

Congressman Ron Paul, House of Representatives, November 29, 2001

Keep Your Eye on the Target

Mr. Speaker:

We have been told on numerous occasions to expect a long and protracted war. This is not necessary if one can identify the target- the enemy- and then stay focused on that target. It's impossible to keep one's eye on a target and hit it if one does not precisely understand it and identify it. In pursuing any military undertaking, it's the responsibility of Congress to know exactly why it appropriates the funding. Today, unlike any time in our history, the enemy and its location remain vague and pervasive. In the undeclared wars of Vietnam and Korea, the enemy was known and clearly defined, even though our policies were confused and contradictory. Today our policies relating to the growth of terrorism are also confused and contradictory; however, the precise enemy and its location are not known by anyone. Until the enemy is defined and understood, it cannot be accurately targeted or vanquished.

The terrorist enemy is no more an entity than the "mob" or some international criminal gang. It certainly is not a country, nor is it the Afghan people. The Taliban is obviously a strong sympathizer with bin Laden and his henchmen, but how much more so than the government of Saudi Arabia or even Pakistan? Probably not much.

Ulterior motives have always played a part in the foreign policy of almost every nation throughout history. Economic gain and geographic expansion, or even just the desires for more political power, too often drive the militarism of all nations. Unfortunately, in recent years, we have not been exempt. If expansionism, economic interests, desire for hegemony, and influential allies affect our policies and they, in turn, incite mob attacks against us, they obviously cannot be ignored. The target will be illusive and ever enlarging, rather than vanquished.

We do know a lot about the terrorists who spilled the blood of nearly 4,000 innocent civilians. There were 19 of them, 15 from Saudi Arabia, and they have paid a high price. They're all dead.

So those most responsible for the attack have been permanently taken care of. If one encounters a single suicide bomber who takes his own life along with others without the help of anyone else, no further punishment is possible. The only question that can be raised under that circumstance is why did it happen and how can we change the conditions that drove an individual to perform such a heinous act.

The terrorist attacks on New York and Washington are not quite so simple, but they are similar. These attacks required funding, planning and inspiration from others. But the total number of people directly involved had to be relatively small in order to have kept the plans thoroughly concealed. Twenty accomplices, or even a hundred could have done it. But there's no way thousands of people knew and participated in the planning and carrying out of this attack. Moral support expressed by those who find our policies offensive is a different matter and difficult to discover. Those who enjoyed seeing the U.S. hit are too numerous to count and impossible to identify. To target and wage war against all of them is like declaring war against an idea or sin.

The predominant nationality of the terrorists was Saudi Arabian. Yet for political and economic reasons, even with the lack of cooperation from the Saudi government, we have ignored that country in placing blame. The Afghan people did nothing to deserve another war. The Taliban, of course, is closely tied to bin Laden and al-Qaeda, but so are the Pakistanis and the Saudis. Even the United States was a supporter of the Taliban's rise to power, and as recently as August of 2001, we talked oil pipeline politics with them.

The recent French publication of *bin Laden, The Forbidden Truth* revealed our most recent effort to secure control over Caspian Sea oil in collaboration with the Taliban. According to the two authors, the economic conditions demanded by the U.S. were turned down and led to U.S. military threats against the Taliban.

It has been known for years that Unocal, a U.S. company, has been anxious to build a pipeline through northern Afghanistan, but it has not been possible due to the weak Afghan central government. We should not be surprised now that many contend that the plan for the UN to "nation build" in Afghanistan is a logical and important consequence of this desire. The crisis has merely given those interested in this project an excuse to replace the government of Afghanistan. Since we don't even know if bin Laden is in Afghanistan, and since other countries are equally supportive of him, our concentration on this Taliban "target" remains suspect by many.

Former FBI Deputy Director John O'Neill resigned in July over duplicitous dealings with the Taliban and our oil interests. O'Neill then took a job as head of the World Trade Center security and ironically was killed in the 9-11 attack. The charges made by these authors in their recent publication deserve close scrutiny and congressional oversight investigation- and not just for the historical record.

