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Trends. The Paradise Hotel Bombing: Trouble in Judicial Paradise

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Abstract: This article discussed the bombing of the Kenyan Hotel Paradise in November 2002, and the detention of suspects.

A Kenyan High Court Justice has ordered the release from confinement of the mother and brother of a suspect in the recent bombing of the Hotel Paradise. The Kenyan police had justified detention of mother and son in an effort to gain more information helpful to the bombing investigation. However, the judge determined that their continued detention was unnecessary because they were not cooperating with investigators. It is this determination that merits some analysis.

If not cooperating with representatives of the criminal justice system is a ticket out of detention, then suspects, material witnesses, and other individuals coming to the attention of investigators are being positively reinforced for acting contrary to the desires of those representatives. As well, one should necessarily feel contempt for judicial findings of contempt against non-cooperative witnesses. (An exception would be cases wherein the detained fear being let go and representatives of the criminal justice system are using this fear to the latter's advantage.)

Instead, it would seem reasonable that release from detention should be predicated on cooperation--save for the case wherein freedom might be judged to curtail further cooperation--e.g., through an individual's absconding. Otherwise, detention consequent to or concurrent with ongoing cooperation would suggest omission training (removal of primary reinforcement) or punishment for said cooperation via the perception of a freedom-desiring individual.

The investigation is still ongoing and, in all likelihood, much remains to be discovered about the bombing. In the meantime, it might be prudent to explore the reinforcement contingencies and even the cognitive-affective schemata related to social interaction underlying the treatment of those with information relevant to the bombing, if paradise on earth includes no further reprises of the Paradise bombings. (See Lacey, M. (December 14, 2002). Kenya frees fishermen, saying they had no ties to attackers. *The New York Times*, <http://www.nytimes.com>; O'Rourke, N. (1999). Vigorous shaking of political prisoners as a means of interrogation: Physical, affective, and neuropsychological sequelae. *Politics & the Life Sciences*, 18, 31-36; Schuster, R. (2002). Cooperative coordination as a social behavior: Experiments with an animal model. *Human Nature*, 13, 47-83; Vinden, P.G. (2002). Understanding minds and evidence for belief: A study of Mofu children in Cameroon. *International Journal of Behavioral Development*, 26, 445-452.) (Keywords: Bombings, Criminal Justice System, Hotel Paradise, Kenya.)