

Showdown on Capitol Hill

By: David Martinez

Ladies and gentlemen, let's get ready to rumble! In this corner, weighing in at over nine hundred pounds of fear, paranoia, and misguided agenda, capitalizing on the terror generated by 9/11, the lean, mean, privacy invading machine. . .the U.S.A. Patriot Act! And in this corner, undefeated heavyweight freedom and equality champ, protector of human rights and privacy, the backbone of these United States of America. . .the Constitution!

Although She's over two hundred years old, don't underestimate this tattered and aged document. The Constitution has plenty of fight left in Her. The constitution has enabled an infantine squad of colonies to become the most powerful and democratic country in the world. The U.S.A. Patriot Act, on the other hand, is a baby-faced newcomer to the sport. But this baby has teeth, my friends, and is not afraid to use them. The Constitution better watch Her ears, lest they be bitten off. It's going to be a battle royale in the Little Country That Could, and the winner will help to shape American life forever after.

Round one, the Patriot Act strikes first with a barrage of jabs. Using the state of fear produced by the worst terrorist attack this nation has ever faced as its justification, the Patriot Act seeks to peek a little deeper into the private aspects of American life. And this is national security sensitive stuff, such as incriminating library records. Not only that, but the Patriot Act wants to be able to search American homes and vehicles at will, on the basis of suspicion, without adequate search warrants. The Constitution is stunned.

Round two, the Constitution is getting Her composure back. She's been doing this a long time, and She's the law of the land. She counters with a Fourth Amendment uppercut, which flat-out prohibits unreasonable search and seizure and guarantees the citizens of this country the right to privacy. It states unequivocally that search warrants are a must, and incriminating evidence procured without a search warrant cannot be used in a court of law. The Patriot Act has retreated to its corner.

Round five, the Patriot Act is playing dirty, landing low body shots and an elbow here and there. He throws a combination of secret tribunals, and unlimited detention of suspects. He seeks to imprison suspected "terrorists" without charges and for unspecified lengths of time. Torture is not out of the question. The referee needs glasses, and the Constitution's eye is cut.

Round ten, the Constitution is enraged. She pops the Patriot Act with a Fifth Amendment cross, ensuring that all suspects are guaranteed the rights to a fair and speedy trial. And with the Geneva Convention cheering for Her, She makes it clear that the torture of prisoners of war is not only wrong, it is illegal. The Patriot Act is down. Ding, ding.

Ladies and gentlemen, the winner by technical knockout, and still undefeated heavyweight champion of American and human rights, the flexible, amendable, dependable Constitution! Stay tuned for the rematch.