To understand world sentiment on this subject, one might note a comment in *The Hindu*, India's national newspaper- not necessarily to agree with the paper's sentiment, but to help us better understand what is being thought about us around the world in contrast to the spin put on the war by our five major TV news networks.

This quote comes from an article written by Sitaram Yechury on October 13, 2001:

The world today is being asked to side with the U.S. in a fight against global terrorism. This is only a cover. The world is being asked today, in reality, to side with the U.S. as it seeks to strengthen its economic hegemony. This is neither acceptable nor will it be allowed. We must forge together to state that we are neither with the terrorists nor with the United States.

The need to define our target is ever so necessary if we're going to avoid letting this war get out of control.

It's important to note that in the same article, the author quoted Michael Klare, an expert on Caspian Sea oil reserves, from an interview on Radio Free Europe: "We (the U.S.) view oil as a security consideration and we have to protect it by any means necessary, regardless of other considerations, other values." This, of course, was a clearly stated position of our administration in 1990 as our country was being prepared to fight the Persian Gulf War. Saddam Hussein and his weapons of mass destruction only became the issue later on.

For various reasons, the enemy with whom we're now at war remains vague and illusive. Those who commit violent terrorist acts should be targeted with a rifle or hemlock- not with vague declarations, with some claiming we must root out terrorism in as many as 60 countries. If we're not precise in identifying our enemy, it's sure going to be hard to keep our eye on the target. Without this identification, the war will spread and be needlessly prolonged.

Why is this definition so crucial? Because without it, the special interests and the ill-advised will clamor for all kinds of expansive militarism. Planning to expand and fight a never-ending war in 60 countries against worldwide terrorist conflicts with the notion that, at most, only a few hundred ever knew of the plans to attack the World Trade Center and the Pentagon. The pervasive and indefinable enemy- terrorism- cannot be conquered with weapons and UN nation building- only a more sensible pro-American foreign policy will accomplish this. This must occur if we are to avoid a cataclysmic expansion of the current hostilities.

It was said that our efforts were to be directed toward the terrorists responsible for the attacks, and overthrowing and instituting new governments were not to be part of the agenda. Already we have clearly taken our eyes off that target and diverted it toward building a pro-Western, UN-sanctioned government in Afghanistan. But if bin Laden can hit us in New York and DC, what should one expect to happen once the US/UN establishes a new government in Afghanistan with occupying troops. It seems that would be an easy target for the likes of al Qaeda.

Since we don't know in which cave or even in which country bin Laden is hiding, we hear the clamor of many for us to overthrow our next villain- Saddam Hussein- guilty or not. On the short list of countries to be attacked are North Korea, Libya, Syria, Iran, and the Sudan, just for starters. But this jingoistic talk is foolhardy and dangerous. The war against terrorism cannot be won in this manner.

The drumbeat for attacking Baghdad grows louder every day, with Paul Wolfowitz, Bill Kristol, Richard Perle, and Bill Bennett leading the charge. In a recent interview, U.S. Deputy Defense Secretary Paul Wolfowitz, made it clear: "We are going to continue pursuing the entire al Qaeda network which is in 60 countries, not just Afghanistan." Fortunately, President Bush and Colin Powell so far have resisted the pressure to expand the war into other countries. Let us hope and pray that they do not yield to the clamor of the special interests that want us to take on Iraq.

The argument that we need to do so because Hussein is producing weapons of mass destruction is the reddest of all herrings. I sincerely doubt that he has developed significant weapons of mass destruction. However, if that is the argument, we should plan to attack all those countries that have similar weapons or plans to build them- countries like China, North Korea, Israel, Pakistan, and India. Iraq has been uncooperative with the UN World Order and remains independent of western control of its oil reserves, unlike Saudi Arabia and Kuwait. This is why she has been bombed steadily for 11 years by the U.S. and Britain. My guess is that in the not-too-distant future, so-called proof will be provided that Saddam Hussein was somehow

partially responsible for the attack in the United States, and it will be irresistible then for the U.S. to retaliate against him. This will greatly and dangerously expand the war and provoke even greater hatred toward the United States, and it's all so unnecessary.

