

The acquittal of Casey Anthony

By David Walsh
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The acquittal Tuesday of 25-year-old Casey Anthony in Orlando, Florida, on charges of murdering her young daughter in June 2008, points to a fact of some social significance. While the authorities and the media in the US regard democratic norms and elementary legal safeguards as obstacles to be gotten around, the population by and large still takes these matters seriously.

The Anthony case has been at the center of the most recent American media frenzy, by now a thoroughly predictable and deplorable phenomenon. Cable television talk show hosts, such as Nancy Grace of CNN's *Headline News*, did everything in their power over the course of months to blacken Anthony's name and bring about her conviction. These are scoundrels without a shred of decency.

Anthony's daughter Caylee (nearly three years old at the time) disappeared in June 2008 and her skeletal remains were not discovered until December of that year. No cause of death could be determined. The child was reported missing to the police by her grandmother in July. When questioned, Casey Anthony first told investigators that the girl's nanny had kidnapped her. This claim turned out to be false.

Anthony was indicted by a grand jury on charges of first degree murder in October 2008, and in April 2009 Florida prosecutors announced they would seek the death penalty. Casey Anthony has maintained her innocence over the past three years.

In the course of the trial, which began May 9, the prosecution attempted to paint Casey Anthony in the darkest colors, as a neglectful mother and loose woman, but in the end, as Judge John Carroll, Dean of the Cumberland School of Law in Birmingham, Alabama, pointed out, "they couldn't prove when the child was killed, or who killed the child, or exactly how the child was killed."

The jurors, to their credit, applied law and reason, not emotions, to reaching a verdict. They proceeded conscientiously, considered the instructions they had been given, and weighed the very serious outcome of finding Casey Anthony guilty when no conclusive proof had been presented that a crime had even occurred.

The tabloids and cable channel hosts, such as Grace, are not interested in "justice" in any modern, evolved sense of the word. Their conception is a quasi-religious one, rooted in vengeance and vindictiveness. Why not reinstitute trial by

combat or trial by ordeal? Asked about Grace in an interview on ABC News Thursday, juror Jennifer Ford remarked, "I have no comment on Nancy Grace ... it's not fit for television."

Even the Assistant State Attorney Jeff Ashton, who led the prosecution, acknowledged in an interview on NBC Today Show Thursday morning that it had been a difficult case and that no one would ever know for sure what happened to Caylee Anthony. He said the jury's decision "came down to the evidence. I think ultimately it came down to the cause of death."

Given the failure of the prosecution to prove Anthony guilty beyond a reasonable doubt, the jurors felt they had little choice. It did not take them long on Tuesday to reach not guilty verdicts on charges of first-degree murder, aggravated child abuse, and aggravated manslaughter. Anthony was found guilty of four counts of providing false information to police officers, a misdemeanor, and sentenced to four years in prison. She will be released next Wednesday, having already spent three years in jail (far more time than an individual would normally serve for such a conviction) and with time off for good behavior taken into account.

The jurors' decision, seemingly a sensible and rational one, took the legal and media establishment by surprise. It was something of a slap in the face for them. Having let loose the cable television and tabloid bloodhounds against Casey Anthony, they expected the jury to fall into line. The twelve men and women, to their credit, exercised some independent judgment.

Anthony is obviously a troubled young woman, as suggested by some accounts of her family and family history. A tragedy occurred in 2008 that resulted in the little girl's shocking death. No one, aside from the responsible party or parties, knows for certain what happened.

The death penalty is a barbaric measure. To propose executing an individual largely on the basis of supposition and conjecture would be an especially egregious miscarriage of justice. The prosecutors and media talking heads had no difficulty with that, but the jury members did. As defense attorney Jack Crawford bluntly observed, "the commentators on TV were looking for the right vein to hook up the lethal injection needle ... A lot of folks had her convicted, but the twelve people that mattered kept an open mind."

Criminal cases such as Casey Anthony's (or, alternately, sex

scandals á la Anthony Weiner), with the orchestrated public “fascination” and, where applicable, “outrage” that surround them, have become one of the favored means by which the American ruling elite attempts to manipulate and debase popular opinion.

