

How Do We Bring Terrorists to Justice? Follow the Law!

Zeke Johnson

In the name of countering terrorism, is the United States losing site of its commitment to valued principles? The U.S. government has been accused of serious violations of human rights. Amnesty International is among a number of human rights groups that have raised concerns. They have identified cases of torture, murder, kidnapping, “disappearances,” detention without charge, and unfair trials – at Guantanamo and other secret prisons. These human rights violations are immoral and illegal under U.S. and international law.

They are also, according to military experts, ineffective and counterproductive. Matthew Alexander, a former senior U.S. military interrogator in Iraq, has said that U.S. torture and Guantanamo were the number one recruiting tools bringing foreign fighters to Iraq, leading to the deaths of more U.S. military personnel.



Amnesty International protests the Guantanamo Bay Detention Center in Peru, 2008.

Tragically, the U.S. government turned its back on the most effective way to gather intelligence and prosecute those responsible for the September 11th attacks. The U.S. should have followed its own *rule of law*. (See box below.) The

Guantanamo Bay's Peculiar History

The U.S. Naval Base at Guantanamo Bay, Cuba was established in 1898 when the U.S. took control of Cuba from Spain at the end of the Spanish-American War.

The U.S. maintained the base even after it severed relations with the country



following the Cuban Revolution.

Toward the end of the 20th century, the base was used as a detention center for Cuban and Haitian refugees, until the camp was declared unconstitutional by a U.S. District Court judge in 1993.

Since early 2002, the U.S. has used its naval base at Guantanamo as a prison camp for detainees first from Afghanistan and later from Iraq. The prison camp has been widely criticized by members of the international community for mistreating inmates and holding them without trial.

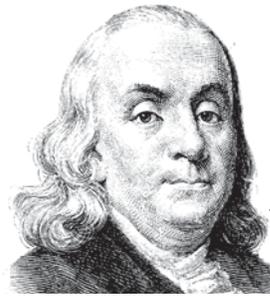
Source: Adapted from <www.pbs.org>.

U.S. system of justice is strong and well established. Standard law enforcement techniques and fair trials in U.S. federal court could have brought justice.

Following our own rule of law would show the strength of the United States. Justice is the true counter to terrorism. Even today, the U.S. government is holding thousands of people without charge or fair trial at Guantanamo and other prisons and has refused to hold all those responsible for torture and abuse to account.

It's up to us to demand that the U.S. government change course and uphold human rights and the rule of law. Please take action by supporting September 11th Families for Peaceful Tomorrows' Rule of Law Campaign and Amnesty International's Security with Human Rights Campaign. (See page 54 for more resources.)

Zeke Johnson is a member of Amnesty International.



Anyone who trades liberty for security deserves neither liberty nor security.

Benjamin Franklin was one of the Founding Fathers of the United States. Read about the Patriot Act and trade-offs between liberty and security on pp. 44-45.

The Norwegian response to violence is more democracy, more openness, and greater political participation.



Jens Stoltenberg is the Prime Minister of Norway. On July 22, 2011, a right-wing anti-Muslim terrorist killed 90 people at a youth camp in Norway.

Rule of Law, Security, and Freedom

“Rule of law means that no individual...stands above law. Democratic governments exercise authority by way of law and are themselves subject to law's constraints. Laws should express the will of the people... Citizens in democracies are willing to obey the laws of society, then, because they are submitting to their own rules and regulations. Justice is best achieved when the laws are established by the very people who must obey them.”

Source: U.S. State Department <usinfo.org/enus/government/overview/law.html>

Read about the “rule of law” above. What do you think? Should the U.S. follow our own laws and international laws when seeking justice for the crimes of 9/11?

Consider the quote by Ben Franklin. How do you think we can we make ourselves secure and keep our freedoms?

Read the quote by Jens Stoltenberg. Why would a country respond to violence this way?

Watch this 5-minute video: “Cost of 9/11 & its Impact on Rule of Law” on youtube.