

# PATRIOT ACT

Continued from page 1

might impose a dictatorship in the event of a horrific terrorist attack.

"It means the potential of a weapon of mass destruction and a terrorist, massive, casualty-producing event somewhere in the Western world — it may be in the United States of America — that causes our population to question our own Constitution and to begin to militarize our country in order to avoid a repeat of another mass, casualty-producing event," the general said.

But even those critics who are skeptical of such a scenario believe the Patriot Act allows the federal government too much power to label people or organizations "terrorist." One such critic is Michael Hammond, a consultant to Gun Owners of America, which opposes gun control. If an anti-gun president is elected, Hammond said, his organization might be in danger of being labeled "terrorist," especially if one of its members were to commit a terrorist act.

"It all depends on what administration you're dealing with," Hammond said.

Earlier this month, the Patriot Act was the subject of a forum at Pittsford's Nazareth College where Shawgi Tell, an assistant professor of education, explained the law and invited audience members to talk about it. The forum was cosponsored by the Commission on Christian-Muslim Relations, which includes such diocesan representatives as Father Joseph Marcoux, parochial vicar at Sacred Heart Cathedral.

Father Marcoux noted that the forum was organized in response to concerns expressed by area Muslims about their treatment by the federal government. One such concerned Muslim is Sareer Fazili, a Rochester attorney who has worked with the Muslim Legal Defense and Education Fund, a national group that has advocated for Muslims detained by federal authorities. In certain cases, Muslim detainees have been denied access to lawyers, he said, or not allowed to see the evidence against them. Fazili and other Muslim advocates have noted that some Muslims have reduced their attendance at mosques or even stopped going for fear of government surveillance.

"I don't want any special treatment for any member of the Muslim community, ever," Fazili said. "But I don't like it when I'm not even able to defend myself, and that's what's going on."

## SECURITY AND LIBERTY

In his recent State of the Union address, President George W. Bush



called for renewal of the Patriot Act.

"Key provisions of the Patriot Act are set to expire next year," Bush said. "The terrorist threat will not expire on that schedule. Our law enforcement needs this vital legislation to protect our citizens."

The Bush administration also has discussed seeking additional powers under a proposed bill, the Domestic Security Enhancement Act — nicknamed Patriot Act II by its critics — copies of which were leaked to the press from the Department of Justice about a year ago. Indeed, in December, Congress approved some of the DSEA's provisions on financial investigations as part of an intelligence-spending bill. However, a growing chorus is calling on Congress to reject the DSEA and to repeal the Patriot Act, or at least amend it to lessen perceived threats to civil liberties.

According to several reports, more than 230 communities have passed resolutions against the Patriot Act, with several more considering such resolutions. Meanwhile, Illinois Sen. Richard J. Durbin, a Democrat, and Idaho Sen. Larry E. Craig, a Republican, in January introduced a bill called the Security and Freedom Ensured Act, or SAFE Act, that would roll back sections of the Patriot Act that they say curtail civil liberties.

Critics believe that the Patriot Act represents a direct attack on the Bill of Rights — particularly the First Amendment guarantees of freedom of religion, speech and assembly, and the Fourth and Fifth amendments' protections against government abuses during criminal investigations. That's a charge heatedly rejected by U.S. Attorney General John Ashcroft, who has toured the country giving speeches in defense of the Patriot Act. In a speech before 150 Minnesota law-enforcement officials last September, Ashcroft said

law-abiding Americans have no reason to fear the Patriot Act.

"If your idea of a vacation is two weeks in a terrorist-training camp in Afghanistan, you might be a target of the Patriot Act," Ashcroft said.

But such logic misses the point being made by the Patriot Act's critics, according to Tom Brejcha, a Catholic who is president and chief counsel of the Chicago-based Thomas More Society Pro-Life Law Center, which has defended pro-life protesters. The attorney has also advised members of the Catholic peace group Pax Christi.

Brejcha said another law — the Racketeer Influenced and Corrupt Organizations Act — illustrates what can happen when a sweeping statute with one intent is used for another purpose. RICO was used against pro-life protesters in the 1980s and '90s — even though it was originally designed to attack organized crime, not civilly disobedient protesters, he said. The Supreme Court disallowed RICO's use against abortion-clinic

protesters in March of last year, but the protesters' pro-choice opponents noted they may sue pro-life protesters again — this time using the Patriot Act.

## INTENT AND RESULTS

The Department of Justice maintains the *lifeandliberty.gov* Web site, which defends the Patriot Act. According to statements on the site, it would have been much more difficult for the United States to prevent another Sept. 11-type attack without the legislation.

"The authorities Congress provided have substantially enhanced our ability to prevent, investigate and prosecute acts of terror," the Justice Department states. The Patriot Act made only "modest, incremental changes in the law," streamlined intelligence-gathering, and "took existing legal principles and retrofitted them to preserve the lives and liberty of the American people from the challenges posed by a global terrorist network."

However, such rhetoric is met with skepticism by critics of the Patriot Act, including Presbyterian Rev. Richard Kellmer, program director of the Washington, D.C.-based Churches' Center for Theology and Public Policy, an ecumenical organization that includes Catholics. The center held a forum on the Patriot Act in Washington on Feb. 19 because its leaders felt people needed to learn more about the law, he said. Rev. Kellmer said Christians need to be concerned about what effects the war on terrorism is having on their Muslim brothers and sisters, and ask whether curtailing civil liberties is the way to fight such a war.

"The best way to deal with (terrorist) enemies is to make friends with as many (Muslims) as you can, and the Patriot Act has not done that," he said.

## Catholic Courier to honor 'Milestone' Anniversaries

The *Catholic Courier* again plans to honor couples who are celebrating "Milestone" anniversaries this year.

Couples who marked or will mark 25, 50 or more years of marriage this year may be listed in the special Milestones/Vocations issue, which will be published in May.

We will accept anniversaries occurring from Jan. 1, 2004 to Dec. 31, 2004.

Please send the following information: Full names of husband and wife, date of wedding, church, city where married. Wedding photo optional. Also include a telephone number should questions arise. **Deadline for submission is Friday, March 19.** Send the information to: Catholic Courier, PO Box 24379, Rochester, NY 14624 or e-mail to [agall@catholiccourier.com](mailto:agall@catholiccourier.com).