

# The Moral Challenge of 'Kill Lists'

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*Counterterrorism adviser John Brennan has been called President Obama's "priest" as they wrestle with the moral dilemma of assembling a "kill list" of "bad guys," a role that recalls how established religions have justified slaughters over the centuries, writes ex-CIA analyst Ray McGovern.*

In an extraordinary article in Tuesday's *New York Times*, "[Secret 'Kill List' Proves a Test of Obama's Principles and Will](#)," authors Jo Becker and Scott Shane throw macabre light on the consigliere-cum-priestly role that counterterrorist adviser John Brennan provides President Barack Obama.

At the outset, Becker and Shane note that, although Obama vowed to "align the fight against Al Qaeda with American values," he has now ordered the obedient Brennan to prepare a top secret "nominations" list of people whom the President may decide to order killed, without charge or trial, including American citizens.



Eugenio Cardinal Pacelli, who would become Pope Pius XII (seated, center), at the signing of the Reichskonkordat with Adolf Hitler's Vice-Chancellor Franz von Papen on July 20, 1933, in Rome.

The authors understate this as "a moral and legal conundrum." It is, in fact, a moral and legal impossibility to square "kill lists" for extrajudicial murders with traditional legal and moral American values.

Enter the legal consiglieres. Attorney General Eric Holder and Harold Koh, the State Department's top lawyer, seem to have adopted the retro (pre-1215) practices of their immediate predecessors (think Ashcroft, Gonzales, Mukasey) with their extraordinary ability to make just about anything "legal."

Even torture? No problem for the earlier trio. Was not George W. Bush well-armed with the perfect squelch, when NBC's Matt Lauer asked him about waterboarding in November 2010?

Lauer: Why is waterboarding legal, in your opinion?

Bush: Because the lawyer said it was legal. He said it did not fall within the anti-torture act. I'm not a lawyer. But you gotta trust the judgment of the people around you, and I do.

So there! You gotta trust those lawyers. The legal issue taken care of – though early in his presidency, Bush had ridiculed other lawyers who thought international law should apply to him. "International law?" he asked in mock fear. "I better call my lawyer." He surely knew

his lawyer would tell him what he wanted to hear.

## The Moral

President Obama has adopted a similar attitude toward the moral conundrum of targeted killings around the world. Just turn to Consigliere John Brennan for some “just war” theorizing. We have it from Harold Koh that Brennan is “a person of genuine moral rectitude. ... It’s as though you had a priest with extremely strong moral values who was suddenly charged with leading a war.”

So, like the Caesars of old or the generals of World War I, Obama consults a priest or minister before having folks killed. And in this case the “priest” is Brennan, “whose blessing has become indispensable to Mr. Obama, echoing the President’s attempt to apply the ‘just war’ theories of Christian philosophers to a brutal modern conflict,” write Becker and Shane.

If, as the *New York Times* writers claim, President Obama is a student of the writings on war by Augustine and Thomas Aquinas, he seems to be getting very warped exegesis from Brennan.

Cameron Munter, Obama’s ambassador to Pakistan, is just one who seems inadequately schooled in those theories. According to Becker and Shane, Munter has complained to his colleagues that the CIA’s strikes are driving American policy in Pakistan, saying, “he didn’t realize his main job was to kill people.”

Western news reports have Munter leaving his post this summer, after less than two years — an ambassador’s typical tenure.

## Belying-Up

Now, don’t “mis-underestimate” John Brennan. His heart is in the right place, we’re told. The authors quote him as insisting, “The President, and I think all of us here, don’t like the fact that people have to die.” Yes, it really is too bad, don’t you know; but, hey, sometimes you just have to belly-up to the really tough decisions.

In Brennan’s and Obama’s world, some suspects just have to die, partly because they seem to look/act like “militants,” and partly because it is infeasible to capture them (while unprecedentedly easy, and safe, to kill them — by missiles from drones).

Thus far, the words of today’s Gospel by post-9/11 “Christian philosophers.” No doubt, these “just war” enthusiasts would brand hopelessly naïve, or “quaint-and-obsolete,” the words seen recently on a bumper sticker: “When Jesus told us to love our enemies, I think he probably meant not to kill them.”

Not one of the thousand cars driving onto the Bronx campus of Fordham University for commencement on May 19 was sporting that bumper sticker, nor was there any attention given to the general concept at commencement.

That kind of thinking was hardly welcome that day at the “Jesuit University of New York City,” after the Jesuits and their trustees decided to give Brennan the degree of Doctor of Humane Letters, *Honoris Causa*, and asked him to give the commencement address.

Several of the Fordham graduates, though, did take the trouble to learn more about Brennan's role in "war-on-terror" practices like kidnapping, torture, black-site prisons, illegal eavesdropping on Americans, and extrajudicial murder by drone. They found it preposterous that Obama would seek "priestly" advice from Brennan. At commencement, they orchestrated some [imaginative protests](#).

### Fordham and the Prestige Virus

Fordham is the college that blessed the "priest" that blessed the president that killed from a list compiled in a White House that slaves built. And looking on silently from his commencement seat of honor atop the steps to Fordham's Keating Hall was fellow honorary doctorate awardee, "pro-life" Timothy Cardinal Dolan, Archbishop of New York and head of the U.S. Conference of Catholic Bishops.

I wonder if it occurred to Dolan that from these same steps an honorary degree was conferred in 1936 on Eugenio Cardinal Pacelli, author of the Vatican's Concordat with Nazi Germany. Later, as Pope Pius XII, Pacelli could not find his voice to speak out forcefully against the wars and other abuses of the Third Reich, including genocide against the Jews.

