



11350 Random Hills Road, Suite 800, Fairfax, Virginia 22030 Phone (703) 934-6101 Fax (703) 352-3678

[fff@fff.org](mailto:fff@fff.org) [www.fff.org](http://www.fff.org)

## **A Visit to the National Constitution Center**

**by James Castagnera**

A colleague of mine — the chairman of Rider University’s American Studies Department — brought his wife and two young boys down from Manhattan to Philly for the weekend. And so I finally got around to visiting the year-old, multi-million-dollar, multi-media National Constitution Center. This sprawling museum of white stone and glass is located across a small park from Independence Hall and the Liberty Bell. According to the free brochure at the ticket counter, “The Center’s goal is to reconnect people to their constitutional heritage....”

That was Saturday. Sunday saw me up before our guests, gaining me the first gander at the morning paper. Here are a few of the headlines: “Iraq prison operated in chaos. Abu Ghraib became a nightmare.” “Iraqi prison torture shows a system set up to fail.” And, “Will court uphold military detention?”

I look back at the National Constitution Center brochure and resume reading its goals: “... to inspire citizens to become more knowledgeable about the Constitution ... and to demonstrate how the Constitution is the foundation of American law and society.” Words and images flood back from the three hours of audio-visual presentations, video clips, computer games, and museum exhibits used to fulfill these goals. “Speedy trial.” “Due process of law.” “Equal protection.” “No cruel or unusual punishment.”

Then back to the Sunday morning headlines: “As symbols, murder and humiliation can approach parity.” “Outlook is bleak for success in Iraq.” “Rumsfeld is accountable, and so he must step down.” And I ask myself, how can it be that the same American government that built that marvelous National Constitution Center and published that inspiring set of goals and then enlivened them with such state-of-the-art exhibits and presentations ... how can this be the self-same American government that is torturing Iraqi prisoners and even imprisoning U.S. citizens without benefit of legal counsel or their day in court?

I’m no knee-jerk liberal. Ron Reagan got my vote twice. So if the torture and detention were just accusations, I’d dismiss the allegations as far-fetched. Or even impossible. But there’s this Sunday paper, reporting the argument that the Justice Department made in the Supreme

Court last week, that two American citizens — one arrested at O’Hare Airport and accused of al-Qaeda connections, the other turned over to U.S. troops by a friendly Afghan warlord — can be imprisoned indefinitely without a trial. And there’s these photos of Iraqis being brutalized in women’s panties. And there’s that other headline: “Rumsfeld warns of worse to come.” And I’m left with no choice but to try to wrap my mind around these incredible contradictions.

I don’t know how you deal with confusing contemporary affairs. But I tend to turn to history for help. Yet another headline gave me my hint: “Post 9/11, an uneasy sense of sanction for abuse.” Looking back to what I learned at the National Constitution Center, I realized that we Americans have been here before. When we’ve been attacked, we’ve bent — and sometimes broken — the constitutional rules. In 1861, following the Confederate attack on Fort Sumter, Abe Lincoln suspended the writ of habeas corpus, that constitutional guarantee that a prisoner could get in front of a judge and plead his case. In 1942 Franklin Roosevelt and Earl Warren — then California’s governor — agreed that American citizens of Japanese descent should be relocated from the West Coast to distant desert camps. In the 1950s, at the height of the Cold War, Nixon and McCarthy hounded suspected “Reds” in government, Hollywood, and organized labor.

What do these three historical examples have in common? Well, here’s my take on them. They all sprang from a shared sense that we were under attack and that the perceived threat justified an extraordinary — essentially an unconstitutional — response. And they were all regretted later. For example, in a 1970s TV interview Chief Justice Earl Warren wept as he recalled incarcerating Japanese-Americans, many of whom lost everything they owned. And President Bill Clinton finally made America’s formal apology during the last decade.

So for once let’s not wait for some multi-media exhibit in our National Constitution Center a decade or two down the road to tell us we blew it again. Let’s put a stop to the torture and the unconstitutional detentions now.

*Jim Castagnera, a Philadelphia lawyer and writer, lives in Havertown. He is the associate provost at Rider University and president of the Pinnacle Employment Law Institute.*

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