like to see, the ability of the federal government to go after criminal activity."

This "criminal activity," of course, doesn't encompass the high crimes of the Bush administration that have resulted in hundreds of thousands of deaths – only the supposed crime of blowing the whistle on the Bush administration's "classified" crimes.

I know I've been using the word a lot lately, but this certainly is the language of fascism – the belief that the "right" we hold most dear isn't our own right to dissent but the right to spectate as the government persecutes those who do dissent.

### **Fluff-lined bomb shelters**

It's hard to predict how far Gonzales will go with this witch-hunt. Journalism is the only profession named and protected by the US Constitution. There's a clear reason for this: When journalists do their jobs properly, they earn the ire of punks like Gonzales and Bush. That's why the Constitution protects the profession that in turn protects the Constitution. But laws protecting freedom of the press are only as good as the judiciary that interprets them. Now that the federal bench is stacked with onerously anti-constitutionalist Bush appointees that were rubberstamped by the same quisling Democrats who voted to approve Gonzales' appointment as attorney general, Gonzales' power may know no legal bounds.

In this environment the attorney general doesn't have to prosecute a single journalist to accomplish the Bush administration's goal of silencing the press. The mere threat is sufficient to send the Dan Rathers of the world scurrying silently into their fluff-lined bomb shelters. In reality the press is no longer in the business of breaking stories. They're in the business of selling advertising and making money. From time to time, in order to maintain credibility with their audience and maintain readership and viewers, they cover a real story – even one that might piss off a few advertisers. But don't expect them to risk jail and property seizure. Our corporate media isn't inclined to break tough stories. Threats to their comfort and security won't make them any more inclined to do what historically has been their job.

Gonzales may never be able truly to criminalize the free press, but he has already succeeded in intimidating the press. Ultimately, it's that intimidation that will fuel the most potent form of censorship in our society: self-censorship. Even if Gonzales were successful in criminalizing free speech, he still would never be able to silence it. To paraphrase the National Rifle Association, when free speech is outlawed, only outlaws will speak freely.

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