It's just so hard for many Americans to understand how we inadvertently provoke the Arab/Muslim people, and I'm not talking about the likes of bin Laden and his al Qaeda gang. I'm talking about the Arab/Muslim masses.

In 1996, after five years of sanctions against Iraq and persistent bombings, CBS reporter Lesley Stahl asked our Ambassador to the United Nations, Madeline Albright, a simple question: "We have heard that a half million children have died (as a consequence of our policy against Iraq). Is the price worth it?" Albright's response was "We think the price is worth it." Although this interview won an Emmy award, it was rarely shown in the U.S. but widely circulated in the Middle East. Some still wonder why America is despised in this region of the world!

Former President George W. Bush has been criticized for not marching on to Baghdad at the end of the Persian Gulf War. He gave then, and stands by his explanation today, a superb answer of why it was ill-advised to attempt to remove Saddam Hussein from power- there were strategic and tactical, as well as humanitarian, arguments against it. But the important and clinching argument against annihilating Baghdad was political. The coalition, in no uncertain terms, let it be known they wanted no part of it. Besides, the UN only authorized the removal of Saddam Hussein from Kuwait. The UN has never sanctioned the continued U.S. and British bombing of Iraq- a source of much hatred directed toward the United States.

But placing of U.S. troops on what is seen as Muslim holy land in Saudi Arabia seems to have done exactly what the former President was trying to avoid- the breakup of the coalition. The coalition has hung together by a thread, but internal dissention among the secular and religious Arab/Muslim nations within individual countries has intensified. Even today, the current crisis threatens the overthrow of every puppet pro-western Arab leader from Egypt to Saudi Arabia and Kuwait.

Many of the same advisors from the first Bush presidency are now urging the current President to finish off Hussein. However, every reason given 11 years ago for not leveling Baghdad still holds true today- if not more so.

It has been argued that we needed to maintain a presence in Saudi Arabia after the Persian Gulf War to protect the Saudi government from Iraqi attack. Others argued that it was only a cynical excuse to justify keeping troops to protect what our officials declared were "our" oil supplies. Some have even suggested that our expanded presence in Saudi Arabia was prompted by a need to keep King Fahd in power and to thwart any effort by Saudi fundamentalists to overthrow his regime.

Expanding the war by taking on Iraq at this time may well please some allies, but it will lead to unbelievable chaos in the region and throughout the world. It will incite even more anti-American sentiment and expose us to even greater dangers. It could prove to be an unmitigated disaster. Iran and Russia will not be pleased with this move.

It is not our job to remove Saddam Hussein- that is the job of the Iraqi people. It is not our job to remove the Taliban- that is the business of the Afghan people. It is not our job to insist that the next government in Afghanistan include women, no matter how good an idea it is. If this really is an issue, why don't we insist that our friends in Saudi Arabia and Kuwait do the same thing, as well as impose our will on them? Talk about hypocrisy! The mere thought that we fight wars for affirmative action in a country 6,000 miles from home, with no cultural similarities, should insult us all. Of course it does distract us from the issue of an oil pipeline through northern Afghanistan. We need to keep our eye on the target and not be so easily distracted.

Assume for a minute that bin Laden is not in Afghanistan. Would any of our military efforts in that region be justified? Since none of it would be related to American security, it would be difficult to justify.

Assume for a minute that bin Laden is as ill as I believe he is with serious renal disease, would he not do everything conceivable for his cause by provoking us into expanding the war and alienating as many Muslims as possible?

Remember, to bin Laden, martyrdom is a noble calling, and he just may be more powerful in death than he is in life. An American invasion of Iraq would please bin Laden, because it would rally his troops against any moderate Arab leader who appears to be supporting the United States. It would prove his point that America is up to no good, that oil and Arab infidels are the source of all the Muslims' problems.

