

KeyOpinion

Enough is Enough

Richard L. Hershatter
Contributing Columnist

*When there's been a sneak attack
Like a knife stabbed in the back,
We'll react so that the enemy will pay;
But we have to keep in mind
We don't want to ever find
That we've lost our precious freedoms on the way.*

American democracy is not perfect, but it represents the best form of government devised by the minds of men.

The founding fathers, who labored long over the terms of the Declaration of Independence and the safeguards to freedom enshrined in the Constitution, ensured that the fledgling nation wrested from the grasp of England's monarchy would remain a government of, by and for the people.

Their foresight resulted in what is today the freest, most powerful, nation on earth.

When confronted by perfidy, however, the United States has sometimes acted out of outrage, grief and — yes — fear, with actions that contravene the clear mandates laid down by the heroes of our revolution.

One such event occurred in December of 1941, after the Japanese sneak attack on Pearl Harbor, when President Franklin Roosevelt declared a "Day of Infamy," and ordered the internment of tens of thousands of citizens — men, women and children — merely because their antecedents had come from Japan.

The rationale was that the perfidious attack represented a "different kind of war," and persons of Japanese descent could very well be spies. The end result was a moral stain on this country's history that will remain on the books for all time.

More recently, the outrageous events of 9-11, conducted by a group of brain-washed nut cases under the leadership of a deranged Saudi, created a "Day of Infamy"

whose one day toll far surpassed the death, injury and damage inflicted on this country during that December raid over half a century earlier.

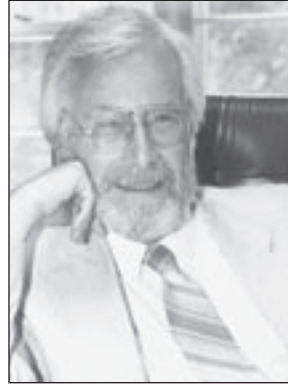
Our immediate reaction was appropriate, sending our armed forces into Afghanistan to seek out and bring Osama bin Laden and the rest of the ringleaders to justice. Some have been apprehended, but our troops have been stretched thin by the diversion into Iraq, so the search remains ongoing, extending as far as the highlands of Pakistan.

During the course of our initial sweeps, the military gathered thousands of prisoners, labeled "enemy combatants," and imprisoned them at camps located at Guantanamo Bay, and elsewhere away from the scene of action.

Some had been found at bin Laden's training camps; others were turned in by informers seeking the bounty provided by our government. Some were undoubtedly "enemy combatants." Many may have been innocents caught in the crossfire — people guilty of nothing more than being in the wrong place at the wrong time.

Today, four and a half years after the events of 9-11, many remain interned, including nearly 500 at the Guantanamo base. Clearly, we have had more than enough time to squeeze any worthwhile intelligence out of them. Whatever has not been gleaned is necessarily stale and of limited value after all this time.

One of the basic tenets of our constitutional system is access to justice. Accused are guaranteed counsel and "speedy" trials. Every freshman law student is taught jurist William Blackstone's dictum that it is "better that 10 guilty persons escape than that one innocent suffer."



Every federal and state official, elected or appointed, takes an oath to uphold, protect and defend the Constitution of the United States.

The 9-11 prisoners, however, have been placed in a unique category — denied access to the justice system and even to visits from the International Red Cross. Last week, desperate and without hope, three of the detainees committed suicide.

The government reports that there are some who are eligible for release, but authorities are hesitant to release them because their "home governments will not promise not to mistreat them." (As though our handling of these prisoners was so exemplary. Abu Ghraib, anyone?)

The incumbent president's justification for constitutional lapses, including the recent revelation of warrantless wiretaps on our telephones, is that the U.S. is fighting "a different kind of war."

It's an interesting stratagem, but if one goes back in history, we have heard that song before.

The British complained, in 1776, that we were fighting a "different kind of war" — unfair, sneaking shots from behind trees by irregulars who weren't even wearing proper (redcoat) uniforms and did not proceed in ranks like good soldiers.

The Germans, during World War II, reacted viciously to the "different kind of war" waged by French, Czech and Polish non-uniformed civilians behind the lines who called themselves "freedom fighters" in defense of their homeland.

And what about the "sneaky" Viet Cong with their tunnels behind the lines during the Vietnam War, ambushing our troops from any direction when least expected? If that was "a different kind of war," then President Nixon was justified in a warrantless search of Democratic Headquarters at the Watergate, since their plans might have disrupted his position as Commander-in-Chief during wartime. Impeachment would not have been warranted and his resignation was unnecessary.

