

ARE MORE THAN TERRORISTS ON TRIAL?

In over three decades of participating in, facilitating and judging exercises in critical thinking, a recent opportunity was an absolute delight. It reinforced that black and white wisdom is often harvested from those with grey hairs.

The Newcomers Club meets at our senior center. These are grandmothers and wives, mothers and daughters who collectively have seen more war, presidencies and heartache than a slew of Ken Burns' documentaries. Every few months they ask me to come in and chat. I cherish the privilege and always have a ball.

In our last visit I proposed we board the "USS Critical Thinking" to see what ports of conclusion or clarity we might call on as we examined the complex issue of how to handle the 9/11 terrorists.

Proud to be in their presence, happy my mother in law was among them and wishing my 90 year young Sicilian Tsunami mommy was there, here is what I heard. All worried a civilian trial in Manhattan might be more of a broad statement of transformative change brewing in America and its role in the world, than an affirmation of American justice. The possibility that our government might be growing too large and deep into everyday life and was now politicizing a sacred process for political gain scared all. However, everyone feared vigilantism and did not support incarceration of the terrorists without trial and final punishment.

All wondered if people understood we are at war with Islamic terrorists. Some suggested we were at war with ourselves. Once informed of its provisions, none felt the Geneva Conventions provided terrorists with any protection or rights regarding trials; civil or otherwise.

Everyone expected the civilian trial to raise grave issues of Miranda rights, which were never applied, and time honored rules of evidence and discovery. Didn't the accused have access to all aspects of evidence being used against them? If defendants plead not guilty, wouldn't these "assassins" spew their malevolent monologue onto the word stage? Even under the weight of these concerns, none wanted to enlarge the blindfold on Lady Justice by ignoring rules or creating new ones, whether the whole world was watching or not.

Some felt a civilian trial was "multiculturalism and political correctness on steroids" and wondered if unnamed defendants were past presidents, polices and the notion of American Exceptionalism.

Questions abounded. Could a jury of peers or an impartial venue be found? Did it matter? How safe are we from suicide bomber stealth techniques? Might public jurors live in fear?

Furthermore they pondered, how do we recruit folks into national security service after dissection, without anesthesia, of our most sensitive techniques, tactics and secrets? Will the trial jeopardize anyone under protection? Who bears the economic and psychological costs? How can the defense

attorney ignore the commander in chief publically assuring the world of a conviction and the death penalty? Is this really a law enforcement issue or a special category of fighting evil with every tool we have?

One participant personally shared with me how their daddy told her brothers that, “the last thing you use and the first thing you lose in a street fight is your mouth” Another suggested that reason and rhetoric alone will never defeat evil manifesting and cloaked as religious rage.

At the end of our group think, all pretty much agreed that evil of this scope simply cannot get on the civilian court docket, trials must be about justice, not agendas and Us safety and security must never be compromised. The greatest antidote for terrorism is informed and vigilant engagement. We fight for what we believe in. We believe in what we have experienced and understand.

I was honored to listen to those ladies but questioned their name. As regards critical thinking, there’s not a newcomer in the bunch.

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