

CRIMES OF TERROR



THE LEGAL AND POLITICAL IMPLICATIONS
OF FEDERAL TERRORISM PROSECUTIONS

Wadie E. Said

OXFORD

Crimes Of Terror The Legal And Political Implications Of Federal Terrorism Prosecutions

Wadie E. Said



Crimes Of Terror The Legal And Political Implications Of Federal Terrorism Prosecutions:

Crimes of Terror Wadie E. Said, 2015-04-08 The U S government's power to categorize individuals as terrorist suspects and therefore ineligible for certain long standing constitutional protections has expanded exponentially since 9 11 all the while remaining resistant to oversight Crimes of Terror The Legal and Political Implications of Federal Terrorism Prosecutions provides a comprehensive and uniquely up to date dissection of the government's advantages over suspects in criminal prosecutions of terrorism which are driven by a preventive mindset that purports to stop plots before they can come to fruition It establishes the background for these controversial policies and practices and then demonstrates how they have impeded the normal goals of criminal prosecution even in light of a competing military tribunal model Proceeding in a linear manner from the investigatory stage of a prosecution on through to sentencing the book documents the emergence of a terrorist exceptionalism to normal rules of criminal law and procedure and questions whether the government has overstated the threat posed by the individuals it charges with these crimes Included is a discussion of the large scale spying and use of informants rooted in the questionable radicalization theory the material support statute the government's chief legal tool in bringing criminal prosecutions the new rules regarding generation of evidence and the broad construction of that evidence as relevant at trial and a look at the special sentencing and confinement regimes for those convicted of terrorist crimes In this critical examination of terrorism prosecutions in federal court Professor Said reveals a phenomenon at odds with basic constitutional protections for criminal defendants Terrorism, Criminal Law and Politics Julia Jansson, 2019-07-23 Recent atrocities have ensured that terrorism and how to deal with terrorists legally and politically has been the subject of much discussion and debate on the international stage This book presents a study of changes in the legal treatment of those perpetrating crimes of a political character over several decades It most centrally deals with the political offence exception and how it has changed The book looks at this change from an international perspective with a particular focus on the United States Interdisciplinary in approach it examines the fields of terrorism and political crime from legal political science and criminological perspectives It will be of interest to a broad range of academics and researchers as well as to policymakers involved in creating new anti terrorist policies The ^AOxford Handbook of Prosecutors and Prosecution Ronald F. Wright, Kay L. Levine, Russell M. Gold, 2021-04-30 This book brings together the work of legal scholars sociologists criminologists political scientists and law reformers to better understand a pivotal actor in the criminal legal systems all around the world the prosecutor Scholarship focusing on prosecutors in particular has begun to emerge as its own sub discipline within criminal law and this book surveys the many different strands of that work underscoring the diversity among prosecutors around the world The chapters reveal the ordinary conduct of the prosecutor at various stages of criminal proceedings the various interactions of prosecutors with local communities and other governmental actors and the distinctive habits and concerns that arise for prosecutors in specialized settings such as juvenile justice and immigration The Rule of

Crisis Pierre Auriel, Olivier Beaud, Carl Wellman, 2018-03-17 This book analyzes emergency legislations formed in response to terrorism. In recognition that different countries with different legal traditions have different solutions it adopts a comparative point of view. The countries profiled include America, France, Israel, Poland, Germany, and United Kingdom. The goal is not to offer judgment on one response or the other. Rather the contributors offer a comprehensive and thoughtful examination of the entire concept. In the process they draw attention to the inadaptability of traditional legal and philosophical categories in a new and changing political world. The contributors first criticize the idea of these legislations. They then go on to develop different models to respond to these crises. They build a general analytical framework by answering such questions as: What is an emergency legislation? What kinds of emergencies justify laws of this nature? Why is contemporary terrorism such a specific emergency justifying new laws? Using legal and philosophical reflections, this study looks at how we are changing society. Coverage also provides historical experiences of emergency legislations to further illustrate this point. In the end, readers will gain insight into the long term consequences of these legislations and how they modify the very work of the rule of law.

Terrorism on Trial Nicole Nguyen, 2023-09-26 A landmark sociological examination of terrorism prosecution in United States courts. Rather than functioning as a final arbiter of justice, U.S. domestic courts are increasingly seen as counterterrorism tools that can incapacitate terrorists, maintain national security operations domestically, and produce certain narratives of conflict. *Terrorism on Trial* examines the contemporary role that these courts play in the global war on terror and their use as a weapon of war, hunting, criminalizing, and punishing entire communities in the name of national security. Nicole Nguyen advocates for a rethinking of popular understandings of political violence and its root causes, encouraging readers to consider anti-imperial, abolitionist alternatives to the criminalization, prosecution, and incarceration of individuals marked as real or perceived terrorists. She exposes how dominant academic discourses, geographical imaginations, and social processes have shaped terrorism prosecutions, as well as how our fundamental misunderstanding of terrorism has led to punitive responses that do little to address the true sources of violence, such as military interventions, colonial occupations, and tyrannical regimes. Nguyen also explores how these criminal proceedings bear on the lives of defendants and families seeking to understand how legal processes unevenly criminalize and disempower communities of color. A retheorization of terrorism as political violence, *Terrorism on Trial* invites readers to carefully consider the role of power and politics in the making of armed resistance, addressing the root causes of political violence with a goal of building toward a less violent and more liberatory world.

