

Terrorism; security issue or crime research paper

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



Introduction

After the September 11 terrorist attack on the United States of America, the congress passed a resolution allowing the president to use all essential and suitable force against perpetrators of terrorist activities. Consequently, military commissions and tribunals have been set up to try terrorist suspects. The tribunals and commissions have been faced with widespread criticism and sanctions from the Supreme Court due to their blatant violation of human rights (Braswell, McCarthy & McCarthy, 2012).

Discussion

I am of the view that the United States of America ought to use the court system to deal with terrorists. As highlighted above, terrorists in detention camps run by military tribunals are not entitled to procedural safeguards and legal protections. However, it is my opinion that these two values, procedural safeguards and legal protection, are values that ought to be defended even in the fight against terrorism. The placement of terrorist suspects under detention camps and trials under military commissions jeopardizes the core procedural rights that are guaranteed by the United States constitution. This also violates the fundamental principle of separation of powers.

The United States is signatory to many treaties and international declarations. For instance, the International Declaration of Human Rights, a foundation for modern international human right systems provides for numerous requirements that only the courts can meet. Article 10 of the declaration entitles everyone to a fair and public inquiry by an impartial and autonomous tribunal in the determination of any criminal charges with which

he is charged. The article also requires that a suspect charged with a penal offence be presumed innocent until proven guilty by right and that he be accorded all guarantees essential for his defense. The military commissions are in contravention of these requirements of a universal declaration that the United States has ratified (Siegel, 2010).

Conclusion

The rule of law is a virtue that is enshrined in the American constitution. The government sets a bad precedent when it violates laws that it has passed and ratified. Even in the midst of the battle against terrorism, the rule of law should not be abolished. Therefore, I contend that the court system should be employed to deal with terrorist suspects.

References

- Braswell, M., McCarthy, B. R., & McCarthy, B. J. (2012). Justice, crime, and ethics. Amsterdam: Elsevier.
- Siegel, L. J. (2010). Introduction to criminal justice. Belmont, CA: Wadsworth, Cengage Learning.