

JUSTICE™

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Where to Try Terrorists

Justice™ Staff

The debate is on.

U.S. Attorney General Eric Holder has announced that the individuals accused of the 9-11 bombings will be brought to trial.

The initial announcement suggests that the accused will be tried in a courthouse in New York City within walking distance of Ground Zero where the towers fell, killing thousands in the space of only a few cruel minutes while the world watched helpless as TV screens depicted the unspeakable horror.

Immediately those fearful of riots and public unrest demanded that the trials take place elsewhere.

Senator Joe Lieberman was quoted as saying the suspects are war criminals, not American Citizens entitled to a trial in our public system of criminal justice – that they should be tried in a military tribunal.

Justice™ wishes to share our view in the hope you may agree with us. To explain, we need to go back some 65 years to the days of the Nuremberg trials held after the close of World War II.

No one with a grain of human sympathy can begin to imagine the horrors inflicted on all ages of men, women, and children in those dreadful death camps where it is estimated that nearly 4 million souls were exterminated.

Clearly, the unspeakable destruction and disregard for human life and civility that was demonstrated that horrid September morning is a crime of the highest order, and those who perpetrated should be brought to justice quickly and effectively.

But, Justice™ asks, “What is our goal?”

Why not simply take those men accused of that terrible wrong and chop off their heads without further ceremony? Why not drag their bodies through the streets so the people can spit upon their remains?

Why spend millions on trials and the costs associated with security surrounding the event?

Why not summarily try the accused in a military tribunal as war criminals, find them guilty in closed proceedings, march them out to be shot through their cruel hearts by a squad of riflemen, and be done with it?

The answer goes to the heart of *who we are!*

The goal is not to punish!

The goal is to uphold Justice and to show the world that our system of law is still predicated on the principle that each of us is entitled to a fair and speedy trial!

Yes, those men *are* war criminals.

And, yes, pursuant to military law they could be tried by a court martial.

But, what of the world’s opinion and the cause of true Justice under the Rule of Law, constrained by the principles and practices of due process?

The opportunity presented is the same as that presented to the wise men and women who went to great lengths to give a handful of key Nazi war criminals a fair criminal trial to *show the world around us that aggressive warfare is an international crime.*

The goal at Nuremberg wasn’t to punish war criminals – it was to send a message!

And, that message has never before been more greatly needed in light of our own involvement in the affairs of foreign nations and their private conflicts.

Trials are not provided merely to test factual evidence against established laws and punish those who defy the will of the people by disobedience.

There is a far greater purpose for trials and the due and proper performance of Justice in our courts.

Justice is the goal ... not punishment.

Punishing those who violate the will of the people expressed in public law is but a small part of the purpose of our system of criminal justice. The greater goal is to set before the people a constant in which they can trust, to demonstrate the power of law with mercy and reason, and to give to every living soul the promise of their government that Justice will not be subverted for any reason whatsoever.

To try the criminals of 9-11 behind closed doors is to deny ourselves a chance to show the world *who we are!*

We are good.

We are merciful.

We are just.

But, we will not tolerate hateful crime.

And, we will not deviate from hallowed principles that identify us as Americans.

If we fail to live by our own principles and prove to all the world that we do, indeed, hold those principles inviolate, then we face the uncertainties of tyranny and despotism that always follows – either in nations or business or even family life at home – when principle is set aside for the sake of expedience or political favor.

Justice™ says, “Try these men in public!”

Prove to the world that we are a just people as well as the most powerful.

The Politics of Terrorism

Justice™ Staff

In all the rhetoric from politicians who seek to be recognized for their great wisdom in such matters, we hear a constant refrain suggesting that the culprits are “war criminals” and that their heinous deeds are “acts of war”.

Yet, a peculiar circumstance exists that mitigates against that conclusion.

Contrary to popular myth, neither the perpetrators nor the instigators behind the acts are nations possessing any form of individual, diplomatically recognizable sovereignty.

Those who carry out the acts are thugs!

They are not soldiers by any stretch of the imagination!

They are not agents of a “government”, as we traditionally define that term.

They are underground enthusiasts who are inflamed by religious fervor or, in some cases no doubt, by the promise of money, power, or fame. They are led by a handful of independent radicals not much different from those who head the crime syndicates we find in nearly every nation, including our own.

There is no reason to think of the war on terrorism any differently than the war on crime or the war on drugs.

We aren’t engaged in warfare with any foreign nation, as we were in World War I and World War II and most other conflicts against which we have sent our troupes to engage the enemy.

We are fighting a pack of criminals - no more nor less – and talk of “acts of war” and denoting these fanatics as “war criminals” is misplaced and likely to work against our ultimate objective, which is or ought to be to neutralize the threat with the utmost expedience.

Tsun Tzu in his famous work, The Art of War, teaches us the first and foremost task of any military leader is to identify the enemy.

So long as we continue ignorantly to see those engaged in terrorism against our nation and its people and against nations and peoples elsewhere in the world as if they were an identifiable, diplomatically recognizable nation, we will miss the point and weaken our opportunity to deal with them for the menace that they are.

