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Barack Obama, Drone Ranger

By Bill Moyers and Michael Winship

2/2/2013

If you've seen the movie *Zero Dark Thirty*, you know why it has triggered a new debate over our government's use of torture after 9/11.

The movie's up for an Oscar as best motion picture. We'll know later this month if it wins. Some people leave the theater claiming the film endorses and even glorifies the use of torture to obtain information that finally led to finding and killing Osama bin Laden. Not true, say the filmmakers, but others argue the world is better off without bin Laden in it, no matter how we had to get him. What's more, they say, there hasn't been a major terrorist attack on American soil since 9/1 — if we have to use an otherwise immoral practice to defend ourselves against such atrocities, we're okay with it. Or so the argument goes.

The story of bin Laden's death is just one aspect of the international manhunt the United States has pursued, a worldwide dragnet of detention and death that has raised troubling questions and fervent debate over the fight against terrorism. What about the undermining of civil liberties here at home? The rights of suspects? The secret surveillance of American citizens? The swollen executive powers first claimed by George W. Bush and now by Barack Obama?

Soon after he succeeded Bush, President Obama announced he would not permit torture and would close down the detention camp at Guantanamo Bay. He also said:

“The orders that I sign today should send an unmistakable signal that our actions in defense of liberty will be just as our cause. And that we the people will uphold our fundamental values as vigilantly as we protect our security. Once again, America’s moral example must be the bedrock and the beacon of our global leadership”

Four years later, Guantanamo remains open. In fact, just a few days ago, the State Department announced it was eliminating the office assigned to close the prison and move its detainees.

Because of logjams in the process of military justice, alleged 9/11 mastermind Khalid Sheikh Mohammed and others have yet to come to trial. And there’s continuing controversy about the lack of oversight and transparency surrounding the detention and interrogation of suspects both here and abroad.

Meanwhile, President Obama has stepped up the use of unmanned drones against suspected terrorists abroad, not only in Afghanistan but in countries where we’re not at war, including Pakistan, Yemen and Somalia. As the Brookings Institution’s Peter Singer wrote in *The New York Times* a year ago, “... A new technology is short-circuiting the decision-making process for what used to be the most important choice a democracy could make. Something that would have previously been viewed as a war is simply not being treated like a war.”

Just last week, as reports came of more deaths by drone — including three attacks in Yemen, with 13 dead — the United Nations announced an investigation into the legality of drones and their deadly toll on the innocent. According to UN special rapporteur Ben Emmerson:

“The central objective of the investigation... is to look at the evidence that drone strikes and other forms of remote targeted killing have caused disproportionate civilian casualties in some instances... It’s both right as a matter of principle, and inevitable as a matter of political reality, that the international community should now be focusing attention on the standards applicable to this technological development.”

Since Barack Obama took office, the aerial assaults also have killed three U.S. citizens, raising additional arguments as to whether the president has the right to order the death of Americans suspected of terrorism without due process of law. One of those controversial drone attacks involved the killing of Anwar al-Awalki, an American citizen and radical Muslim cleric who had moved to Yemen with his family. He was said to be the brains behind repeated attempts to attack the U.S., including the Christmas day underwear bomber plot in 2009 that would have blown up a passenger jet over Detroit. Also dead was American citizen Samir Khan, editor of “Inspire,” al-Qaeda’s online propaganda magazine, and two weeks later, in a separate drone attack, al-Awalki’s 16-year-old son, born in Denver.

A key player in our government’s current drone program is John Brennan, who during the Bush presidency was a senior official at the Central Intelligence Agency and head of the National Counterterrorism Center. Reportedly, Barack Obama considered offering him the top job at the CIA in 2008, but public opposition — in reaction to the charges that the Bush White House had approved torture — caused Brennan to withdraw his name from consideration. Nonetheless,

Obama kept him on as an adviser, and now, despite Brennan's past notoriety, Obama officially has chosen him to head the CIA. This time, there's been little criticism of the decision.

We hope Brennan's upcoming confirmation hearings on February 7 will offer Congressional critics the chance to press him on drone attacks and whether the Obama administration in its fight against terror is functioning within the rule of law — or abusing presidential power when there has been no formal declaration of war.