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Around the World in 800 Words

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Contributing Columnist

There are things in this world that I don't understand — many things. I wonder why SNN Channel 6 can, on one hand, have the best hurricane coverage with David Karnes and then, on the other hand, have the worst news production of any station in the United States. They seem to record news segments and play them over and over and over again. During the recent hurricane watch they had a segment about, of all things, varicose veins and how to fix them. Some poor woman who had used the new procedure was shown time after time saying, "I wish I had done it a year ago." I found myself also wishing she had done it a year ago so we wouldn't have to watch the segment this year. Of course you don't need to watch SNN because the Weather Channel also covers what we euphemistically call, "tropical events." But they wear a bit thin with those shots of an announcer standing on "hurricane ground zero" saying things like, "Its quiet now, but we expect all hell to break loose later."

I am beginning to wonder why I have to "press 1 to proceed in English" when I call some customer service number or use an ATM. Why the hell should I have to press anything to proceed in English in my own country? The immigration thing is close to getting out of control and we aren't even getting the benefits that might naturally occur. When American lost to the Czech Republic 3 — 0 in the World Cup, I couldn't help be wonder if somewhere, among all the illegal Mexican immigrants, there might not be two or three soccer players. Would it hurt President Vicente Fox to send us a couple who might improve our chances in the World Cup? Right now our performances border on the embarrassing.

At least the Iranians are not laughing at us — I mean our soccer team. It is not because they are so much more sympathetic to our cause than the rest of the world. They are not laughing because the Mullahs have forbidden the benighted citizenry of that country to even watch soccer. It seems watching soccer is not something a good Muslim is supposed to do in his spare time. Muslims are not always wrong. How can anyone

want to watch a sport where a 1 to 0 lead is considered insurmountable? Give this one to the Iranian religious-right.

But the Mullahs aren't right very often and they are never as wrong as when they prohibit women from either discussing or getting treatment for breast cancer. It seems it is inappropriate for women to discuss such things with anyone but their husband. So, if you are woman in Iran, you had better hope you marry a cancer specialist. You can bet there is no prohibition against men discussing and getting treatment for prostate cancer.

When Florida Gov. Jeb Bush signed the emergency proclamation for Alberto, the anti-price gouging laws went into effect. I really don't understand why our political leaders think this is a good idea. Experience has taught us that government controls on price usually do nothing but limit supply. In the 1970s and 1980s, only New York and Baltimore had rent control on housing. It was more than a coincidence that New York and Baltimore were the only two cities that had a housing shortage. When President Carter, in one of his few bright moments, proposed deregulation of natural gas prices, the "poverty maven's" lobby trotted out the usual claims that women, children and grandmothers would not be able to afford natural gas and they would all die horrible freezing deaths in their rent-controlled apartments. Natural gas was deregulated and, wonder of wonders, the supply went up and the price went down.

The shortage of generators was a real problem after hurricane Charlie; so a few entrepreneurs bought generators in other areas and trucked them down to Florida. If you recall, these people asked a premium price for the generators and this outraged some people. So the entrepreneurs were arrested and the generators were



confiscated. The problem here is, just how do you determine how much profit is "gouging"? Then, if you are ready to tell a merchant his profit is limited in the face of increased demand, are you ready to give him price supports if a surplus of generators makes him drop the price in order to move the merchandise? If not, leave him alone from the start.

Some time ago I warned you that once the "smoking demon" had been exorcised by the "health fascists," they would come after the lovers of chocolate and other fattening foods. You laughed then, but now the laugh dies in your throat. Radio talk show host, Neil Boortz, reported that a group of doctors met in Chicago and came up with a series of resolutions. Boortz reported, "Some of their proposals are things like calling for the amount of salt in processed foods to be cut in half. But this year they've decided to jump into the realm of taxation." This year they want a "fat tax" to pay for a public health campaign against obesity. They also want to tax corn syrup, which is used in just about everything you find in the supermarket. For those who like salt in their food, chocolate for dessert, coffee after dinner and even a cigar, your time is limited. Don't expect help from the complaint public. Any call for help will be met with, "Who cares. We want to see pictures of Brad and Angelina's baby."

I also wonder what in the world is going on in England — our model and Mother Country. A London newspaper, The Telegraph, reported that the British police are warned against excessive use of wanted posters so as to not violate the criminal's privacy. There just isn't much you can add to that nonsense. Frankly, we expected more from the descendents of Elizabeth I, Disralie and Winston Churchill.

One also has to wonder about the current argument about capital punishment. Some contend the drugs used in the execution process might hurt a bit. Makes you wonder why the person administering the drug cleanses the arm with alcohol before administering the drug. It would seem if you have been convicted of multiple mur-

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