From The New York Times | Original Article

It has been clear for years that the Obama administration believes the shadow war on terrorism gives it the power to choose targets for assassination, including Americans, without any oversight. On Tuesday, <u>The New York Times revealed</u> who was actually making the final decision on the biggest killings and drone strikes: President Obama himself. And that is very troubling.

Mr. Obama has demonstrated that he can be thoughtful and farsighted, but, like all occupants of the Oval Office, he is a politician, subject to the pressures of re-election. No one in that position should be able to unilaterally order the killing of American citizens or foreigners located far from a battlefield — depriving Americans of their due-process rights — without the consent of someone outside his political inner circle.

How can the world know whether the targets chosen by this president or his successors are truly dangerous terrorists and not just people with the wrong associations? (It is clear, for instance, that many of those rounded up after the Sept. 11, 2001, attacks weren't terrorists.) How can the world know whether this president or a successor truly pursued all methods short of assassination, or instead — to avoid a political charge of weakness — built up a tough-sounding list of kills?

It is too easy to say that this is a natural power of a commander in chief. The United States cannot be in a perpetual war on terror that allows lethal force against anyone, anywhere, for any perceived threat. That power is too great, and too easily abused, as those who lived through the George W. Bush administration will remember.

Mr. Obama, who campaigned against some of those abuses in 2008, should remember. But the Times article, written by Jo Becker and Scott Shane, depicts him as personally choosing every target, approving every major drone strike in Yemen and Somalia and the riskiest ones in Pakistan, assisted only by his own aides and a group of national security operatives. Mr. Obama relies primarily on his counterterrorism adviser, John Brennan.

To his credit, Mr. Obama believes he should take moral responsibility for these decisions, and he has read the just-war theories of Augustine and Thomas Aquinas.

The Times article points out, however, that the Defense Department is currently killing suspects in Yemen without knowing their names, using criteria that have never been made public. The administration is counting all military-age males killed by drone fire as combatants without knowing that for certain, assuming they are up to no good if they are in the area. That has allowed Mr. Brennan to claim an extraordinarily low civilian death rate that smells more of expediency than morality.

<u>In a recent speech</u>, Mr. Brennan said the administration chooses only those who pose a real threat, not simply because they are members of Al Qaeda, and prefers to capture suspects alive. Those assurances are hardly binding, and even under Mr. Obama, scores of suspects have been killed but only one taken into American custody. The precedents now being set will be carried on by successors who may have far lower standards. Without written guidelines, they can be freely reinterpreted.

A unilateral campaign of death is untenable. To provide real assurance, President Obama <u>sho</u> <u>uld publish clear guidelines</u>

for targeting to be carried out by nonpoliticians, making assassination truly a last resort, and allow an outside court to review the evidence before placing Americans on a kill list. And it should release the legal briefs upon which the targeted killing was based.