



Written by [Becky Akers](#) on March 17, 2010

Enemy Congress

As America travels the well-worn and brutal path earlier empires paved, it increasingly disdains the pretense of ruling “of, by and for the people.” And so the führer in the White House threatens to ram his impractical and deeply offensive plans for nationalizing medical insurance down our throats, regardless of how loudly we shriek “No!” Meanwhile, Congress prepares to imprison indefinitely any “enemy belligerents” who object to the government’s whims. You might suppose that dictators controlling almost 309,000,000 subjects would be too busy to fuss with legal niceties. But no. A preoccupation with legislative permission characterizes tyrannies, perhaps because it protects those responsible from prosecution should justice resurrect one day. The Nazis are notorious for legalizing their plunder, kidnapping en masse, and murder.



No wonder, then, that Senator John McCain (R-AZ) and [nine co-sponsors](#) have introduced legislation they might have cribbed from the Third Reich. “[S.3081: Enemy Belligerent, Interrogation, Detention, and Prosecution Act of 2010](#)” supposedly “provide[s] for the interrogation and detention of enemy belligerents who commit hostile acts against the United States” — and, as the bill’s text repeatedly adds, its “coalition partners.” Note that a new and ungrammatical cluster of nouns, “enemy belligerents,” has not only replaced but enlarged the numbers of the old, equally ungrammatical “enemy combatants” — and yes, combining this with the Feds’ penchant for smearing even their mildest critics as terrorists means they have us firmly in their sights. Note further that the bill’s “persons” and “individuals” now specifically includes citizens of the US [Sec. 5], and that the US military, known to have tortured Iraqis, Afghanis, and others, may “detain” and “interrogate” these victims indefinitely.

Hard to say which is more monstrous: McCain’s stupidity or his evil. He’s so proud of this abomination that he’s posted his [“Statement” introducing it to the Senate on his website](#): “This legislation seeks to ensure that the mistakes made during the apprehension of the Christmas Day bomber, such as reading him a *Miranda* warning, will never happen again and put Americans’ security at risk,” he says, apparently oblivious to the irony that empowering governments to destroy God-given, inalienable rights is precisely what puts Americans’ security at greatest risk.

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No doubt unwittingly, McCain reveals the specious logic with which his legislation overturns the Constitution: “This bill would require unprivileged enemy belligerents suspected of engaging in hostilities against the U.S. to be held in military custody and interrogated for their intelligence value by



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a ‘high value detainee’ interagency team established by the President.” With a succinct 38 words, in which no less than 5 nouns are once again contorted into adjectives, McCain eviscerates the ancient right of habeas corpus, the presumption of innocence, and the right to an open trial. In place of the last, he substitutes judgment at the hands of appointed and very biased bureaucrats. If “experts” determine that you are “an unprivileged enemy belligerent” and if “the Secretary of Defense and the Attorney General after consultation with the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Director of the Central Intelligence Agency” agree, well, you are clearly and indeed a very bad guy. Of course, no one has ever accused bureaucrats of devotion to either the truth or accuracy. Nor are they known for thinking outside the box and challenging their fellows, especially when everyone else’s head is already nodding.

The mere notion of “unprivileged suspects” stinks as much as the Bushy cesspool from which it originated. This claptrap, which has “[been frequently used](#) at least since the beginning of the last century in legal literature, military manuals and case law,” creates pariahs who allegedly lie outside the Constitution’s protection. But that document’s whole purpose was to bind down rulers from mischief, as Jefferson put it. Ergo, its strictures hamstring them without reference to their victims; the identity, nationality, or standing of those people on whom the government preys is irrelevant. “[Congress shall make](#) no law respecting an establishment of religion” regardless of location: it may establish no religion either here or in Timbuktu. Nor may it abridge the freedom of the press, any press, whether America’s, Malaysia’s, or Zimbabwe’s. There are no “unprivileged” folks anywhere because the Federal government *may not*, period. It may not act except in a few instances and as the Constitution allows it, regardless of the recipients of those actions. The neoconservative nonsense that the Constitution in general and the Bill of Rights in particular apply only to U.S. citizens is as silly as it is pernicious.

McCain’s brainchild may be heinous, but it isn’t surprising. Anyone who reads history and understands government could have predicted it as the next step in our rulers’ war on the Constitution, a.k.a., the War on Terror. As usual, said Warriors began by demonizing their victims, in this case “terrorists”; once Americans feared and hated the demons, the Warriors chipped away at the “terrorists’” Constitutional rights. Serfs cheered and thanked Leviathan for saving them. Like children distracted by the lollypop the doctor offers, they never expected the needle aimed at terrorists to stab them.

But governments seldom care about tyrannizing the few foreigners who fall into their hands; rather, it’s their own citizens they lust to command. The “Enemy Belligerent Interrogation, Detention, and Prosecution Act of 2010” furthers that plot, stripping rights from Americans whom bureaucrats accuse of terrorism. When fools cheer this as well, when they docilely watch as the FBI indefinitely detains their neighbors for the CIA to torture, rulers will smile and nod. Their next bill won’t bother mentioning “terrorists,” even as a pretext. Citizens, especially but not only those who dissent, will be its sole target. And there will be far more things from which to dissent — forced relocation and labor, perhaps even medical experimentation to rival Dr. Mengele’s, if Obamacare passes.

“I will continue to work on a bipartisan basis to improve this process to obtain better, more uniform results,” McCain threatens. “...[M]y efforts will not stop until we have addressed all the detainee issues in a comprehensive fashion.”

For once, I believe him.

Becky Akers, an expert on the American Revolution, writes frequently about issues related to security and privacy. Her articles and columns have been published by *Lewrockwell.com*, *The Freeman*, *Military History Magazine*, *American History Magazine*, the *Christian Science Monitor*, the *New York Post*, and



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