



Written by [Warren Mass](#) on October 31, 2017

U.S. Special Operations Forces Capture Benghazi Suspect in Libya

President Trump stated in an October 30 press release that U.S. forces captured Mustafa al-Imam in Libya. Al-Imam is a suspect in the 2012 attacks in Benghazi that resulted in the deaths of U.S. Ambassador Christopher Stevens, U.S. Foreign Service Information Management Officer Sean Smith, and CIA contractors Glen Doherty and Tyrone Woods.



Trump said, “Because of this successful operation, al-Imam will face justice in the United States for his alleged role in the September 11, 2012 attacks in Benghazi.”

The president’s statement continued:

The United States will continue to support our Libyan partners to ensure that ISIS and other terrorist groups do not use Libya as a safe haven for attacks against United States citizens or its interests, Libyans, and others.

Libya’s long-term stability and security are linked to its ability to form a unified government and military, and we encourage all Libyans to support the ongoing reconciliation process facilitated by the United Nations and to work together to build a peaceful and stable country.

The *New York Times* reported that al-Imam was captured on October 29 in the area of Misurata, Libya, then taken aboard a U.S. Navy ship. The report noted that more than a dozen people have been charged in the Benghazi attack, and one is standing trial.

A news release posted by the U.S. Attorney’s Office in Washington, D.C., on October 30 included a statement from Attorney General Jeff Sessions, who said, in part:

We owe it to [those killed at Benghazi] and their families to bring their murderers to justice. Today the Department of Justice announces a major step forward in our ongoing investigation as Mustafa al-Imam is now in custody and will face justice in federal court for his role in the attack. I am grateful to the FBI, our partners in the intelligence community and the Department of Defense who made this apprehension possible. The United States will continue to investigate and identify all those who were involved in the attack — and we will hold them accountable for their crimes.

The news release also explained that al-Imam has been charged in a recently unsealed three-count criminal complaint, which was filed under seal on May 19, 2015, in the D.C. District Court. That complaint charges al-Imam with

- Killing a person in the course of an attack on a federal facility involving the use of a firearm and dangerous weapon and attempting and conspiring to do the same;
- Providing, attempting, and conspiring to provide material support to terrorists resulting in death; and



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- Discharging, brandishing, using, carrying, and possession of a firearm during and in relation to a crime of violence.

Al-Imam will be presented before a federal judge in Washington, D.C., upon his arrival in the United States.

CNN cited a statement from a government official who said that the U.S. government has video of al-Imam present at one of the two sites of the attacks in Libya that killed the four Americans. However, it is not initially clear whether the video shows al-Imam at the Benghazi consulate or the annex, which was also attacked.

The report noted that al-Imam is the second Benghazi suspect to have been taken into U.S. custody. The attack's suspected mastermind — Ahmed Abu Khatallah — is currently on trial in the District of Columbia.

CNN reported that Abu Khatallah faces 18 charges related to the Benghazi attack, including the murder of an internationally protected person, providing material support to terrorists, and destroying U.S. property while causing death.

Since the Benghazi attack was conducted by al Qaeda-linked rebels against the U.S. ambassador and members of his staff, the mission to apprehend the perpetrators and bring them to justice is one that not even the most strident noninterventionist will take issue with. It is a legitimate constitutional function of our military to protect Americans wherever they are. While every U.S. embassy is guarded by members of the Marine Corps Embassy Security Group, the primary mission of those Marines is to safeguard classified files stored in the embassy, not the personnel. That is why there were Marines stationed at our embassy in Tripoli, where classified material was processed. However, former Secretary of State Hillary Clinton stated that there was no classified processing at the diplomatic compound in Benghazi, so there were no Marines posted there.

That explanation aside, since an American ambassador was killed, it is imperative for our government to do everything it can to bring his killers to justice, which is apparently what the Trump administration has done. (Abu Khatallah was captured in 2014 by U.S. Delta Force special operations personnel, during the Obama administration.)

There is a deeper underlying issue, however. While the capture of the terrorists responsible for the Benghazi attack is a proper response, the conditions that led to the attack were the result of a massive failure of U.S. foreign policy.

A [2012 article in *The New American*](#) quoted retired Air Force General and former CIA Director Michael Hayden, who said that the UN-sanctioned military intervention in Libya by the United States and NATO allies created the conditions leading to the attack on the U.S. diplomatic mission in Benghazi. Hayden said in an interview with Newsmax TV that the decision to intervene on behalf of the rebels seeking to overthrow Libyan ruler Moammar Gadhafi may have been made without a “deep and true” appreciation of all the consequences, and has left the United States with a “moral responsibility” for the future of Libya.

Hayden said in the interview, “Here’s a case where we went into Libya for reasons that seemed very powerful for some people at the time, almost all of them humanitarian, perhaps without a true or deep appreciation for what the secondary and tertiary effects of overthrowing Gadhafi would be.”

Hayden also faulted the United Nations for misrepresenting the mission. “The U.N. Security Council



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resolution on Libya was bait and switch,” he said. “It was never just humanitarian assistance, it was to overthrow the regime.”

President Obama ordered the military intervention in Libya in March 2011 without seeking or receiving authorization from Congress, and continued the military actions beyond the 60 days established in the War Powers Act as the length of time a president may carry on a military mission without congressional approval.

Obama, like several of his predecessors, ignored Article I, section 8 of the Constitution, which assigns to Congress the power to declare war. The Benghazi attack was but one unfortunate consequence of our government’s interventionist foreign policy under several presidents, especially our habit of removing “bad” despots like Saddam Hussein and Gadhafi — only for the vacuum created by their removal to be filled by terrorists such as al-Qaeda and ISIS who are much worse.

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