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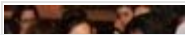
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Secret U.S. memo sanctioned killing of Aulaqi



View Photo Gallery — Anwar al-Aulaqi, a radical cleric and one of the most influential al-Qaeda operatives wanted by the U.S., was killed Friday in an airstrike in northern Yemen, authorities said.



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By Peter Finn, Published: September 30

The Justice Department wrote a secret memorandum authorizing the lethal targeting of Anwar al-Aulaqi, the American-born radical cleric who was killed by a U.S. drone strike Friday, according to administration officials.

The document was produced following a review of the legal issues raised by striking a U.S. citizen and involved senior lawyers from across the administration. There was no dissent about the legality of killing Aulaqi, the officials said.

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“What constitutes due process in this case is a due process in war,” said one of the

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Yemen's Defense Ministry says the U.S.-born al-Qaeda cleric Anwar al-Aulaqi has been killed. (Sept. 30)

Video



The Washington Post's Africa bureau chief, Sudarsan Raghavan, reports from Yemen about what Anwar al-Aulaqi's death means for the Yemens and for the long-term U.S.-Yemen relationship. (Audio)

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officials, who spoke on the condition of anonymity to discuss closely held deliberations within the administration.

The administration has faced a legal challenge and public criticism for targeting Aulaqi, who was born in New Mexico, because of constitutional protections afforded U.S. citizens. The memorandum may represent an attempt to resolve, at least internally, a legal debate over whether a president can order the killing of U.S. citizens overseas as a counterterrorism measure.

The operation to kill Aulaqi involved CIA and military assets under CIA control. A former senior intelligence official said that the CIA would not have killed an American without such a written opinion.

A second American killed in Friday's attack was Samir Khan, a driving force behind Inspire, the English-language magazine produced by al-Qaeda in the Arabian Peninsula. An administration official said the CIA did not know Khan was with Aulaqi, but they also considered Khan a belligerent whose presence near the target would not have stopped the attack.

The circumstances of Khan's death were reminiscent of a 2002 U.S. drone strike in Yemen that targeted Abu Ali al-Harithi, a Yemeni al-Qaeda operative accused of planning the 2000 attack on the USS Cole. That strike also killed a U.S. citizen who the CIA knew was in Harithi's vehicle but who was a target of the attack.

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The Obama administration has spoken in broad terms about its authority to use military and paramilitary force against al-Qaeda and associated forces beyond “hot,” or traditional, battlefields such as Iraq or Afghanistan. Officials said that certain belligerents aren’t shielded because of their citizenship.

“As a general matter, it would be entirely lawful for the United States to target high-level leaders of enemy forces, regardless of their nationality, who are plotting to kill Americans both under the authority

provided by Congress in its use of military force in the armed conflict with al-Qaeda, the Taliban, and associated forces as well as established international law that recognizes our right of self-defense,” an administration official said in a statement Friday.

President Obama and various administration officials referred to Aulaqi publicly for the first time Friday as the “external operations” chief for al-Qaeda in the Arabian Peninsula, a label that may be intended to underscore his status as an operational leader who posed an imminent threat.

A Justice Department spokeswoman declined to comment. The administration officials refused to disclose the exact legal analysis used to authorize targeting Aulaqi, or how they considered any Fifth Amendment right to due process.

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markandbeth92 wrote:

There are very few thing that I can find to be proud of our current President. But I am proud that Obama has gone against his basic nature and been willing to let the military and CIA

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tateofpa wrote:

President Obama said off with his head, and that is what happen. So if you go oversea remember the right of free speech doesn't follow you, if I got this right US citizen or not.

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The_New_Deal wrote:

I've read many counter-terrorism studies and I can assure that the consensus on how to fight terrorism amongst scholars all across the political spectrum has been through police action and international cooperation. Bush and Obama's War On Terror is nothing short of a thinly veiled paramilitary program aimed at cracking down on our civil liberties and serving their imperialist agenda in the Mid-East

10/1/2011 12:47:07 PM PDT

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