We have recently been reminded of Admiral Yamamoto's quote after the bombing of Pearl Harbor in expressing his fear that the event "Awakened a sleeping giant." Most everyone agrees with the prophetic wisdom of that comment. But I question the accuracy of drawing an analogy between the Pearl Harbor event and the World Trade Center attack. We are hardly the same nation we were in 1941. Today, we're anything but a sleeping giant. There's no contest for our status as the world's only economic, political and military super power. A "sleeping giant" would not have troops in 141 countries throughout the world and be engaged in every conceivable conflict with 250,000 troops stationed abroad.

The fear I have is that our policies, along with those of Britain, the UN, and NATO since World War II, inspired and have now awakened a long-forgotten sleeping giant- Islamic fundamentalism.

Let's hope for all our sakes that Iraq is not made the target in this complex war.

The President, in the 2000 presidential campaign, argued against nation building, and he was right to do so. He also said, "If we're an arrogant nation, they'll resent us." He wisely argued for humility and a policy that promotes peace. Attacking Baghdad or declaring war against Saddam Hussein, or even continuing the illegal bombing of Iraq, is hardly a policy of humility designed to promote peace.

As we continue our bombing of Afghanistan, plans are made to install a new government sympathetic to the West and under UN control. The persuasive argument as always is money. We were able to gain Pakistan's support, although it continually wavers, in this manner. Appropriations are already being prepared in the Congress to rebuild all that we destroy in Afghanistan, and then some- even before the bombing has stopped.

Rumsfeld's plan, as reported in Turkey's *Hurriyet* newspaper, lays out the plan for the next Iraqi government. Turkey's support is crucial, so the plan is to give Turkey oil from the northern Iraq Karkuk field. The United States has also promised a pipeline running from Iraq through Turkey. How can the Turks resist such a generous offer? Since we subsidize Turkey and they bomb the Kurds, while we punish the Iraqis for the same, this plan to divvy up wealth in the land of the Kurds is hardly a surprise.

It seems that Washington never learns. Our foolish foreign interventions continually get us into more trouble than we have bargained for- and the spending is endless. I am not optimistic that this Congress will anytime soon come to its senses. I am afraid that we will never treat the taxpayers with respect. National bankruptcy is a more likely scenario than Congress adopting a frugal and wise spending policy.

Mr. Speaker, we must make every effort to precisely define our target in this war and keep our eye on it.

It is safe to assume that the number of people directly involved in the 9-11 attacks is closer to several hundred than the millions we are now talking about targeting with our planned shotgun approach to terrorism.

One commentator pointed out that when the mafia commits violence, no one suggests we bomb Sicily. Today it seems we are, in a symbolic way, not only bombing "Sicily," but are thinking about bombing "Athens" (Iraq).

If a corrupt city or state government does business with a drug cartel or organized crime and violence results, we don't bomb city hall or the state capital- we limit the targets to those directly guilty and punish them. Could we not learn a lesson from these examples?

It is difficult for everyone to put the 9-11 attacks in a proper perspective, because any attempt to do so is construed as diminishing the utter horror of the events of that day. We must remember, though, that the 3,900 deaths incurred in the World Trade Center attacks are just slightly more than the deaths that occur on our nation's highways each month. Could it be that the sense of personal vulnerability we survivors feel motivates us in meting out justice, rather than the concern for the victims of the attacks? Otherwise, the numbers don't add up to the proper response. If we lose sight of the target and unwisely broaden the war, the tragedy of 9-11 may pale in the death and destruction that could lie ahead.

As members of Congress, we have a profound responsibility to mete out justice, provide security for our nation, and protect the liberties of all the people, without senselessly expanding the war at the urging of narrow political and economic special interests. The price is too high, and the danger too great. We must not lose our focus on the real target and inadvertently create

new enemies for ourselves.

We have not done any better keeping our eye on the terrorist target on the home front than we have overseas. Not only has Congress come up short in picking the right target, it has directed all its energies in the wrong direction. The target of our efforts has sadly been the liberties all Americans enjoy. With all the new power we have given to the administration, none has truly improved the chances of catching the terrorists who were responsible for the 9-11 attacks. All Americans will soon feel the consequences of this new legislation.