There is no shortage of mass anger and dissatisfaction in the US, whose principal source, in the final analysis, is the rapid deterioration and even breakdown of the conditions of everyday life. The monopoly of the political discourse by two right-wing, pro-business parties, impervious to popular suffering, precludes honest and healthy debate over any important social matter. Desperate to divert attention from the growing social disaster, the media seeks to provide seething discontent a malignant outlet.

Individuals who may feel helpless about the overall state of life or their own personal circumstances are encouraged to vent their frustration at officially chosen scapegoats. The American mass media, useless as it is when it comes to presenting the truth about contemporary events, is skilled at sniffing out the vulnerable, the wretched, the damaged soul whose personal misfortunes will serve for a week or a month to distract the most confused layers of the population—those layers, ironically, most similar in their social and psychological vulnerability to the chosen victim! Many of the individuals now shouting or emailing “Justice for Caylee!” are really demanding, only falsely and not understanding why they are outraged, justice for themselves. The only consequence of such a campaign is more law-and-order hysteria, new reactionary laws, and the further mystification of social reality.

Attempts to whip up a lynch mob mood against Casey Anthony or some other have become the lifeblood of the cable channels as they pollute the public consciousness and battle one another for ratings.

A Reuters article July 6 noted that “the entire cable landscape—and now the broadcast news networks—seem to have gotten drunk” on the Anthony trial. The cynical piece goes on, “Why does this case get such coverage? Answer: Ratings, ratings, ratings.” More concretely, the Anthony trial became “such a media circus” in the first place because of “the usually slow summer news cycle—with the Anthony Weiner scandal winding down in mid-June, the Casey Anthony trial was there to fill the void.”

Reuters points to the role of Headline News (HLN) and Nancy Grace in particular. “When the trial started in late May, HLN was mired in a ratings slump, facing a double-digit dip in ratings year-to-year. Grace’s passion became the channel’s way of ending its slump.”

Al Tompkins, senior faculty member for the Poynter Institute’s broadcasting and online group, told the wire service, “It’s just unforgivable the amount of vitriol that has come from her show [and] that has now permeated the entire channel ... There was no room for them for anything other than a guilty verdict.”

Grace, a former prosecutor in Georgia who was cited three times by appellate courts for misconduct (a Bush-appointed judge wrote that she “played fast and loose” with the rules), has made a name for herself as a demagogue and scandalmonger.

Grace’s coverage of the Anthony case was outrageous. She convicted Anthony on her program every night for months. On April 28, for example, she mused, “I believe that Caylee’s body was in her [Casey Anthony’s] car trunk for a period of days ... I think that she moved the body prior to being put behind bars. I don’t think she ever had a chance to go back and move anything.” Grace did not provide the slightest proof for these allegations.

On her June 27 program, the HLN host discussed the defense’s attempts to have Casey Anthony declared mentally unfit to continue standing trial: “We learn tot mom [Grace’s insulting nickname for Anthony] wants to bring this trial to a screeching halt, claiming she’s too mentally ill—street word, ‘crazy’—to go on.” Over video footage of Anthony in court, Grace went on, “Look at tot mom in court. There’s the real tot mom. But then when [attorney Jose] Baez slides over, she realizes the camera’s on her, so she stops that horrific, evil-looking face she’s making ... Yes, she’s crazy like a fox!”

Responding to a guest’s comment that Casey Anthony was “a young woman who’s now fighting for her life in the middle of a very stressful situation,” Grace commented, “You know what I think would be stressful ... I think it’d be stressful to see three black garbage bags sitting beside you and see your mommy coming at you with some duct tape. That’s stressful!”

The venom continues unabated. Her thorough discrediting in the Anthony case will have no effect. And there is nothing to choose between Grace and a dozen others. These are the professional befoulers of the public consciousness, viciously anti-democratic zealots, fascistic elements.

The main body of the American media, including Grace and her ilk, embody what is worst in American life. They relish the spectacle of a death sentence, to gain ratings, to demoralize the population. Part of Grace’s verbal violence is aimed at intimidating juries. Fortunately, the overwhelming majority of the American people do not operate at the moral level of these figures.

The Casey Anthony jury followed its best instincts, but to defeat hardened reaction in America demands more than that, the growth of socialist understanding and conscious opposition to the rotten social order that breeds such filth.

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