

[Display full version](#)**May 09, 2011**

U.S. Assassination Campaign Continues as CIA Drone Targets U.S.-Born Cleric Anwar al-Awlaki in Yemen

The Obama administration launched a drone strike in Yemen last week in an attempt to assassinate a U.S.-born Muslim cleric who has never been convicted of a crime. Anwar al-Awlaki survived the attack, but two suspected members of al-Qaeda died. It was reported to be the first U.S. drone strike in Yemen in nine years. "It's illegal to kill a U.S. citizen in Yemen, outside of armed conflict, without any due process," says Maria LaHood of the Center for Constitutional Rights. The attempted assassination of al-Awlaki comes just days after U.S. special forces executed Osama bin Laden and NATO planes bombed Libyan leader Col. Muammar Gaddafi's compound, killing his son and three grandchildren. [includes rush transcript]

Filed under [Yemen](#), [War on Terror](#)

Guest:

Maria LaHood, senior staff attorney at the [Center for Constitutional Rights](#)

Related stories

- [Military Intelligence Analyst Joshua Foust: Death of Bin Laden Will Not Have Enormous Impact on Operations of Al-Qaeda Affiliates Worldwide](#)
- [Former CIA Analyst Ray McGovern: Petraeus Will Expand Pro-War Agenda as New CIA Director](#)
- [After Thwarted Bomb Plot, US Military Operations in Yemen Could Intensify](#)
- [Yemenis Celebrate as President Saleh Flees to Saudi Arabia, Transfers Power to Vice President](#)
- [Clashes Spread Across Yemen, Raising Fears of Civil War](#)

RUSH TRANSCRIPT

This transcript is available free of charge. However, donations help us provide closed captioning for the deaf and hard of hearing on our TV broadcast. Thank you for your generous contribution.

Donate - [\\$25](#), [\\$50](#), [\\$100](#), [More...](#)

RELATED LINKS

- [Glenn Greewald: "U.S. Tries to Assassinate U.S. Citizen Anwar al-Awlaki"](#)
- [Democracy Now!'s News Archive With Reports on the U.S.-led War on Terror:](#)

RELATED DEMOCRACY NOW! STORIES

- [Former Military Interrogator Matthew Alexander: Despite GOP Claims, "Immoral" Torture "Slowed Down" Effort to Find Osama bin Laden \(5/4/2011\)](#)

- **Jeremy Scahill on Killing of Bin Laden: Obama Has "Doubled Down on Bush Administration Policy of Targeted Assassination"** (5/2/2011)

-

AMY GOODMAN: After the killing of Osama bin Laden and targeting of Libyan leader Muammar Gaddafi, the latest U.S. assassination attempt came in Yemen Thursday with a drone strike aimed at killing a U.S. citizen suspected of orchestrating terrorist attacks in the United States, including the 2009 Christmas Day underwear bomber plot. Anwar al-Awlaki, the radical cleric who was born in New Mexico, is said to be the first U.S. citizen added to a CIA list of targets for capture or killing. U.S. and Yemeni officials say they collaborated on the strike. They say the missiles killed two suspected al-Qaeda members but missed their intended target.

Last December, Attorney General Eric Holder said the United States wants to neutralize al-Awlaki. During an interview on ABC, Holder was asked how much of a threat al-Awlaki posed.

ATTORNEY GENERAL ERIC HOLDER: He would be on the same list with bin Laden. He's up there. I don't know whether he's one, two, three, four. I don't know. But he's certainly on the list of the people who worry me the most.

PIERRE THOMAS: Does the U.S. have a preference in terms of al-Awlaki—dead, captured or prosecuted?

ATTORNEY GENERAL ERIC HOLDER: Well, we certainly want to neutralize him, and we will do whatever we can in order to do that.

AMY GOODMAN: That was Attorney General Eric Holder.

Well, last year, al-Awlaki's father, Nasser al-Awlaki, asked the ACLU and the Center for Constitutional Rights to help him prevent the Obama administration from killing his son without due process of law. We're joined right now by Maria LaHood, a senior staff attorney at the Center for Constitutional Rights, one of the attorneys who worked on al-Awlaki's case.

Welcome to *Democracy Now!*

MARIA LAHOOD: Thanks, Amy.

AMY GOODMAN: So, this attempted assassination of al-Awlaki on Thursday, the CCR's position?

MARIA LAHOOD: Well, we're of course absolutely opposed. It's illegal to kill a U.S. citizen in Yemen, outside of armed conflict, without any due process, unless he poses a specific imminent threat to death or physical injury.

AMY GOODMAN: Now, the Obama administration would say he does, or they can't even know exactly what the threat is.

MARIA LAHOOD: He has received no due process whatsoever. Anything he's done is a matter for a court to decide. He should be charged. He should be arrested. And he should be tried.

AMY GOODMAN: Has he been charged?

MARIA LAHOOD: He has not been charged by the United States, to our knowledge, no.

AMY GOODMAN: You represented al-Awlaki's father. Talk about what happened in this case.

MARIA LAHOOD: Well, CCR and the ACLU brought a case on behalf of Dr. al-Awlaki, Anwar's father, to try to make sure that what the U.S. did conformed with the law. We didn't argue that there are no circumstances under which he could be killed. We said that international law and the Constitution apply to him, and due process apply to him. The court, unfortunately, found that his father did not have standing to seek relief on his behalf and also found that the—essentially, that the questions raised were political in nature, that the U.S. government could label a U.S. citizen a terrorist, and if he were in hiding overseas, they could decide to kill him. And that decision was not reviewable by a court of law.