Just as the crisis provided an opportunity for some to promote a special-interest agenda in our foreign policy efforts, many have seen the crisis as a chance to achieve changes in our domestic laws, changes which, up until now, were seen as dangerous and unfair to American citizens.

Granting bailouts is not new for Congress, but current conditions have prompted many takers to line up for handouts. There has always been a large constituency for expanding federal power for whatever reason, and these groups have been energized. The military-industrial complex is out in full force and is optimistic. Union power is pleased with recent events and has not missed the opportunity to increase membership rolls. Federal policing powers, already in a bull market, received a super shot in the arm. The IRS, which detests financial privacy, gloats, while all the big spenders in Washington applaud the tools made available to crack down on tax dodgers. The drug warriors and anti-gun zealots love the new powers that now can be used to watch the every move of our citizens. "Extremists" who talk of the Constitution, promote right-to-life, form citizen militias, or participate in non-mainstream religious practices now can be monitored much more effectively by those who find their views offensive. Laws recently passed by the Congress apply to all Americans- not just terrorists. But we should remember that if the terrorists are known and identified, existing laws would have been quite adequate to deal with them.

Even before the passage of the recent draconian legislation, hundreds had already been arrested under suspicion, and millions of dollars of al Qaeda funds had been frozen. None of these new laws will deal with uncooperative foreign entities like the Saudi government, which chose not to relinquish evidence pertaining to exactly who financed the terrorists' operations. Unfortunately, the laws will affect all innocent Americans, yet will do nothing to thwart terrorism.

The laws recently passed in Congress in response to the terrorist attacks can be compared to

the effort by anti-gun fanatics, who jump at every chance to undermine the Second Amendment. When crimes are committed with the use of guns, it's argued that we must remove guns from society, or at least register them and make it difficult to buy them. The counter argument made by Second Amendment supporters correctly explains that this would only undermine the freedom of law-abiding citizens and do nothing to keep guns out of the hands of criminals or to reduce crime.

Now we hear a similar argument that a certain amount of privacy and personal liberty of law-abiding citizens must be sacrificed in order to root out possible terrorists. This will result only in liberties being lost, and will not serve to preempt any terrorist act. The criminals, just as they know how to get guns even when they are illegal, will still be able to circumvent anti-terrorist laws. To believe otherwise is to endorse a Faustian bargain, but that is what I believe the Congress has done.

We know from the ongoing drug war that federal drug police frequently make mistakes, break down the wrong doors and destroy property. Abuses of seizure and forfeiture laws are numerous. Yet the new laws will encourage even more mistakes by federal law-enforcement agencies. It has long been forgotten that law enforcement in the United States was supposed to be a state and local government responsibility, not that of the federal government. The federal government's policing powers have just gotten a giant boost in scope and authority through both new legislation and executive orders.

Before the 9-11 attack, Attorney General Ashcroft let his position be known regarding privacy and government secrecy. Executive Order 13223 made it much more difficult for researchers to gain access to presidential documents from previous administrations, now a "need to know" has to be demonstrated. This was a direct hit at efforts to demand openness in government, even if only for analysis and writing of history. Ashcroft's position is that presidential records ought to remain secret, even after an administration has left office. He argues that government deserves privacy while ignoring the 4th Amendment protections of the people's privacy. He argues his case by absurdly claiming he must "protect" the privacy of the individuals who might be involved—a non-problem that could easily be resolved without closing public records to the public.

It is estimated that approximately 1,200 men have been arrested as a consequence of 9-11, yet their names and the charges are not available, and according to Ashcroft, will not be made available. Once again, he uses the argument that he's protecting the privacy of those charged. Unbelievable! Due process for the detainees has been denied. Secret government is winning out over open government. This is the largest number of people to be locked up under these conditions since FDR's internment of Japanese-Americans during World War II. Information

regarding these arrests is a must, in a constitutional republic. If they're terrorists or accomplices, just let the public know and pursue their prosecution. But secret arrests and silence are not acceptable in a society that professes to be free. Curtailing freedom is not the answer to protecting freedom under adverse circumstances.