Penal Censure Antje du Bois-Pedain, Anthony E. Bottoms, 2019-04-04 This exploration of penal censure is inspired by the 40th anniversary of the publication of Andreas von Hirsch's *Doing Justice*, which opened up a fresh set of issues in theorisation about punishment that eventually led von Hirsch to ground his proposed model of desert-based sentencing on the notion of penal censure. Von Hirsch's work thus provides an obvious starting point for an exploration of the importance of censure for the justification of

punishment both within his theory of just deserts and from the perspectives of other theoretical approaches. It also provides an opportunity for engaging with censure more broadly from philosophical, sociological, anthropological, and individual psychological perspectives. The essays in this collection map the conceptual territory of censure from these different perspectives, address issues for desert theory that arise from fuller understandings of censure, and consider afresh the role of censure within the jurisprudence of punishment. They show that analyses of censure from different vantage points can significantly enrich punishment theory, not least by providing a conceptual basis for perceiving common ground between and thus connecting different strands of penal theory.

Innocent Until Proven Muslim Maha Hilal, 2022-01-25. On September 11, 2001, nineteen terrorists hijacked four airplanes and carried out attacks on the United States, killing more than three thousand Americans and sending the country reeling. Three days after the attacks, President George W. Bush declared, "This is a day when all Americans from every walk of life unite in our resolve for justice and peace." Yet in the days following, Bush declared a War on Terror which would result in years of Muslims being targeted on the basis of collective punishment and scapegoating. In 2009, President Barack Obama said America must play its role in ushering in a new era of peace. Instead, Obama perpetuated the War on Terror's infrastructure that Bush had put in place, rendering his words entirely empty. President Donald Trump's overtly Islamophobic rhetoric added fuel to the fire, stoking public fears to justify the continuation of the War. His predecessors had committed to it. In *Innocent Until Proven Muslim*, scholar and organizer Dr. Maha Hilal tells the powerful story of two decades of the War on Terror, exploring how the official narrative has justified the creation of a sprawling apparatus of state violence rooted in Islamophobia and excused its worst abuses. Hilal offers not only an overview of the many iterations of the War on Terror in law and policy but also examines how Muslim Americans have internalized oppression, how some influential Muslim Americans have perpetuated collective responsibility, and how the lived experiences of Muslim Americans reflect what it means to live as part of a suspect community. Along the way, this marginalized community gives voice to lessons that we can all learn from their experiences and to what it would take to create a better future. Twenty years after the tragic events of 9/11, we must look at its full legacy in order to move toward a United States that is truly inclusive and unified.

Studies in Law, Politics, and Society Austin Sarat, 2020-05-04. This volume of *Studies in Law, Politics, and Society* brings together an international and interdisciplinary array of scholars to explore issues on the cutting edge of socio-legal research.

Homegrown Radicals Youcef Soufi, 2025-02-04. The powerful story of how the War on Terror created the conditions for the emergence of a novel theory of jihad. On March 7th, 2007, three Muslim university students left their small city on the Canadian Prairies seemingly without a trace. In the ensuing months, their disappearance raised fears among Canadian and US security agencies that the men had become radicalized, posing a grave threat to national security. From presidential briefings and targeted drone assassinations to a politically charged trial in a Brooklyn courtroom, the men's story sheds new light not only on the figure of the radical but also on the moderate Muslim represented by a community.

forever changed by the men's departure Homegrown Radicals offers a case study of the complex entanglements of the radical and moderate Muslim in post 9/11 North America Youcef Soufi brings these figures together in uneasy tension providing insight into how state violence has inextricably tied them together Focusing on the radicalization of the three Muslim students the book traces the general sense of affective injury among North American Muslims over the loss of Muslim life in Western military campaigns overseas In this context a new theory of jihad rooted in a Muslim utopian imagination emerged marking a significant rupture with premodern Islamic thought The three radicals were among thousands of Anglophone Muslims who found this new theory compelling as both a diagnosis and a solution to the violence unleashed in the War on Terror The book examines how and why this theory resonated as well as its consequences for the men's families friends and Muslim community Homegrown Radicals highlights how post 9/11 Islamophobia has operated through the conceptual blurring of the line between moderate and radical Muslims and asks what alternative forms of solidarity may transcend the violent boundaries of the nation state

Detention of Terrorism Suspects Maureen Duffy, 2018-02-08 Controversial erosions of individual liberties in the name of anti terrorism are ongoing in liberal democracies The focus of this book is on the manner in which strategic discourse has been used to create accepted political narratives It specifically links aspects of that discourse to problematic and evolving terrorism detention practices that happen outside of traditional criminal and wartime paradigms with examples including the detentions at Guantanamo Bay and security certificates in Canada This book suggests that biased political discourse has in some respects continued to fuel public misconceptions about terrorism which have then led to problematic legal enactments supported by those misconceptions It introduces this idea by presenting current examples such as some of the language used by US President Donald Trump regarding terrorism and it argues that such language has supported questionable legal responses to terrorism It then critiques political arguments that began after 9/11 many of which are still foundational as terrorism detention practices evolve The focus is on language emanating from the US and the book links this language to specific examples of changed detention practices from the US Canada and the UK Terrorism is undoubtedly a real threat but that does not mean that all perceptions of how to respond to terrorism are valid As international terrorism continues to grow and to change this book offers valuable insights into problems that have arisen from specific responses with the objective of avoiding those problems going forward

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