

# The state assassination of a US citizen foretold

12 February 2014

The Associated Press Monday published an extraordinary report based on deliberate leaks from senior US government officials announcing that the Obama administration is “wrestling with whether to kill [an unnamed US citizen] with a drone strike and how to do so legally under its new stricter targeting policy.” The targeted individual is alleged to be a terrorist residing “in a country that refuses US military action on its soil and that has proved unable to go after him.” The media subsequently carried various reports indicating that the individual is located in Pakistan.

Monday’s revelation that the White House is once again preparing to carry out the illegal murder of an American citizen gives an entirely new and sinister meaning to President Obama’s campaign slogan, “Yes we can.”

Indeed, if the government can order the state assassination of a US citizen in the name of national security, what can it not do? Concentration camps (a remedy recently justified by Supreme Court Justice Antonin Scalia), torture, disappearances, martial law, the suspension of the Constitution—all the methods of a police state dictatorship become equally justifiable and possible.

The apparent purpose of the Obama administration’s calculated leak is to blunt popular opposition to an illegal state murder by creating a phony aura of “due process,” “transparency” and careful deliberation for a criminal operation that is steeped in secrecy, conspiracy and contempt for core constitutional principles.

The AP report stresses the supposedly “high threshold” that must be overcome in secret proceedings before a death warrant is signed. The world’s population was reassured that it is a “difficult” decision, with the implication that lots of hand-wringing and brow-furrowing goes on beforehand behind closed doors. This emphasis is in line with a 2012 speech by Obama administration Attorney

General Eric Holder and White a 2013 “purport to provide legal justification for the assassination program.

The leak to the AP and the media’s dutiful echoing of senior officials’ claims about the administration “wrestling” with the legality of state murders has another even more insidious purpose. It is aimed at creating the illusion of some kind of national debate over the assassination program into which the public is dragooned as unwilling and powerless participants. The desired effect is to morally implicate the American people as a whole in the crimes of the US state.

The killing of an American citizen by the government without charges or trial is, as an initial matter, in flagrant violation of the Bill of Rights, US statutory law, and numerous international treaties.

The Due Process clause of the Fifth Amendment, part of the Bill of Rights (1791) unambiguously prohibits extra-judicial killing, providing that no person shall be “deprived of life, liberty, or property without due process of law.” There can be no doubt as to the sentiments of the authors. Thomas Jefferson wrote to James Madison in 1789: “Assassination, poison, perjury... All of these were legitimate principles in the dark ages which intervened between ancient and modern civilizations, but exploded and held in just horror in the eighteenth century.”

In an attempt to circumvent the unequivocal language of the Fifth Amendment, the Obama administration has attempted to redefine “due process” to mean the “process” whereby military and intelligence officials, along with the president, meet in secret, choose their victims and order the killings. This secret process was on display in yesterday’s Associated Press report on the contemplated assassination, which emphasized that Pentagon officials were “initially divided” before coming around to a consensus in favor of the killing.

This grotesque redefinition of “due process” stands opposed to nearly a millennium of legal precedent

dating back to the Magna Carta (1215), according to which the term has come to mean basic protections such as the presumption of innocence, a public trial, the right to an attorney, the right to a jury, the right to confront one's accusers, and so forth.

In the legal newspeak of the Obama administration, a person's individual rights have to be "balanced" against the interests of the state. Under this formula, individual democratic rights exist, but may be ignored whenever the state sees fit. This formula has no basis whatsoever in the Bill of Rights, which speaks in absolute terms with no exceptions. This "balancing" formula is nothing more than a recipe for dictatorship, and it would have fit comfortably into the jurisprudence of any police state in history.

If the killing announced Monday goes forward, it will constitute the fifth assassination of an American citizen since the launching of the "targeted killing" program, which has also claimed the lives of thousands of innocent victims of other nationalities. Under international law, all of these killings are war crimes. From a domestic legal standpoint, every military, intelligence, and civilian official—up to and including Obama—who participates in or fails to intervene in the killing of an American citizen without charges or trial is guilty of murder. All such individuals deserve to be impeached, arrested, indicted and prosecuted.

While the liberal and pseudo-left apologists for Obama insist religiously on the humane sentiments that supposedly reside in the president's invisible "heart of hearts," the real Obama emerges more and more as a cold-blooded and ruthless operative of the US military and intelligence apparatus. In a recent book by authors Mark Halperin and John Heilemann, entitled, *Double Down: Game Change 2012*, Obama is quoted as boasting to his aides that he is "really good at killing people."

The activities of the Obama administration make the misconduct of every previous American administration combined seem petty and trivial by comparison. The criminal indictment of Obama himself would be thousands of pages long: war crimes, corruption, torture, perjury, theft, negligence, mayhem, abduction, conspiracy, murder, and the construction of a massive illegal spying apparatus unprecedented in history.

The absence of any substantial opposition within the political establishment to the public announcement that

a citizen will be murdered without trial points to the terminal decay of American democracy.

The key to understanding this breathtaking collapse of American democracy is social inequality. Democracy is in contradiction with a world where the richest 1 percent control half of the world's wealth, i.e., with capitalism. The ultra-rich clique that rules America, while it gobbles up all the money in sight, is conscious of its growing unpopularity. Thus, while it everywhere seeks to wipe out the hard-won social and democratic gains of the population, it works to acclimatize the population instead to authoritarianism.

The struggle to defend and expand core democratic rights such as those enshrined in the Bill of Rights—and to bring criminals like Obama to justice—can be taken forward only by means of the independent mobilization of the working class in a political struggle against the capitalist system.

Tom Carter

To contact the WSWWS and the  
Socialist Equality Party visit:

<http://www.wsws.org>