The administration has severely curtailed briefings regarding the military operation in Afghanistan for congressional leaders, ignoring a long-time tradition in this country. One person or one branch of government should never control military operations. Our system of government has always required a shared-power arrangement.

The Anti-Terrorism Bill did little to restrain the growth of big government. In the name of patriotism, the Congress did some very unpatriotic things. Instead of concentrating on the persons or groups that committed the attacks on 9-11, our efforts, unfortunately, have undermined the liberties of all Americans.

"Know Your Customer" type banking regulations, resisted by most Americans for years, have now been put in place in an expanded fashion. Not only will the regulations affect banks, thrifts and credit unions, but also all businesses will be required to file suspicious transaction reports if cash is used with the total of the transaction reaching \$10,000. Retail stores will be required to spy on all their customers and send reports to the U.S. government. Financial services consultants are convinced that this new regulation will affect literally millions of law-abiding American citizens. The odds that this additional paperwork will catch a terrorist are remote. The sad part is that the regulations have been sought after by federal law-enforcement agencies for years. The 9-11 attacks have served as an opportunity to get them by the Congress and the American people.

Only now are the American people hearing about the onerous portions of the anti-terrorism legislation, and they are not pleased.

It's easy for elected officials in Washington to tell the American people that the government will do whatever it takes to defeat terrorism. Such assurances inevitably are followed by proposals either to restrict the constitutional liberties of the American people or to spend vast sums of money from the federal treasury. The history of the 20th Century shows that the Congress violates our Constitution most often during times of crisis. Accordingly, most of our worst unconstitutional agencies and programs began during the two World Wars and the Depression. Ironically, the Constitution itself was conceived in a time of great crisis. The founders intended

its provision to place severe restrictions on the federal government, even in times of great distress. America must guard against current calls for government to sacrifice the Constitution in the name of law enforcement.

The "anti-terrorism" legislation recently passed by Congress demonstrates how well-meaning politicians make shortsighted mistakes in a rush to respond to a crisis. Most of its provisions were never carefully studied by Congress, nor was sufficient time taken to debate the bill despite its importance. No testimony was heard from privacy experts or from others fields outside of law enforcement. Normal congressional committee and hearing processes were suspended. In fact, the final version of the bill was not even made available to Members before the vote! The American public should not tolerate these political games, especially when our precious freedoms are at stake.

Almost all of the new laws focus on American citizens rather than potential foreign terrorists. For example, the definition of "terrorism," for federal criminal purposes, has been greatly expanded. A person could now be considered a terrorist by belonging to a pro-constitution group, a citizen militia, or a pro-life organization. Legitimate protests against the government could place tens of thousands of other Americans under federal surveillance. Similarly, internet use can be monitored without a user's knowledge, and internet providers can be forced to hand over user information to law-enforcement officials without a warrant or subpoena.

The bill also greatly expands the use of traditional surveillance tools, including wiretaps, search warrants, and subpoenas. Probable-cause standards for these tools are relaxed, or even eliminated in some circumstances. Warrants become easier to obtain and can be executed without notification. Wiretaps can be placed without a court order. In fact, the FBI and CIA now can tap phones or computers nationwide, without demonstrating that a criminal suspect is using a particular phone or computer.

The biggest problem with these new law-enforcement powers is that they bear little relationship to fighting terrorism. Surveillance powers are greatly expanded, while checks and balances on government are greatly reduced. Most of the provisions have been sought by domestic law-enforcement agencies for years, not to fight terrorism, but rather to increase their police power over the American people. There is no evidence that our previously held civil liberties posed a barrier to the effective tracking or prosecution of terrorists. The federal government has made no showing that it failed to detect or prevent the recent terrorist strikes because of the civil liberties that will be compromised by this new legislation.

