



Written by [Joe Wolverton, II, J.D.](#) on June 1, 2012

Obama's Kill List Policy: Pull the Trigger & Don't Count Civilian Casualties

"Mr. Obama embraced a disputed method for counting civilian casualties...." So [reports the *New York Times* in an article published Tuesday](#) describing the process of compiling the President's infamous "kill list."

When read in conjunction with [the headline from an *Associated Press* article](#) reading: "Iraq to Stop Counting Civilian Dead," a picture of global casualness as to casualties begins to emerge.



The highly informative *New York Times* piece illuminates much of the macabre methodology of aggregating the names of enemies of the state to President Obama's proscription list.

Recounting the scene at one of the regularly scheduled Tuesday intelligence briefings at the White House, Jo Becker and Scott Shane of the *Times* write, "The mug shots and brief biographies resembled a high school yearbook layout. Several were Americans. Two were teenagers, including a girl who looked even younger than her 17 years."

It cannot be too soberly restated that these seemingly cold blooded conferences are occurring every week in the Oval Office and are presided over by the popularly elected President of the United States.

That last fact is essential if one is to understand the era into which our Republic has entered. The President of the United States, in this case Barack Obama, sits in a chair in the White House rifling through dossiers of suspected terrorists. After listening to the advice of his clique of counselors, it is the President himself who designates which of the line up is to be killed. As the *New York Times* explains:

Mr. Obama has placed himself at the helm of a top secret "nominations" process to designate terrorists for kill or capture, of which the capture part has become largely theoretical. He had vowed to align the fight against Al Qaeda with American values; the chart, introducing people whose deaths he might soon be asked to order, underscored just what a moral and legal conundrum this could be.

As a candidate, President Obama, a former adjunct professor of law, ran on a promise of ending foreign conflicts, bringing home the troops, and closing the prison at Guantanamo Bay. In just over three years, this professor of peace has become the decider of death. In a very real and irrefutable way, the American people have permitted the President of the United States (beginning with George W. Bush and the passage of the PATRIOT Act, the Authority for the Use of Military Force, and other similar legislation) to create a codified grant of the unalienable right over life and death. The most bloodthirsty of the Roman dictators has much to envy in the power assumed by our last two executives.

Does the President feel compelled to make these decision so as to relieve others of such a heavy burden? No. As recorded by the *Times*:



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When a rare opportunity for a drone strike at a top terrorist arises — but his family is with him — it is the president who has reserved to himself the final moral calculation.

“He is determined that he will make these decisions about how far and wide these operations will go,” said Thomas E. Donilon, his national security adviser. “His view is that he’s responsible for the position of the United States in the world.” He added, “He’s determined to keep the tether pretty short.”

Read that again: In the President’s view, he is solely responsible for the position of the United States in the world. By now, Americans are aware that the President’s view is the only view that matters. He is, as President Bush once proclaimed, “the decider,” and none shall oppose (unless they fancy being pursued by Hellfire missiles).

There is a salient question that the President would likely laugh at were it to be posed to him: Where is the constitutional authority for any of this? No one would rationally argue that the right to create or carry out kill orders is granted the President in the Constitution, but there is likewise no endowment of the power to position the President as the ensign of American ideals to the world.

Article II, Section 2 of the Constitution sets forth the sum of the powers given to the Executive. In the order of their appearance, there is the designation of the President as the Commander-in-Chief of the Army and Navy of the United States; the power to grant reprieves and pardons (with qualifications); the power (again, with the advice and consent of the Senate) to nominate ambassadors, judges, and other officers; and the power to fill Senate vacancies (within certain guidelines). That’s it. No other powers are given the President.

What is perhaps more frightening than the President’s usurpation of the right to decide who lives and who dies, there is the sangfroid he displays in the execution of that self-appointed sovereignty.

The story in the *Times* claims that the President “approves lethal action without hand-wringing” and when it came to ordering the assassination of an American citizen not charged with any crime other than being “an enemy,” President Obama reportedly commented that the decision to pull the trigger was “an easy one.”

An important element of elimination of people on the President’s kill list is that it is done by remote control. Special Operations troops are not sent in to alleged al-Qaeda camps to stealthily drive a dagger into the heart of an unsuspecting terrorist. The reality is that President Obama gives the go sign and some C.I.A. apparatchik in Langley grabs a joystick and squeezes a button releasing a missile from the underside of an unmanned drone. Mission accomplished.

In a story in *Newsweek* for May 27, Daniel Klaidman relates the story of one such drone strike that “led to ‘persuasive’ reports” of “dozens” of women and children being killed by the attack. While watching the lethal event unfold on the satellite feed provided to the military and lawyers, one observer later commented, “If I were Catholic, I’d have to go to confession.” Ammo.com has published an [interesting infographic](#) breaking down the statistics of Obama’s drone war.

Perhaps the most sinful aspect of this American policy of shoot and scoot without even counting the civilian collateral casualties is the fact that the President and his death squad “don’t care who dies with [the suspected terrorists].” In the *Times* article, the authors claim that in one case President Obama ordered the death by drone of a suspected leader of the Taliban (Baitullah Mehsud) who was with his wife at his in-laws’ house. As the article puts it: “Mr. Obama, through Mr. Brennan, told the C.I.A. to take the shot, and Mr. Mehsud was killed, along with his wife and, by some reports, other family



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members as well, said a senior intelligence official.”

Again, remember that under the latest guidelines, the death of such innocents should not be counted when tallying the kill total.

Whom are we killing? We are not at war with any nation (Congress has not declared war since World War II) and often we don't even know with any morally acceptable certainty the identity of those being destroyed by our drones. What's worse, none of those killed by a drone-fired missile has been accused of any crime or been brought to account for the crimes of which they are suspected. They are purposefully and unrepentantly denied due process.

Due process is just that: the legal process through which an accused is allowed in order to answer the charges placed against him. These safeguards are designed to prevent the punishment of a person who, although apparently guilty, may be proven not to be so. It is this centuries-old civil right that is perhaps the most lamentable casualty in the War on Terror.

And unless the citizens of our Republic rise up and demand accountability from those making these deadly decisions ostensibly on our behalf, it is a casualty, like so many others, that will never be counted.

Photo of MQ-9 Reaper Drone: AP Images



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