

Silence of the defendant in front of the prosecutor general

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Abstract

The right to silence can be presented in defendant's freedom of speech; accordingly, he can say anything which is related to the crime or to the charges brought against him. The defendant has the right to discuss the evidence against him, or to remain silent; provided that the refraining from discussion/giving opinion/giving any kind of information, pertaining to the evidence brought against him, is not considered as a point taken against the defendant and to be considered a right to defend himself in accordance with Human Rights which include freedom of speech and state the right to silence without coercion and duress. It is also based on the fact that a human is innocent with no need of evident to prove his innocence; due to the fact that innocence is one undivided trait of mankind from his cradle to his grave unless proven guilty by a court's verdict. Innocence is approved explicitly and implicitly by international conventions and charters as well as by criminal and panel laws around the world.

This study stopped at every one of the forementioned issues to analyze, detail and to make a comparison between Arabic and Non–Arabic panel laws. At the end of the tunnel, it's found that the right to silence is a prerogative to any defendant stemming from Humanity which consists of clearance of any commitment or accusation and legal notification stating the defendant shall not be physically assaulted or put under duress.

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