

**THE BLOG**

FISA Is Ratings Poison

By Marty Kaplan

02/15/2008 10:06 am ET | Updated May 25, 2011

Friday morning, President Bush came out of a meeting with Republican Congressional leaders and blasted House Democrats for not performing precisely the kind of fellatio on his FISA bill that he had requested. His statement was designed to get Democrats-are-soft-on-terror into the news cycle as he headed off on Air Force I to Africa. It worked: the cable nets covered it live. And then, CNN cut away to DeKalb, Illinois, where, we were told, “CNN correspondents have fanned out” to explore every conceivable aspect of the tragedy of the shooter-suicide.

Imagine if, instead, after Bush’s statement, we were told that CNN correspondents had fanned out to cover every aspect of the FISA impasse. Instead of feeding us eye-witness accounts of the lone gunman, we would have heard firsthand accounts of telecom employees ordered to give spy agencies total electronic access to all Americans’ communications with one another. Instead of offering color about a quiet campus struck by tragedy, imagine if cable news had provided a timely explanation of the FISA law we already have, with its existing provisions for wiretaps with judicial review. Instead of reporters asking why this black-clad deranged student could have done such a terrible lawless thing, we would have had reporters asking why companies that caved under lawless government pressure should now be retroactively pardoned for their cravenness.

Yeah, I know why it doesn’t go down like that. FISA is old; DEATH IN ILLINOIS is new. FISA is words; DeKalb is pictures. Death-out-of-the-blue is a riveting, emotional story: it could happen, heaven forbid, to you. FISA is he-said/she-said yakkery, and if warrantless wiretapping could happen, out-of-the-blue, to innocent li’l you, you sure wouldn’t know it from the amount and kind of coverage civil liberties stories get. Illinois is Nielsens; FISA followup — is Bush really right? — is change-the-channel.

The two stories waging an unequal fight for airtime come together in this: the Illinois shooter proved a key point about terrorism. Random, horrifying violence attracts cameras like carrion attracts vultures. Every time George W. Bush whines petulantly about Democrats not pleasuring him exactly the way he demands, the power of his fear-mongering derives from the same media ecosystem that empowers all terrorists, whether at Ground Zero or Cole Hall. It’s not their just ability to commit atrocity that makes them cast long shadows; it’s insatiable capacity of media and its audience to pander to our appetite for sensation and our boredom with depth. Our species might have evolved a lot more happily if our limbic system got off as much on real knowledge as it does on real gore.