AMY GOODMAN: What happened to the case?

MARIA LAHOOD: The case was dismissed on those grounds, and it ended.

AMY GOODMAN: And did you appeal?

MARIA LAHOOD: We did not appeal, no. After consulting with our client and talking about the prospects, it was decided that it was not—it was not the best course of action to appeal.

AMY GOODMAN: Writing in *Guernica* magazine **last week**, turning to the issue of assassination attempts overall, in this case, in the case of Osama bin Laden, Noam Chomsky wrote, "We might ask ourselves how we would be reacting if Iraqi commandos landed at George W. Bush's compound, assassinated him, and dumped his body in the Atlantic." Can you respond to the U.S. killing of Osama bin Laden?

MARIA LAHOOD: Well, I think that, you know, the way to stop killing is not by killing. The way to stop terror is not by terror. What should have been done was bin Laden should have been captured, and he should have been tried in a court of law. I think that would have done a lot more for the—you know, it would have created a historical record. It would have provided an opportunity for the victims' families. And more information could have come out. We don't know what the orders were. And, of course, the information changes that comes out. You know, it's no longer said that he was armed or that he was protecting himself with a wife. So, we don't—we can't know what happened. But—or we could know what happened, if there was actually an investigation. And they're—

AMY GOODMAN: Well, what we do know is the Obama administration said in fact he did not have a weapon, he did not attack them.

MARIA LAHOOD: Right, exactly. So, you know, they have claimed that he resisted, but they've provided no explanation. There is supposed to be an investigation by the special rapporteur on extrajudicial killing. The U.S. should cooperate with that investigation so that the facts can come out.

AMY GOODMAN: What about the response that the U.S. is at war with Osama bin Laden?

MARIA LAHOOD: Even if you assume that we are at war with al-Qaeda, there are still limits on killing. It could still be a war crime, if he had surrendered, if he had—if he was under their control. So an investigation needs to be done.

AMY GOODMAN: Moving back to al-Awlaki. He was a U.S. citizen.

MARIA LAHOOD: He is a U.S. citizen.

AMY GOODMAN: He is a U.S. citizen. What's the distinction between assassinating a U.S. citizen and a non-citizen?

MARIA LAHOOD: Frankly, the international law that applies is the same. The Constitution clearly applies to al-Awlaki because he is a U.S. citizen, so he is guaranteed due process. If the U.S. government can kill a U.S. citizen in Yemen, that not only expands the global war, but it also means that a U.S. citizen could be killed anywhere by our government.

AMY GOODMAN: Last [September](#), *Democracy Now!* spoke with journalist Glenn Greenwald about Anwar al-Awlaki's case.

GLENN GREENWALD: There's a list that President Obama maintains with at least four Americans on it, one of whom is Anwar al-Awlaki, the American-born cleric in Yemen, of individuals who President Obama, with no criminal charges, no trial, no due process, has ordered assassinated, to be killed anywhere they're found, far away from a battlefield, no matter what they're doing at the time, on the grounds—the accusation, unproven accusation—that they're involved in terrorism. Well, that's the sentence. The President has imposed the death penalty on these individuals.

AMY GOODMAN: That was Glenn Greenwald talking to *Democracy Now!* last September. Your comments?

MARIA LAHOOD: I agree. There's—the U.S. cannot kill a U.S. citizen abroad, outside of armed conflict, without due process, unless they're an imminent threat.

AMY GOODMAN: Finally, I want to end with this torture debate that continues to rage, especially after the killing of Osama bin Laden. Deputy National Security Adviser John Brennan went on all the networks this weekend. He said on on NBC's—on MSNBC's *Morning Joe*, being asked if torture led to the information about bin Laden's whereabouts, he said, "Not to my knowledge. The information that was collected over the course of nine years or so came from many different sources: human sources, technical sources, as well as sources that detainees provided. It was something as a result of the painstaking work that the analysts did. They pieced it all together. That led us to the compound last year and resulted in the very successful operation on Sunday." The people like Dick Cheney, who was on television this weekend, as well, the Vice President, said—also former Mayor Giuliani here in New York—that the finding of Osama bin Laden, the killing of Osama bin Laden, proved that torture—as they call it, "enhanced" interrogation techniques—work.

MARIA LAHOOD: Well, I understand that Brennan has said that—has reiterated that torture is immoral. And I think that's the first that. The administration not only needs to reiterate that torture is immoral, illegal, and, by the way, counterproductive, but it also needs to move us beyond our post-9/11 legacy of torture and actually hold the torture architects accountable and provide redress to the thousands of victims of torture post-9/11, and apologize to them for what was done.

AMY GOODMAN: Maria LaHood, I want to thank you for being with us, staff senior attorney at the Center for Constitutional Rights. She was one of the attorneys working on the case brought by Anwar al-Awlaki's father.



The original content of this program is licensed under a [Creative Commons Attribution-NonCommercial-No Derivative Works 3.0 United States License](#). Please attribute legal copies of this work to "democracynow.org". Some of the work(s) that this program incorporates, however, may be separately licensed. For further information or additional permissions, [contact us](#).