



Written by [Becky Akers](#) on November 20, 2009

Trying Terrorists

Attorney General Eric Holder announced last Friday that [after 8 years of illegal imprisonment and 183 waterboardings](#) from a [government that does not torture](#), Khalid Sheik Mohammed will stand trial with four other suspected terrorists in New York, scene of their alleged crime on September 11, 2001.

That ignited a fracas. Whether there should be a trial at all and where to hold it, not only geographically but in a civilian or military court, set the usual loudmouths roaring. [Neocons who refuse to call Gitmo's inmates](#) prisoners of war lest they come under protection of the Geneva Convention now wail that we cannot try soldiers in a civilian court; Democrats doggedly defend their inept and arrogant Administration. Were we cynical, we might suspect a conspiracy to distract us from the real issue: why has Leviathan "detained" Khalid *et al* for years [despite the Constitutional requirement of habeas corpus](#), torturing them in violation of not only [the Constitution](#) but basic humanity?



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Touchingly, our rulers tout their concern for us fragile New Yorkers amidst the stress of the trial. Rep. Pete Hoekstra (R-MI) fears the proceedings could "[expose the people of New York](#) to years of propaganda from the defendants." He need not fret: thanks to the hogwash he and his fellow Feds dispense via the public schools and the corporate media, we're pros at handling propaganda.

Poor Pete also worries that the suspects "'are going to do everything they can to disrupt [the trial] and make it a circus' for their radical ideology..." Indeed. Perhaps they'll even reveal some discomfiting secrets.

Unfortunately, neither Pete [nor anyone else lamenting the trial's location](#) recognizes the very real danger imperiling us during the courtroom capers: cops. New York's are threatening to increase their "security" - and this in a City that already resembles a minimum-security prison. Officers stalk the streets like jailhouse guards as they "[stop and frisk](#)" [whomever they please](#). Underground, the City's notorious subways compete with airports when it comes to "randomly" [ransacking passengers' belongings](#). So we can't get much more "secure" unless we add strip-searches on every corner. Yet there was top cop Raymond Kelly "[pronounc\[ing\] the Police Department](#) prepared to meet any security challenge."



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Law used to be the province of facts and evidence, even if only in our ideals. Established procedures regulated legal affairs, with certain causes leading ineluctably to specific effects. No more. As the police state tightens its stranglehold, we descend into “feelings” and “beliefs.” Our rulers conduct trials not because they must prove a man’s guilt before caging him but because they “don’t think we should run and hide and cower. Let’s use our system,” as [Sen. Patrick Leahy \(D-VT\) put it](#). David Axelrod, one of Obama’s senior advisers, “[believe\[s\] this \[trial\] is the](#) appropriate thing to do. ... We feel strongly that justice will be done here...” But unless we’re living in a dictatorship, with politicians making up the rules as we go, government charges someone with a crime and then, voila, as night follows day, it publicly presents its case against him to a jury. There’s no room for hopes and feelings and asseverations about “systems” and “justice.”

Further evidence for dictatorship comes from the fact that these are show trials, without power to free the innocent. “Even if prosecutors fail to win convictions,” [the neoconservative Wall Street Journal assures readers](#), “a senior Defense Department official said that the administration won’t release any dangerous detainees inside the U.S.” And of course, releasing them outside the U.S. merely prolongs their imprisonment and torture since it remands them to governments more savage than ours.

The dictatorial Feds also continue denying the right of habeas corpus to another “[20 to 25 detainees,](#)” [who “may](#) never be put on trial but are still considered too dangerous to release. They may be detained indefinitely...” Amazing, what our rulers can surmise without a courtroom’s formal examination and sifting of facts. Though [independent researchers confirm](#) that many “terrorists” are victims of mistaken identity or of vengeful, feuding neighbors who sold them for the \$5000-reward the U.S. offered, the Feds imprison a man because they know he’s dangerous – and how? Because they’ve imprisoned him. Yes, that reasoning sounds suspiciously circular to us ordinary citizens. No wonder we don’t work for the Feds, who in return for their wise governance ask only that we trust them.

Will their perspicacity withstand a jury’s scrutiny as the men they blame for 9/11’s atrocities come to trial? Fortunately for Leviathan, most Americans no longer understand the jury’s role. They think jurors merely evaluate – which is too often synonymous with “rubber-stamp” – the State’s case against the accused. Like democracy and voting, modern juries legitimize government because they cloak its tyranny in popular acceptance: when it destroys an 18-year-old’s life by imprisoning him for buying pot, it can claim his peers agreed to this outrage.

But the Founding Fathers meant for juries to play a crucial role in keeping us free: they should “protect fellow citizens from tyrannical abuses of power by government,” as the [Fully Informed Jury Association puts it](#). Juries are supposed to weigh the laws as much as they do the evidence. They “nullify” those that are arbitrary, tyrannical, or immoral by declaring anyone who breaks them “not guilty.”

What would a “fully informed” jury decide regarding Khalid and associates? Would it concur that they acted in a vacuum, murdering Americans because they hate our freedom, as the Feds pretend? Or would it consider 9/11 retribution for the carnage cursing the Middle East after decades of American meddling and skullduggery there? Would it pronounce the accused “guilty,” or would it suggest that terrorists rebelling against the American empire understand the Constitution better than politicians who’ve sworn to uphold it yet “regime-change” worldwide? Would it damn Khalid Sheik Mohammed as the devil incarnate, or would it ask [why the Feds ignored warning after warning of the impending attack](#)?

Heck, it might even notice that the wrong terrorists are on trial.



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