

# Term paper on indefinite imprisonment of prisoners and suspected terrorists

[Society](#), [Terrorism](#)



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## **Introduction**

When criminals and terrorists are captured in United States, there has been a tendency of keeping them in prison indefinitely without trial. This has also been the same thing done to suspected terrorists and criminal offenders. According to the law and the legal procedures, it is required that a person arrested for any kind of offense or suspected of terrorism involvements should be taken to court where he or she tried for the offenses and atrocities committed, or believed to have committed (Foley 23). The judicial process and justice should be followed because someone is still innocent, according to the law, unless he has been proven to be guilty in accordance with the same law. In this paper I argue that the U. S. government should not keep such suspected terrorists and prisoners without trial. This is because the procedure violates American principles of justice and legal process.

## **Indefinite Imprisonment of Prisoners and Suspected Terrorists**

Over the past years, the indefinite detention and torture of suspected terrorists by the U. S. Government has indefinitely been detaining hundreds

of suspected terrorists in prisons like Guantanamo Bay, Cuba, and in some other foreign countries. This indefinite detainment without charging or trying them in court is something that has been ongoing, and the time has come for it to be abolished indefinitely. Over the years, some of these detainees have been complained of hardship and prolonged torture by U. S. personnel in charge of these facility. Although this has been happening over the years, the U. S. government has admitted that many of these prisoners and suspects are usually innocent, but must be detained nevertheless (Martin 54). However, it should be noted that it is unconstitutional both internationally and local to detain a person without trial. A person should be proven by a court of law to be responsible or a given offense, or involvement in criminal activities without presenting enough and provable evidence.

However, the good news is that some recent court rulings have called for review and change of this policy following the Geneva Convention which prohibits the detainment of criminal and suspected terrorists without trial (Martin 75). This has become a signatory in the United States of America. The new Obama Administration is keen to come up with new proposals and policies to close the Cuba prison. The good signs have been noted after the Government has freed some of the innocent detainees in Cuba and other international prisons.

According to me, detaining a person without trial or charges is totally unconstitutional. Towards liberty in this country, there is the need to effectively review this policy and observe some the quality issues that have been raised all along. Any kind of detention, whether indefinite or for some

time period, and without imposing charge or holding trial is something that violates the effectiveness and essence of the United States' legal due process and the commonly held rule of law. The other disappointing thing is that there has been disturbing meetings and reports that the Obama Administration has been considering to continue or expand this 'indefinite detention' procedural policies put in place by the Bush administration (Martin 83). Under such policy and regime, individuals who have not committed a single crime, and for whom the entire government does not have reliable evidence about the person's criminal conduct, might end up being imprisoned indefinitely and most certain for their whole lives without trial and charge.

Any legal system of detention indefinitely without trial for the suspected criminals and terrorists is something that is unwise, unnecessary, and totally unconstitutional. In real sense, all individuals posing as genuine criminals and capable of causing danger to the country, or any other country for that matter, might be prosecuted in the country's criminal courts and supreme court under the existing country's laws (Downing 26). Any statute seen to purport or authorize this long-term kind of detention of prisoners and suspected terrorists on the perceived dangerousness of the future is wrong as it does not think and analyze the past criminal conduct and offenses of the person. This is therefore something that needs to be invalidated by the federal courts of the country. As well, any system of law or legal process that detains an individual, no matter what he or she has been suspected of, without any judgment and trial for the offense should be seen as illegitimate

and unconstitutional (Downing 59). The illegitimate and continued regime of detention in Guantánamo detention has widely damaged the country's legal credibility and fails to observe the legal aspects and Constitutional process.

The other thing is that the notation that there exists a high-rate and significant group of terrorism suspects capable of harming the country's security and damaging the future peace, and who should be detained without prosecution is totally groundless (Foley 78). The reason for this is because there are very many people out there who are innocent despite having family and societal ties with criminal offenders and terrorists. It is also necessary to note that criminal courts and the federal courts and prisons in the country can also play a major role in dealing with any international cases of crime and terrorism.

## **Conclusion**

In conclusion, the U. S. government should stop keeping such prisoners and suspected terrorists indefinitely without trial. This is so because it violates the American principles of due process and justice system (Downing 67). Therefore I am totally against this indefinite detention. There should be no one who should be detained indefinitely without being tried or charged based on a person's belief and opinion that such an individual is ' extremely dangerous' to the country. Any kind of evidence obtained through coercion should never be used to base a reliable reason for detention. This way justice will be served to all people and also ensure everything has been done on a constitutional manner.

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