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Why the U.S. Government Must Release Information on al-Majalah Killings

It is a bedrock principle of democratic government that the state cannot be judge, jury and executioner all at once. Yet the CIA and Pentagon maintain lists of suspected terrorists to be targeted for killing and have these "kill lists" approved only by an internal executive process. They then hand them over to drone operators who sit thousands of miles away from their targets and execute the strikes via a video monitor that makes it hard to remember that "targeted killing" is a real government program and not the name of a cool new Xbox game. In this depersonalized, dehumanized setting, drone victims are referred to as "bug splats," as Michael Hastings [reported](#) in *Rolling Stone* this week, because on the video monitors "viewing the body... gives the sense of an insect being crushed."

Among the thousands of bodies crushed in this way are the bodies of hundreds of civilians, including 168 children since 2004, [according](#) to the U.K.-based Bureau of Investigative Journalism. Also crushed is any accountability for the decisions on who is marked to die and who is actually killed, whether the intended targets or bystanders who solely by accident of birth live, and die, in a country that the U.S. is not at war with but has decided it needs to kill in.

The case of the December 17, 2009, [attack](#) in Yemen demonstrates everything that is horribly wrong with the targeted killing program, and serves as a call to action to all those concerned about the rule of law and respect for human life. On that day, U.S. cruise missiles loaded with cluster bombs struck a remote mountain community in the al-Majalah region, killing 41 people, including 21 children and 14 women. Initially, the Yemeni government claimed responsibility for the killings, but reports that the U.S. had actually executed the strike began leaking out almost immediately. The publication of a January 2010 diplomatic cable obtained by WikiLeaks confirmed these reports as well as an orchestrated U.S.-Yemeni effort to cover up the truth. "We'll continue saying the bombs are ours, not yours," the cable [quotes](#) Yemeni President Ali Abdullah Saleh telling U.S. General David Petraeus.

Yet to date, no one in the U.S. has had to answer for the al-Majalah attack, the carnage it caused, or the attempted cover-up of the U.S.'s role in it. No one has had to explain the government's legal basis in U.S. or international law for this strike in a country that the U.S. is not at war with, or to account for the decision of the target and what knowledge officials had of the civilians present.

Today -- with the filing of a Freedom of Information Act request for documents in this case by the Center for Constitutional Rights and the American Civil Liberties Union -- answers and accountability are being demanded. The ACLU and CCR are part of a growing chorus of critics pressing for answers in this case.

The loss of life inflicted by the al-Majalah attack and the irreversibility of "mistakes" or "collateral damage" -- innocent people killed -- is not unique, unfortunately, and as of yet, the entire targeted killing program is beyond the reach of the checks and balances that make us a nation of laws rather than an authoritarian regime. Shining the light of transparency on this one case is a desperately needed, long overdue first step in restoring proper accountability for government actions. Without such accountability, it is all too easy to treat men, women and children in other countries simply as bug splats.