Terrorists are common criminals.

And, as such, they should be so treated.

How to Hire a Lawyer

(Continued from Previous Issue)

Dr. Frederick D. Graves, JD

I never met a lawyer who could win a case, however simple, for only a \$500 fee,

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so if the cost quoted seems lower than what you expect you'll have to actually pay, then it probable *is!*

A third-grader asked her teacher at school, "Teacher? What's two plus two?"

The teacher replied, "Why, Betty, two plus two is four, my dear."

The little girl asked her mom, an accountant, "Mommy? What's two plus two?"

The sharp businesswoman, familiar with ledgers and accounts, dealing daily with numbers much larger than two, juggling figures for her clients so net profits appear or disappear with a magical move of her trained pencil, turned to her inquisitive daughter with a smile and replied, "What would you like it to be, Sweetie?"

Confused and dazed by these conflicting answers, the young lady asked her dad, an established lawyer in town, "Daddy? Can you tell me what two plus two might be."

The wise father, aware of the uncertain complexities of his law practice and billing by-the-hour method employed by lawyers generally, turned to his daughter and said, "Betty, we need to carefully consider the answer before responding. One can never be certain of the truth of a thing until the truth of the thing has been proven completely. Though we may believe today that we have a fairly accurate idea of the answer, experience has shown that in due course, after an unspecified period of time, once we've had a chance to look at the evidence more closely, the number will probably be more than we anticipate at present."

And so it often is with lawyers fees.

They usually end up being more than the lawyer tells you at the beginning.

Self-interest is alive and well.

Don't get taken in. I'll tell you how to protect yourself in this series of articles, but for now you must remember and never forget: We lawyers aren't in this business to lose money and, certainly, we have no interest in helping you get more money for yourself as a result of our labor unless we get a sizeable portion of what we generate or save or recover for you.

Be prepared to pay.

And, *never* trust those who promise a bargain, cut-rate, discount price. They're either lying or incompetent ... or both!

Competence

It's always amazed me that some people think that because we lawyers passed our bar exams and were licensed to practice in the courts that we're so competent and capable that any one of us can win their case.

It just isn't so!

We're people first of all, and just as in all other walks of life, we are none of us exactly the same. There are good lawyers. There are bad lawyers. And there are a few who should be dragged out of town by the hair of their head!

Being permitted to stand before judge and jury to fight with words for the legal rights of people who, because of their limited legal education, cannot fight for themselves is an honor like no other ... and a grave responsibility.

Whether we're defending an innocent, falsely accused murderer facing the death penalty or representing a widow about to lose her home to the avarice of a selfish landlord, we lawyers are called to honor the system of law and order that has made America the greatest nation on earth *by being good at what we do.*

We should know our stuff!

We should understand the ins-and-outs of the rules of procedure, the rules of evidence, and the underlying law and facts that will determine the outcome of our clients' cases.

Above all we should be good with words! All the legal education the world can provide will never replace the need to *communicate effectively*. If the lawyer you seek to hire cannot make himself clearly understood, if he talks in circles, if he seems to go off on tangents, if he laughs at his own jokes, or if he talks incessantly without listening to what *you* have to say about the facts of your case ... *move on!*

Lawyers must be word-warriors first and foremost.

They must be able to communicate effectively ... extremely effectively, clearly, concisely, convincingly. This is the most important aspect of their competence, and you don't need a law degree to sift out the ones who are difficult to understand from the ones who say what they have to say so ordinary people – like jurors – can *clearly* understand them.

If the lawyer talks too *much*, however, find someone else. Lawyers must be good listeners. They need to listen to *you* when you're explaining the facts of your case, why you're hiring them, what you want for an outcome. They need to listen to the other side when the arguing gets hot-and-heavy in the courtroom, so they can respond quickly and prevent the other side from making points they should not make against you.

Finally, your lawyer needs to understand people. He needs to know that most folks don't have a new car, don't live in a half-million dollar home, eat steak rarely if ever, and work extremely hard to make what lawyers make in a single hour!

A good lawyer cares ... and this is as much an element of his competence as

passing the boards or having an advanced degree.

Knowledge is nothing if the lawyer has no heart, because judges and juries sense the pompous pride and insincerity of lawyers who were born with silver spoons in their mouths and think the rest of the world is in poverty because the rest of the world deserves what it gets.

Your lawyer can be *too* well-dressed, for example.

He or she can be *too* worldly, *too* cocksure, *too* high above the rest of humanity.

If the lawyer you hire cannot feel the needs of others, empathize with the situation, and *sincerely care* for you, the members of the jury, and even (yes, even) the other side ... the court will know it and subconsciously pile points against your case.

Hire a lawyer who *sincerely cares* about people ... and justice!

Character

I cannot stress too much the importance of looking for a lawyer with soul, a man or woman who cares, who listens, who communicates effectively, and who exudes a sense of responsibility to do "what's right", demonstrating to all the world in words and actions that there isn't enough money in the world to turn him from the path of honesty and truth.

To be continued ...

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