

**Military Leaders, Prosecutors, and National Security Authorities on the Danger of Using  
Military Commissions to Try Suspected Terrorists**

“We have shaken the belief that the world had in America's justice system by keeping a place like Guantanamo open and creating things like the military commission. We don't need it, and it's causing us far more damage than any good we get for it.”

--General Colin Powell, former Secretary of State and Chairman of the Joint of Chiefs of Staff (June 10, 2007)

“The military commissions cannot be fixed, because their very creation—and the only reason to prefer military commissions over federal criminal courts for the Guantanamo detainees—can now be clearly seen as an artifice, a contrivance, to try to obtain prosecutions based on evidence that would not be admissible in any civilian or military prosecution anywhere in our nation.”

--Lieutenant Colonel Darrel Vandeveld, former military commissions prosecutor (July 8, 2009)

“The commission system lacks domestic and international credibility and has shown itself vulnerable to unlawful command influence, manipulation and political pressure. Reinventing commissions so deeply associated with Guantánamo Bay will merely add to the erosion of international confidence in American justice, provide more fodder for America’s enemies, and lead to prolonged challenges and years of continued litigation.”

--Vice Admiral Lee F. Gunn, Rear Admiral John D. Hutson, and Brigadier General James P. Cullen (May 14, 2009)

“The history of our military commissions brings little credit on our country. We should not invoke that history without recognizing the combination of doubtful goals and missed opportunities to use other forums. The coming new-and-improved model of military commissions — our third effort in less than a decade — is unlikely to inspire confidence here or abroad in our administration of justice.”

--Eugene Fidell, President of the National Institute of Military Justice (June 13, 2009)

“The United States underestimates the value of prosecutions, which often can be enormously demoralizing to radical groups. There is no glory in being taken to prison in handcuffs. No jihadi web site publishes such pictures. Arrested terrorists fade into oblivion. Only martyrs live on in popular memory.”

--Marc Sageman, former CIA case officer and counterterrorism expert (March/April 2008)

“The American criminal justice system has demonstrated a remarkable ability to meet the legal challenges posed by "the war on terror." Based on my own experience in prosecuting terrorism cases and the growing historical record, federal courts consistently have resolved complex constitutional and procedural issues that terrorism cases often present, including the use and protection of sensitive intelligence information and the admissibility of evidence obtained overseas.”

--David Laufman, former Assistant United States Attorney in the Eastern District of Virginia and prosecutor of Ahmed Omar Abu Ali (July 9, 2009)