

Monday, July 14. 2008

When office-runners run roughshod over free speech.

Â Â Bill of Rights.Â (From the public domain.)Â Â Last Friday I blogged about the undemocratic aspects of the judicial branch of government. Of course, the remaining branches of government are hardly immune from undemocratic actions, which are repeated and rampantÂ by the executive and legislative branchesÂ at the federal, state and municipal levels. As just one of legions of examples, the 1968 Chicago police abuse of demonstrators during the Democratic presidential convention may have been extreme, but certainly was not the only instance of abuse of power by government that continues to this day. Â Unfortunately, candidates for elected office and high government officials repeatedly abdicate their responsibility to protect the First Amendment right of people to protest against them;Â and probably agree with the suppression and pretend to be unaware of such suppression, as if the suppression is being handled independently by the candidate's handlers (where does the buck stop?). Such suppression happens with both Tweedledee and Tweedledum parties. We see repeatedly see huge demonstration-rein zones during Democratic and Republican presidential conventions, backed by force, arrests and prosecutions. We saw such manhandling last September, when John Kerry kept droning on and on as an obnoxious questioner's microphone (he raised some valid points, though) was cut off, followed by cops manhandling him, and then tazing him when he would not go quietly. Clearly, Kerry knew the man's mike had been cut off and that the police had carted him away to leave a sanitized auditorium; Kerry did nothing, except to continue to drone. See my full blogtails here. Â Two Novembers ago, as then-Senator George Allen was about to be booted out of office, some of hisÂ goons shoved away a dissenter when he asked questions designed to make Allen win. See my full blog details here. Â Donald Rumsfeld -- who does not count me as a fan -- in this videoÂ uploaded by my lawyer brother Marc Randazza, shows how easy and essential it is for a government official to put the brakes on police otherwise chomping at the bit to wrongfully arrest a speaker exercising the First Amendment right to dissent.Â If politicians do not want to hear dissent, they should avoid public appearances and find another line of work; I am not holding my breath, lest I expire. Â Thanks to brother Randazza for continuing to follow the suppression of dissenters at politicians' political stops with this YouTube video showing the ongoing sanitizing of dissent by politicians at the expense of free expression, with the July 7 trespassing arrest/citation in Denver of a librarian holding a McCain=Bush sign as she waited to enter his so-called town hall meeting. (How is it a true town hall meeting if dissenters are ejected before they even enter?).Â Â This opinion piece in the Rocky Mountain News complains of an allegedÂ anti-McCain slantÂ in the coverage of the foregoing ejection of the anti-McCain dissenter. The writer, David Kopel, asserts that the woman was not on government property to be able to get First Amendment benefits. Opinion writer David Kopel says: "[A]ccording to the venerable left-wing magazine The Progressive (Dec. 12, 2007), police acting at the behest of the Obama campaign expelled three peaceful anti-nuclear waste protesters from the area outside a University of South Carolina stadium where Obama was scheduled to speak. Post columnist Susan Greene made a start at examining the Obama side of Colorado speech control. On Thursday, she wrote that 'Kreck's [the foregoing arrested librarian with the McCain=Bush sign]Â citation came the same day Englewood's police chief convinced the City Council to pass an anti-picketing ordinance meant to control protesters in August. A note written by the city's attorney's office inexplicably says the language of the measure was "recommended by the [Democratic National Committee.]'"Â Â Kopel likely is correct when he asserts that "the evidence suggests that when it comes to squashing protesters, McCain and Obama are two peas in a pod." Those peas should change their seasoning, and pronto. Jon Katz

Posted by Jon Katz in Constitutional Law at 00:05

This is the unfortunate state of things in politics today. Many judges and elected officials don't find it opportunistic to assist drug addicts, the homeless or the less fortunate, preferring to throw them in jail for petty crimes and send them down a path of destruction. This is a sad state of affairs, especially in urban areas like Los Angeles where people are in need of political figures who care more about peopel than jail population.

Anonymous on Jul 14 2008, 11:52