

Wednesday, April 11, 2007

Don Imus: Meet Michael Richards, Mel Gibson, Andrew Young, and George Allen.

The "First Amendment" should keep the FCC out of Imus-gate. (From the public domain.) Don Imus gets added to the long list of celebrities -- a list so long that I cannot keep up with it -- making outrageously insensitive comments about race, ethnicity, and gender. News coverage and commentary on Imus's pathetic comments is [here](#) and [here](#). I have not examined the story of Imus's bigoted comments closely enough to get a sense of the extent to which his radio network fired him out of any fear of any backlash from the Federal Communications Commission than to take a principled stand against such comments. Imus-gate presents a clash between my rabid anti-racist views and my free expression zealousness. It is not even easy for me to reconcile that clash by drawing a line between private entities penalizing their private employees for bigoted actions and words versus government getting involved, because drawing such a line would prevent employees of private companies from suing them for unlawful discrimination. Such employment discrimination lawsuits are permitted because of government-made laws enforced by government-run courts. I address this clash in the criminal court context [here](#). At minimum, I oppose the FCC getting involved with such matters. Jon Katz. **ADDENDUM: May 3, 2007:** CNN reports that Imus's contract with CBS called for him to be irreverent and controversial, and that he plans to file a lawsuit for breach of his contract. Pathetically and ironically, it is possible that Imus's pathetic comments were partly driven by his very desire to honor his contract.

Posted by Jon Katz in Jon's news & views at 00:20