In his speech to the joint session of Congress following the September 11th attacks, President Bush reminded all of us that the United States outlasted and defeated Soviet totalitarianism in the last century. The numerous internal problems in the former Soviet Union- its centralized economic planning and lack of free markets, its repression of human liberty and its excessive militarization- all led to its inevitable collapse. We must be vigilant to resist the rush toward ever-increasing state control of our society, so that our own government does not become a greater threat to our freedoms than any foreign terrorist.

The executive order that has gotten the most attention by those who are concerned that our response to 9-11 is overreaching and dangerous to our liberties is the one authorizing military justice, in secret. Nazi war criminals were tried in public, but plans now are laid to carry out the trials and punishment, including possibly the death penalty, outside the eyes and ears of the legislative and judicial branches of government and the American public. Since such a process threatens national security and the Constitution, it cannot be used as a justification for their protection.

Some have claimed this military tribunal has been in the planning stages for five years. If so, what would have been its justification?

The argument that FDR did it and therefore it must be OK is a rather weak justification. Roosevelt was hardly one that went by the rule book- the Constitution. But the situation then was quite different from today. There was a declared war by Congress against a precise enemy, the Germans, who sent eight saboteurs into our country. Convictions were unanimous, not 2/3 of the panel, and appeals were permitted. That's not what's being offered today. Furthermore, the previous military tribunals expired when the war ended. Since this war will go on indefinitely, so too will the courts.

The real outrage is that such a usurpation of power can be accomplished with the stroke of a pen. It may be that we have come to that stage in our history when an executive order is "the law of the land," but it's not "kinda cool," as one member of the previous administration bragged. It's a process that is unacceptable, even in this professed time of crisis.

There are well-documented histories of secret military tribunals. Up until now, the United States has consistently condemned them. The fact that a two-thirds majority can sentence a person to death in secrecy in the United States is scary. With no appeals available, and no defense attorneys of choice being permitted, fairness should compel us to reject such a system outright.

Those who favor these trials claim they are necessary to halt terrorism in its tracks. We are told that only terrorists will be brought before these tribunals. This means that the so-called suspects must be tried and convicted before they are assigned to this type of "trial" without due process. They will be deemed guilty by hearsay, in contrast to the traditional American system of justice where all are innocent until proven guilty. This turns the justice system on its head.

One cannot be reassured by believing these courts will only apply to foreigners who are terrorists. Sloppiness in convicting criminals is a slippery slope. We should not forget that the Davidians at Waco were "convicted" and demonized and slaughtered outside our judicial system, and they were, for the most part, American citizens. Randy Weaver's family fared no better.

It has been said that the best way for us to spread our message of freedom, justice and prosperity throughout the world is through example and persuasion, not through force of arms. We have drifted a long way from that concept. Military courts will be another bad example for the world. We were outraged in 1996 when Lori Berenson, an American citizen, was tried, convicted, and sentenced to life by a Peruvian military court. Instead of setting an example, now we are following the lead of a Peruvian dictator.

The ongoing debate regarding the use of torture in rounding up the criminals involved in the 9-11 attacks is too casual. This can hardly represent progress in the cause of liberty and justice. Once government becomes more secretive, it is more likely this tool will be abused. Hopefully the Congress will not endorse or turn a blind eye to this barbaric proposal. For every proposal made to circumvent the justice system, it's intended that we visualize that these infractions of the law and the Constitution will apply only to terrorists and never involve innocent U.S. citizens. This is impossible, because someone has to determine exactly who to bring before the tribunal, and that involves all of us. That is too much arbitrary power for anyone to be given in a representative government and is more characteristic of a totalitarian government.

Many throughout the world, especially those in Muslim countries, will be convinced by the secretive process that the real reason for military courts is that the U.S. lacks sufficient evidence to convict in an open court. Should we be fighting so strenuously the war against terrorism and carelessly sacrifice our traditions of American justice? If we do, the war will be for naught and we will lose, even if we win.

Congress has a profound responsibility in all of this and should never concede this power to a

President or an Attorney General. Congressional oversight powers must be used to their fullest to curtail this unconstitutional assumption of power.

