



Unravelling the New World Order

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Are Deciding Your Future*

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Secret Memo “Explains” Why Obama Can Kill Americans... But It’s “Classified Information”

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Just before the assassination of Anwar al-Awlaki, the U.S. Justice Department issued a memo that authorized the lethal targeting of anwar al-Awlaki, an American-born radical cleric who was killed by a U.S. drone strike on September 30. The Justice Department produced the document following a review by senior lawyers from across the administration of the legal issues raised by striking a U.S. citizen.

Obama’s order to kill an American citizen without due process has proven highly controversial, as it should. This is an issue that should be widely examined and discussed. But there is a problem: the administration’s “rationale”—i.e., the legal analysis used to authorize the killing of Awlaki without the exercise of due process—has been kept secret. It is “classified information” that we, the people are not allowed to read—or challenge.

Why have Obama and his lawyers kept secret what they assert is a matter of sound law? As was pointed out in an interesting article published October 3 in TheAtlantic.com (“The Secret Memo That Explains Why Obama Can Kill Americans”), this is not a military secret—the publication of which would undermine national security. It is not a matter of protecting CIA field assets or concealing domestic vulnerabilities to terrorism from public view.

Rather, it is a decision by the president not to expose to scrutiny his executive order authorizing the assassination of an American citizen. He is exploiting powers of “official secrecy” to circumvent an expectation—or a requirement—that he justify his actions under the Constitution and/or the specifics of authorized military force granted to the executive branch post-9/11.

The legal questions are thorny, but the country needs to have this discussion. *What restraints by the Constitution on executive power are we willing to ignore?*

Obama, with his customary arrogance in dismissing the will of the American people, has by this secret, authoritarian power grab, voided the right of due process—one of the Constitutional restraints that protect our citizens from the tyrannies of over-zealous prosecution, unlawful seizures or imprisonment, and other potential dangers posed by a powerful government.

Some will argue that Awlaki was evil and his actions criminal and treasonous. Those things are true, but a number of unsettling questions still come to mind. What happens if this president—or any president—seizes this precedent and targets political opponents for assassination? Who decides who is and who isn’t a terrorist?

The abrogation of a citizen’s right to due process and a trial by jury in the case of Awlaki is in curious contrast to a number of Obama’s other actions: He gives Miranda rights to foreign terrorists without first attempting to obtain information that could save American lives; he delays an investigation of the bloody Fort Hood massacre; he appoints officials who publicly advocate Islamic Sharia law; and he has sought to grant foreign enemy combatants the privileges of

U.S. citizens, despite the fact that those combatants are not even protected by the Geneva Convention. And that is just a partial list.

John Griffing, in an excellent article published at American Thinker (“Obama, the Hit man: Killing Due Process”) included a quote from Abraham Lincoln that is especially enlightening at this particular moment in time:

“The provision of the Constitution giving the war making power to Congress was dictated, as I understand it, by the following reasons: kings had always been involving and impoverishing their people in wars, pretending generally, if not always, that the good of the people was the object. This our [Constitutional] Convention understood to be the most oppressive of all kingly oppressions, and they resolved to so frame the Constitution that no one man should hold the power of bringing this oppression upon us.”

Griffing points out that, in our present state of affairs the President has seized the opportunity, while fighting a protracted and ill-defined war, of making himself the equivalent of an elected king.

During the Bush administration, many warned that the Patriot Act could ultimately be used against American citizens. The broad and ambiguous language of the Patriot Act gives the President the power to determine what is and is not “terror.” A terrorist is defined as anyone “designated, upon publication in the Federal Register, by the Secretary of State in consultation with or upon request of the Attorney General.”

If not reined in, this absence of accountability, engendered by overly broad language and loose definitions, will be utilized as a powerful and potentially deadly political weapon. As for the exercise of justice against our enemies, our Constitution already contains a provision for dealing with those citizens found conspiring against our nation. It’s called *treason*, and it is punishable by death, following the exercise of due process under our laws.

The elimination of one despicable terrorist, regardless of his perceived threat to us, cannot be weighed equally against the loss of one of our most important Constitutional protections.