

Trial of Salim Hamdan / Trial was fair

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Position: Trial was fair

This position addresses the topic Trial of Salim Hamdan.

For this position

“Hamdan's commission has produced a trial that seems to have bent over backwards to be fair to the defendant — so much so that dubious evidentiary rulings and jury instructions may have caused an unmerited acquittal on one of the two charges. More significantly, it has resulted in a sentence that is stunningly unjust, by any measure, given the magnitude of the crime of conviction.”

From Disgraceful Hamdan Sentence Calls Military Commissions Into Question, by Andrew C. McCarthy (*National Review*, August 8, 2008) ([view](#))

“But, as conducted, Hamdan's trial, the first U.S. military commission war trial since World War II, was more than fair. He was ably represented, and the judge barred the use of admissions that were drawn from him under the roughest circumstances. What remained was the testimony of 14 prosecution witnesses, who hanged Hamdan with his own words.”

From Guilty as sin, by New York Daily News editorial board (*New York Daily News*, August 7, 2008) ([view](#))

“Of course, Hamdan was not alleged to have carried out specific acts of terror. His functions in al-Qaeda were the critical ones of enabling bin Laden to operate; to meet and plan attacks with top deputies like KSM; and to protect the mobile command structure so the terror network would survive even if the United States retaliated after jihadist atrocities. On his performance of this role, the evidence of guilt was overwhelming.”

From Courted, by National Review editorial board (*National Review*, August 7, 2008) ([view](#))

Against this position

“Col. Morris Davis, the former chief prosecutor in Guantánamo, put the trial in a disturbing light. He testified that he was informed by his superiors that only guilty verdicts would be tolerated. He also said that he was told to bring high-profile cases quickly to help Republicans score a pre-election public relations coup.”

From Guilty as Ordered, by The New York Times editorial board (*The New York Times*, August 6, 2008) (view)

Mixed on this position

No results

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