



Written by [Thomas R. Eddlem](#) on January 30, 2010

CIA Has Program to Assassinate U.S. Citizens

The U.S. Central Intelligence Agency has maintained an assassination list of U.S. citizens for the last eight year and has actually assassinated Americans, according to January 27 Washington Post story.



The *Post* reported a [story](#) of a predator drone strike in late 2001 in Yemen:

"The target was Abu Ali al-Harithi, organizer of the 2000 attack on the USS Cole. Killed with him was a U.S. citizen, Kamal Derwish, who the CIA knew was in the car.

"Word that the CIA had purposefully killed Derwish drew attention to the unconventional nature of the new conflict and to the secret legal deliberations over whether killing a U.S. citizen was legal and ethical.

"After the Sept. 11 attacks, Bush gave the CIA, and later the military, authority to kill U.S. citizens abroad if strong evidence existed that an American was involved in organizing or carrying out terrorist actions against the United States or U.S. interests, military and intelligence officials said. The evidence has to meet a certain, defined threshold. The person, for instance, has to pose 'a continuing and imminent threat to U.S. persons and interests,' said one former intelligence official."

One may expect the Bush administration to give the military and the CIA the "authority" to assassinate American citizens without trial. The Bush administration had made a point of claiming unlimited power under the [lawyerly advice of the Justice Department's John Yoo](#) and had imprisoned American citizens [Jose Padilla](#) and [Yaser Hamdi](#) for years without trial. Only after taking the [Hamdi case all the way to the Supreme Court](#) — and taking the [Padilla case to the Supreme Court twice](#) — did the Bush administration concede it couldn't throw an American citizen away in a CIA dungeon forever without a trial. Assassination was only the next logical step to the Bush administration policy of the ["unitary executive."](#)

But the *Post* [explains](#) that "the Obama administration has adopted the same stance." This might be surprising to casual observers, since the Obama administration has publicly claimed a restoration of law and order. The *Post* [noted](#) that "as of several months ago, the CIA list included three U.S. citizens," and explained that Obama "has embraced the notion that the most effective way to kill or capture members of al-Qaeda and its affiliates is to work closely with foreign partners, including those that have feeble democracies, shoddy human rights records and weak accountability over the vast sums of money Washington is giving them to win their continued participation in these efforts."

Don't expect establishment Republicans to raise a hue and cry over this continuation of Bush administration policies similar to their outrage over Obama continuing Bush's outlandish spending policies. Many in the [John Yoo wing of the Republican Party](#) — which is today the dominant wing of the party — continue to campaign against "giving" rights to foreign detainees. A recent example of that includes the Republican "response" to Obama's "State of the Union" address January 27 by Bob McDonnell, Virginia's new Governor. McDonnell [told](#) the nation:

Americans were shocked on Christmas Day to learn of the attempted bombing of a flight to Detroit. This foreign terror suspect was given the same legal rights as a U.S. citizen, and



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immediately stopped providing critical intelligence. As Senator-elect Scott Brown says, we should be spending taxpayer dollars to defeat terrorists, not to protect them.

Constitutionalists have long known that rights flow directly from God; they are not "given" by government. The Declaration of Independence [acknowledges](#) as "self-evident" that "all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." Those Founding Fathers fought against the British view that rights could be canceled because they resided far from the mother land. They fought a war to secure rights as "unalienable" — inseparable gifts from God. Then the Founders ratified a Constitution that protected — not "gave" — the rights Americans already possessed from God. The Bill of Rights was added immediately afterward — not to dole out rights, but — to limit the Federal government and prevent it from infringing on rights the people already possessed.

Politicians in both parties running Washington today have flouted this self-evident truth at least since the September 11 attacks under the excuse that we are "at war" (even though Congress [explicitly rejected a declaration of war](#)). Their argument is based on the false premise that government "gives" rights to people, leading to the false conclusion that if people clothed with government authority dislike some people with a certain threshold of intensity, then those people probably ought not to be "given" rights. It is an argument as much marked by an openly atheistic worldview as it is one that quickly turns to brutality and an end to all law. The Bush administration's declaration that foreign detainees in this undeclared war (Note: The Constitution requires [only Congress can declare war](#)) have no rights led to the assassination of Americans without trial in a matter of months after the September 11 attacks. The lesson of the last few years is that political leaders cannot take away the rights of some people without endangering the rights of everyone.

The fact that only three Americans remain on the CIA assassination list ought not to comfort alert Americans. If the CIA has the right to kill three Americans without trial, then in principle it has the right to assassinate three million Americans without trial. Nor should the fact that these Americans happened to be abroad while targeted provide any sense of security that our rights won't be violated while residing within our own country. Mere geographical location is no protection against a government that refuses to respect rights, as American citizen Jose Padilla discovered when he was taken into custody in Chicago's O'Hare Airport in 2002. Without the principle of the Constitution and its limits on the federal government, Americans and their inalienable rights and freedoms remain in a kind of peril that no terrorist could ever create.

Hat tip for this story: See *Salon* magazine's excellent article by Glenn Greenwald entitled: "[Presidential Assassinations of U.S. Citizens.](#)"



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