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Health Care Arena

An ongoing discussion on the health care debate

Feb. 04, 2010

Driving the Conversation:

Arena Ref: [Fred Barbash](#)

Tea Party movement: How much of a factor in 2010?

Terror suspects: Eric Holder's defense (nothing new here, folks)--agree or disagree?

On the Tea Party question, see [Jonathan Martin's story](#) "Tea leaves: Republican establishment still rules." On Eric Holder, see [his letter](#) to Mitch McConnell explaining the administration's policy on terror suspects.

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Roger Pilon

Vice President for Legal Affairs, Cato Institute :

Terror policy: There's no question that after the killings in Little Rock and Fort Hood, the decision to try the KSM five in a civilian court in downtown Manhattan, and the Christmas Day bombing attempt (the government's before and after behavior alike), the Obama-Holder "law-enforcement" approach to terrorism is under serious bipartisan scrutiny. And Holder's letter yesterday to his critics on the Hill isn't likely to assuage them, not least because it essentially ignores issues brought out in the January 20 hearings before the Senate Committee on Homeland Security, like the government's failure to have its promised High-Value Interrogation Group (HIG) in place.

Nor are the administration's repeated efforts to justify itself by saying it's doing only what the Bush administration did likely to persuade. In the aftermath of 9/11, and in the teeth of manifold legal challenges, the Bush administration hardly developed a systematic or

consistent approach to terrorism. Much thought has been given to the subject since 9/11, of course, and it's shown the subject to be anything but simple. Nevertheless, if anything is clear, it is that if we are in a war on terror (or in a war against Islamic terrorists), as Obama has finally acknowledged, then the main object in that war ought not to be "to bring terrorists to justice" through after-the-fact prosecutions -- the law-enforcement approach -- but to *prevent* terrorist attacks *before they happen*, which means that intelligence gathering should be the main object of this war. And that, precisely, is what the obsession with Mirandizing, lawyering up, and prosecuting seems to treat as of secondary importance. Intelligence is our first line of defense -- and should be our first priority.

Subject	Date
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Terror trials: Is it time for the administration to retreat and rethink? Is it generally mishandling the terrorism issue?	Feb. 01, 2010
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What's at stake?	Jan. 27, 2010