The planned use of military personnel to patrol our streets and airports is another challenge of great importance that should not go uncontested. For years, many in Washington have advocated a national approach to all policing activity. This current crisis has given them a tremendous boost. Believe me, this is no panacea and is a dangerous move. The Constitution never intended that the federal government assume this power. This concept was codified in the Posse Comitatus Act of 1878. This act prohibits the military from carrying out law-enforcement duties such as searching or arresting people in the United States, the argument being that the military is only used for this type of purpose in a police state. Interestingly, it was the violation of these principles that prompted the Texas Revolution against Mexico. The military under the Mexican Constitution at that time was prohibited from enforcing civil laws, and when Santa Anna ignored this prohibition, the revolution broke out. We should not so readily concede the principle that has been fought for on more than one occasion in this country.

The threats to liberty seem endless. It seems we have forgotten to target the enemy. Instead we have inadvertently targeted the rights of American citizens. The crisis has offered a good opportunity for those who have argued all along for bigger government.

For instance, the military draft is the ultimate insult to those who love personal liberty. The Pentagon, even with the ongoing crisis, has argued against the reinstatement of the draft. Yet the clamor for its reinstatement grows louder daily by those who wanted a return to the draft all along. I see the draft as the ultimate abuse of liberty. Morally it cannot be distinguished from slavery. All the arguments for drafting 18-year old men and women and sending them off to foreign wars are couched in terms of noble service to the country and benefits to the draftees. The need-for-discipline argument is the most common reason given, after the call for service in an effort to make the world safe for democracy. There can be no worse substitute for the lack of parental guidance of teenagers than the federal government's domineering control, forcing them to fight an enemy they don't even know in a country they can't even identify.

Now it's argued that since the federal government has taken over the entire job of homeland security, all kinds of jobs can be found for the draftees to serve the state, even for those who are conscientious objectors.

The proponents of the draft call it "mandatory service." Slavery, too, was mandatory, but few

believed it was a service. They claim that every 18-year old owes at least two years of his life to his country. Let's hope the American people don't fall for this "need to serve" argument. The Congress should refuse to even consider such a proposal. Better yet, what we need to do is abolish the Selective Service altogether.

However, if we get to the point of returning to the draft, I have a proposal. Every news commentator, every Hollywood star, every newspaper editorialist, and every Member of Congress under the age of 65 who has never served in the military and who demands that the draft be reinstated, should be drafted first- the 18-year olds last. Since the Pentagon says they don't need draftees, these new recruits can be the first to march to the orders of the general in charge of homeland security. For those less robust individuals, they can do the hospital and cooking chores for the rest of the newly formed domestic army. After all, someone middle aged owes a lot more to his country than an 18-year old.

I'm certain that this provision would mute the loud demands for the return of the military draft.

I see good reason for American citizens to be concerned- not only about another terrorist attack, but for their own personal freedoms as the Congress deals with the crisis. Personal freedom is the element of the human condition that has made America great and unique and something we all cherish. Even those who are more willing to sacrifice a little freedom for security do it with the firm conviction that they are acting in the best interest of freedom and justice. However, good intentions can never suffice for sound judgment in the defense of liberty.

I do not challenge the dedication and sincerity of those who disagree with the freedom philosophy and confidently promote government solutions for all our ills. I am just absolutely convinced that the best formula for giving us peace and preserving the American way of life is freedom, limited government, and minding our own business overseas.

Henry Grady Weaver, author of a classic book on freedom, *The Mainspring of Human Progress*, years ago warned us that good intentions in politics are not good enough and actually are dangerous to the cause. Weaver stated:

"Most of the major ills of the world have been caused by well-meaning people who ignored the

principle of individual freedom, except as applied to themselves, and who were obsessed with fanatical zeal to improve the lot of mankind-in-the-mass through some pet formula of their own. The harm done by ordinary criminals, murderers, gangsters, and thieves is negligible in comparison with the agony inflicted upon human beings by the professional do-gooders, who attempt to set themselves up as gods on earth and who would ruthlessly force their views on all others- with the abiding assurance that the end justifies the means."

This message is one we should all ponder.