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UNITED STATES E THE SUSPENTION OF THE CONSTITUTIONAL GUARANTEE: FEAR OS SECURITY?

Abstract:

In this article I wanted to deal with an extremely important aspect of the United States Constitution: the suspension of constitutional guarantees.

The United States throughout history have had several moments when the central government decided the suspension of constitutional guarantees (habeas corpus, habeas data to name a few) as a security measure to deal with the war or the states of exception.

The American people, appealing to nationalist sentiments, has always supported the decisions of the US government in this regard, of course, not realizing the consequences and restrictions that they could make to their private lives.

This article of the constitution, in my opinion, should be reviewed by the American constituents.

It is not permissible in the country's free and democratic par excellence the restriction of rights and freedoms. The suspension of constitutional guarantees in a state of emergency, natural disaster and war periods can become a powerful weapon in the hands of the rulers whom can also use arbitrarily. This article will highlight the danger resulting from the suspension of constitutional guarantees, accompanied by examples of suspension of guarantees at different periods of American history, with an invitation to the American constituent to adopted the fundamental charter to recent standards on the prohibition of the suspension of guarantees to better protect their citizens.

Keywords:

suspention, guarantees, emergency, war, citizens, United States.

JEL Classification: K33, H56