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Gagged, But Not Dead

by Sibel Edmonds  
May 16, 2005



The Appeal Court's decision on Sibel Edmonds' Case is out: "Case Dismissed. No opinion cited; no reason provided. The Court's decision, issued on Friday, May 6, has generated a string of obituaries; another major blow, maybe the last one, to Sibel Edmonds, a woman who has faced an unprecedented level of government secrecy, gag orders, and classification." Well, dear friends and supporters, Sibel Edmonds may be gagged, but she's not dead.

On October 18, 2002; three months after I filed my suit against the Department of Justice for unlawful termination of my employment caused by my reporting criminal activities committed by government officials and employees, John Ashcroft, the then Attorney General, invoked a rarely invoked privilege, the State Secrets Privilege. According to Ashcroft, everything involving my case and my allegations were considered state secrets, and whether or not I was right in my allegations, the United States District Court had to dismiss my entire case without any questions, hearings or oral argument; period. According to Ashcroft, the court had to grant his order and dismiss the entire case with no hearings solely based on the fact that he, Ashcroft, said so. After all, our government knew best. As of that day, my case came to be gagged; but I continued on.

In April 2004, after attorneys for a large group of 9/11 family members subpoenaed my deposition, the then Attorney General, John Ashcroft, made his next move: He invoked the state secrets privilege for the second time, and this time, he designated my place of birth, date of birth, my mother tongue, my father tongue, my university background, and my previous employments all State Secrets, Top Secret Classified, and matters of the highest level national security...

Let's see, based on this new ruling and designation by our ironically named Justice Department, my passport would be considered a "Top Secret" document since it contains my place of birth, information considered state secrets. According to our government officials my Virginia driving license would be considered a "Top Secret" document, since it contains my date of birth, information considered state secrets and classified. Well, heck, even my resume would be considered "Top Secret" since it contains my linguistic credentials and my degrees. As of that day, I officially became a notoriously gagged whistleblower; but I continued on.

In May 2004, two years after two ranking senators (bipartisan) had publicly, and in public records and documents, announced me credible and my case and allegations confirmed and supported, the emboldened then Attorney General, struck again. This time, he, John Ashcroft, decided to gag the entire Congress on anything that had to do with Sibel Edmonds and her case. He ordered two ranking senators to take everything referring to me off their websites; he ordered them to consider all documents and letters related to my case "Top Secret," and he commanded that they, the Congress, shut their mouth on any issue that in any way referred or related to me. Our senators obliged, disregarding the principles of the separation of powers, not honoring the United States Constitution, and not respecting their own prestige and status. As of that day, the United States Congress became officially gagged

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on Sibel Edmonds; but I continued on.

In June 2004, the United States District Court bowed to his highness, representative of our Executive Branch, John Ashcroft, and announced its decision to no longer honor the Constitution as it relates to citizens--right to due process: it dismissed the case and excused itself from providing any real explanation, due to any possible explanation, or lack of explanation, being classified as "Top Secret," and "State Secrets." Our court system too was not willing to stand up for its authority and its separation from the executive branch. In other words, the District Court willingly allowed itself to be gagged; but I continued on.

In July 2004, after two years of unexplained foot dragging, the Department of Justice Office of the Inspector General, announced its long over due investigation of Sibel Edmonds--"case complete," and issued its report. The further empowered and emboldened then Attorney General stepped in on that same day and gagged his own Inspector General's findings and report by classifying the entire report as secret. The so called independent investigatory entity, the Inspector General, wrapped and duct taped its report, bowed, and left the scene now that it was formally and officially gagged on my case; but I continued on.

On April 21, 2005, for the first time in these three gagged years, my attorneys and I finally had, or thought we had, our day in court for our hearing before Appellate Court Judges. Just hours before our hearing, these judges issued an unexpected ruling, barring all reporters and the public from the courtroom for the Edmonds' Case hearing. Numerous media related entities tried to flex their lately weakened muscles and filed their motion to oppose this ruling. The judges denied their motion, and cited no reason; when asked for a reason they responded that they didn't have to provide any reason.

