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Thanks to all at MPM for  
your hard work. I've come  
to depend on the paper,  
website and list serve to  
keep my finger on the  
pulse of our community.

-- Hardwick --

# Restoring the Balance

BY: KAREN KERIN

Not since President John F. Kennedy has there been the call for balancing of citizenship duties and rights as since the attack on September 11, 2001. Kennedy said, "Ask not what your country can do for you, but rather what you can do for your country." He was communicating to the nation a standard that rights are or should be conditioned on performance of duty. Until 9/11, that appeared to be a radically weakened standard. It seemed that only a breach of a specific duty was perceived as failing the balance of rights and duties. The question we need to ask is, where should the balance be when the well being of the nation or state is at stake?

Consider John Walker Lindh, the alleged American Taliban, for example. His status at Camp Rhino as a combat detainee, marks him as a prisoner of war – a status reserved for non-citizens. On numerous occasions, our government has stated that non – Afghan soldiers would be imprisoned. Somehow, apparently on the strength of his claim to citizenship, Lindh has been handed over to American authorities. One must ask what the basis for that action might be. Why wasn't he handed over to the Afghanistan authorities for disposition the same as his adopted comrades. Suggestions have been rampant in the media and the man's father has appealed for him claiming the young man made a mistake. That does not hold water. After surrendering for the second time as one of a small number of survivors of the prison uprising, Lindh is alleged to have claimed he had taken training with Al Qaeda and had met Osama Bin Laden. If that is true, Lindh is not a Taliban, but is an Al Qaeda, a terrorist. He stated that the attacks on 9-11 were justified. He breached the duty to not take up arms against America, thereby forfeiting any rights of citizenship as it is warned on page 3 of a U.S. passport, "[Y]ou may lose your nationality by ... serving in the armed forces ... of a foreign state ...." In that case he is no longer an American and should be given the same justice as is meted out other Al Qaeda fighters. Since he is in American custody, the military tribunal is the prescribed venue for a non-citizen. He should be given a fair trial, and when convicted, should suffer the maximum penalty that military justice can provide. America should never grant rights to people who have engaged in terrorist war on the American people. Breach of the few fundamental duties of citizenship should abrogate all rights. Alternatively, and perhaps better, is to return Mr. Lindh to the Afghans for such justice as they may dispense to the other foreign invaders of their country. Equal justice would seem to demand that resolution and it would keep our hands clean. A mad dog is entitled to no rights.

Closer to home, we have the enormous fund built up of American generosity for the victims of the World Trade Center. Oddly, there is no similar massive fund for the victims of the Pentagon attack or for the victims in the hijacked airliners. Yet, the plane that went down in Pennsylvania was clearly the result of real heroes, who at the cost of their own lives, saved others on the ground. Even within the Trade Center victims relief, there is very disparate treatment of victim family benefits. New York City Police families have a much larger pool of funds available than do the Port Authority Police, and NY Fireman families have a much larger pool of funds available than do the NY Police families. The generosity of American donors was without understanding of the distinctions, giving rise to funds earmarked for specific victim groups, while unintentionally disenfranchising other heroes. Clearly there is a right to some uniformity of benefits in the circumstances, but the duty of officials to pursue that equity has been severely lacking. Apparently there is some moves on the part of the federal government to disburse the funds equally to all the victims. That would be balanced justice and deserving of American charity so openly given.

Being a world traveler, I have been in numerous airports around the world. I am accustomed to customs declarations, passport and visa process, baggage searches and certainly, airport security. But I have never seen such extensive military presence as is in evidence at American airports today. While I am a big supporter of the American military, it is uncomfortable, rather than comforting, to have heavily armed uniformed military presence carrying automatic weapons at departure and arrival. It is not any fear of firearms that makes me uncomfortable because I am an active and proud member of Gun Owners of Vermont. I think what bothers me is the military presence changes the character of ordinary law enforcement and the Third Amendment to the U.S. Constitution which states, "No soldier shall, in time of peace be quartered in any house ... ." No, the airport isn't a house and the governing authority of every airport has agreed to allow soldiers to patrol it." Nonetheless, it just isn't American and it just isn't cost effective. What evil-doer is going to choose an airport for wrongdoing given the very heightened state of citizen alertness? I submit there are none. In this case, our rights to feel comfortable in our travel is being compromised by government that is not doing its duty by controlling the illegal persons in this country.

Closer to home, we have the terrible consequences of the last decade here in Vermont. According to the Governor's own report, we are over taxed and over regulated. That explains why the census shows we earn 85-90% of people doing comparable work in the surrounding states, while suffering with a higher cost of living, primarily attributed to housing costs. Given that mix, it is easy to understand why, as the Burlington Free Press reported, our twenty and thirty year old people are vanishing. All of those events are impacting employment opportunities and the increasing number of layoffs is making it worse. Surely it is clear that government in Vermont has gone to excess and is driving employers out of the state. The basic right to either own and operate a business or be employed by a business is compromised by over intrusive government that has failed its duty. Indeed, it goes deep and well beyond the legislature. Our sole Congressman has made a career blaming business for every woe, yet, can anyone name a productive employment opportunity he has brought to Vermont? No one has been able to yet. But a number of businesses that have left Vermont have named our Congressman as contributing to the abusive circumstances that have caused them to relocate, and corporate