

‘Miranda: More than Words’

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Miranda is more than just words. It is a just reminder of our rights.

Many of my classmates recognized the sentence: “you have the right to remain silent.” But, when pressed for details, most had no answers. The Miranda Rights are solutions to problems people faced in the past.

In England, for example, the Star Chamber Court presented those before it with a cruel trilemma.

Three cruel choices that made people either lie, incriminate themselves, or remain quiet and then deemed in contempt of court. This is one of the many reasons our Bill of Rights contains a protection against self-incrimination. To protect us from injustices just like the Star Chamber Court.

Torture is another tragic part of the past and—in some parts of the world—the present. But, around the year 1640, the English abolished torture in most cases. Why? The cruelty of torturing an unconvicted person, the unreliability of evidence, and the degradation torture places on every single person involved in the process.

Another area of distinction is the right to counsel. Our legal system makes sure that those who cannot afford an attorney are provided with one. After all, the everyday American is not steeped in the legal system. But their prosecutor is, and to counteract the expertise of the public prosecutor, our system has public defenders.

Why do we have Miranda Rights? To protect criminal suspects from physical brutality and compulsion, and to make sure that suspects know their constitutional rights. Because if they aren’t in that position, justice has not been—and cannot be—carried out.

These legal rights—the right against self-incrimination, the abolition of torture in police investigations, and the right to counsel—protect us from injustice. The

Miranda Warning exists to make sure that those who have the most to gain from these rights know they have them.

There's a popular saying that goes: "Those who have nothing to hide have nothing to fear." It's usually said about government surveillance, but it extends to the right against self-incrimination. This is why we get so suspicious of those who plead the fifth. Why would an innocent person not answer a question? But we cannot affirm the question's premise. There would be no value in having a right against self-incrimination that would incriminate those who used it, yet—as found in a study conducted by Professor Richard Rogers with a grant from the National Science Foundation—one third of 139 pretrial defendants said—when asked—that their silence could be used as evidence against them.

That, ladies and gentlemen, is an injustice. The court's ruling in Miranda was based on the premise that only those who know their rights can exercise them. That's why it is so important we improve the current Miranda Warning.

Einstein once said, "If you can't explain it to a six-year-old, you don't understand it yourself." We need a warning that a six-year-old can comprehend which means we need a shorter warning with a lower reading level.

The Miranda Warnings have advanced American justice. We can continue that advancement. If we are to become a more perfect union, we must. The Miranda Warning is more than just words; The Miranda Warning is a just reminder of our rights.