Everyone was kicked out of the courtroom; except for me, my attorneys, and the large troop of attorneys from the Department of Justice. All the doors to the courtroom were locked and guards were placed in front of each door to watch out for eavesdroppers. Then came the next shock: after bypassing our brief, asking a couple of puzzling and irrelevant questions, and allowing my attorneys 10 minutes or so of response, the Appellate judges asked my attorneys and me (the plaintiff) to leave the courtroom, so that the government attorneys could secretly answer questions and make their argument. The guards escorted us, the plaintiff, out, locked the doors, and stood there in front of the courtroom and watched us for about fifteen minutes. So much for finally having my day in court; here I was, with my attorneys, standing outside the courtroom and being guarded, while in there, three judges were having a cozy mingling session with a large troop of government attorneys. Then, it was over; that was it; we were told to leave. In other words, my attorneys and I were barred from being present in our own court hearing, and my case remained covered up and gagged; but I continued on.

On May 6, two weeks after the Kafkaesque court procedure, my attorneys and I were given the verdict: The lower court's decision was upheld, meaning my entire case, whether or not we had an Inspector General's Report that confirmed my allegations, whether or not we had several congressional letters confirming my case and my allegations, was prevented from proceeding in court due to some unspecified "State Secrets," and unexplained secrecy that applied to everything that had to do with me and my case; which were so secret that even the judges could not hear or see. In fact, the Appellate judges in my case did not cite any opinion or reason, because even the opinion itself would have been considered secret.

Doesn't this mean that the Appellate court and these three judges were in effect gagged? It appears so, but I will continue on.

In the past three years, I have been threatened; I have been gagged several times; I have continuously been prevented from pursuing my due process; all reports and investigations looking into my case have been classified; and every governmental or investigative authority dealing with my case has been shut up. According to legal experts familiar with my case, the level of secrecy and classification in my court case and the attitudes and handling of the court system in dealing with my case is unprecedented in the entire U.S. court history. According to other experts I am one of the most, if not the most,

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### Crucial Reading



gagged woman anybody knows of or has heard of. Why?

Those of you who still think this case, my case, is about covering up some administrative blunder or bureaucratic mismanagement, please think again.

Those of you who may think that my Kafkaesque case, the unprecedented secrecy, is due to some justified and official higher reasons, please think again.

Those of you who may think that our government, our entrusted leaders, may have an ongoing investigation of criminals involved, please think again.

The Office of Inspector General for the Department of Justice, in its "Unclassified Report," has confirmed my core allegations. What were those core allegations, and who did they involve? Not only some low-level terrorist or terrorist organization; not only some "maybe" critical foreign entities. No; trust me; they would not go to this length to protect some nobody criminal or terrorist.

It is way past time for a little bit of critical thinking. The Attorney General cites two reasons to justify the unconstitutional and panic driven assault on me and my case. Reason one: To protect certain diplomatic relations - not named since obviously our officials are ashamed of admitting to these relations. Reason two: To protect certain U.S. foreign business relations. Let's take each one and dissect it. (I have given up on our mass media to do that for us!) For reason one, since when is the Department of Justice, the FBI, in the business of protecting US sensitive diplomatic relations??? They appear to be acting as a mouthpiece for the Department of State. Now, that's one entity that has strong reasons to cover up, for its own self, what will end up being a blunder of mammoth scale. Not internationally; not really; it is the American people and their outrage they must be worried about; they wouldn't want to have a few of their widely recognized officials being held criminally liable, would they?

As for reason two, I can assure you that the U.S. foreign business relations they may be referring to are not among those that benefit the majority of the American people; a handful of MIC entities and their lobbying arms can by no means be considered that, can they? In fact, the American people, their national safety and security, and their best interests are being sacrificed for a handful of those with their foreign business interests. Also, since when are nuclear black market-related underground activities considered official U.S. foreign business?

If you want to have the answers to these questions, please approach your Congress and ask your representatives for hearings - not behind closed doors quasi hearings - but open, public hearings where these questions can be asked and answered.

And lastly, for those of you who may think that since I have been gagged and stopped by almost all available official channels, I must be ready to vaporize into thin air, please think again. I am gagged, but not dead; not yet.

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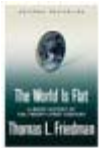
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