So too, the new archbishop of New York and his fellow bishops cannot find their voice on the transcendent issues of aggressive war and its accumulated evil, preferring to focus on pelvic issues.

A few summers ago, I spent a couple of hours in Yad Vashem, the Holocaust museum in West Jerusalem. Decades earlier while serving in Germany, I had made it a custom to devote the last day of a visitor's stay to Dachau, the first concentration camp, established in 1933.

At the end of the barracks at Dachau stands the famous caution from Santayana, "Those who do not remember history are condemned to relive it." That dictum kept racing through my mind as past and present merged on the walls of Yad Vashem, mocking the ubiquitous "Never Again."

There were parallels that stood stark naked for any thinking American to see: parallels between Hitler's success in grabbing dictatorial power in Germany — largely because of a supine Parliament, an acquiescent Church, a careerist Army leadership, and a fearful populace — and the situation we Americans face today with "kill lists," unconstitutional "laws," and Gestapo-style police armed to the teeth.

### Pledging Allegiance

There they were in photos on the walls. It was 1934, and the German Army generals were in the limelight swearing allegiance to Hitler — not the German Constitution (what was left of it); the German Supreme Court swearing allegiance to Hitler — not to the law and Constitution; and, not least, the Reich's bishops swearing allegiance to Hitler — not to God and the people they were supposed to serve.

I noticed that one of the English-speaking guides pointed to the generals and jurists but avoided mentioning the bishops, so I insisted he make full disclosure. (It occurred to me that Hitler might have been stymied, had the Catholic and Lutheran bishops been able to find their voice.)

On an adjacent wall was the Hamlet-like Eugenio Pacelli, Pope Pius XII, trying to make up his

mind on whether he should put the Catholic Church at risk, while Jews were being murdered by the train-full.

The most compelling story was that of Imre Bathory, a Hungarian who, like many other Hungarians, put their own lives at grave peril by trying to save fugitive Jews. Asked to explain, Bathory said that because of his actions:

“I know that when I stand before God on Judgment Day, I shall not be asked the question posed to Cain; ‘Where were you when your brother’s blood was crying out to God?’”

At Fordham’s commencement, one would have taken considerable risk in alluding to the crying-out blood of Iraqis and Afghans. Only happy, prideful talk is *de rigueur* on such occasions, together with honoring prominent people — with little heed paid to how they earned such prominence. A White House post suffices.

From the Grave, Albert Camus

In 1948, still under the dark cloud of what had been a disastrous world war, the French author/philosopher Albert Camus accepted an invitation to come to the Dominican Monastery of Latour-Maubourg.

To their credit, the Dominicans wanted to know what an “unbeliever” thought about Christians in the light of their behavior during the Thirties and Forties. Camus’s words seem so terribly relevant today that it is difficult to trim them down:

“For a long time during those frightful years I waited for a great voice to speak up in Rome. I, an unbeliever? Precisely. For I knew that the spirit would be lost if it did not utter a cry of condemnation...

“It has been explained to me since, that the condemnation was indeed voiced. But that it was in the style of the encyclicals, which is not all that clear. The condemnation was voiced and it was not understood. Who could fail to feel where the true condemnation lies in this case?

“What the world expects of Christians is that Christians should speak out, loud and clear, and that they should voice their condemnation in such a way that never a doubt, never the slightest doubt, could rise in the heart of the simplest man. That they should get away from abstraction and confront the blood-stained face history has taken on today.

“It may be ... that Christianity will insist on maintaining a compromise, or else on giving its condemnations the obscure form of the encyclical. Possibly it will insist on losing once and for all the virtue of revolt and indignation that belonged to it long ago.

“What I know – and what sometimes creates a deep longing in me – is that if Christians made up their mind to it, millions of voices – millions, I say – throughout the world would be added to the appeal of a handful of isolated individuals, who, without any sort of affiliation, today intercede almost everywhere and ceaselessly for children and other people.” (Excerpted from *Resistance, Rebellion, and Death: Essays*)

It may be that the Dominican monks took Camus seriously; monks tend to listen. Vatican functionaries, on the other hand, tend to know it all, and to urge pope, cardinals and bishops to be highly “discreet” in what they say and do.

## Help From the Outside

Sometimes it takes a truth-telling outsider to throw light on our moral failures.

South African Methodist Bishop Peter Storey, erstwhile chaplain to Nelson Mandela in prison and outspoken opponent of Apartheid, has this to say to the platitude-inclined, patriotism-preaching American clergy in the immediate aftermath of the 9/11 attacks:

"We had obvious evils to engage; you have to unwrap your culture from years of red, white and blue myth. You have to expose and confront the great disconnect between the kindness, compassion and caring of most American people and the ruthless way American power is experienced, directly or indirectly, by the poor of the earth.

"You have to help good people see how they have let their institutions do their sinning for them. All around the world there are those who long to see your human goodness translated into a different, more compassionate way of relating with the rest of this bleeding planet."

Albert Camus and Peter Storey are among the true prophets of our time. I think the late Madeleine L'Engle also had it right when she wrote:

"I think if we speak the truth and are not afraid to be disagreed with, we can make big changes." The biggest obstacle is often within us, she observes. "We get so frightful."

In *A Stone for a Pillow*: L'Engle adds:

"The true prophet seldom predicts the future. The true prophet warns us of our present hardness of heart, our prideful presuming to know God's mind.

"We must be careful ... that we are not being false prophets fearing only for our own selves, our own families, our own country. Our concern must be for everybody, for our entire fragile planet, and everybody on it. ...

"Indeed, we must protest with loving concern for the entire universe. A mark of the true prophet in any age is humility. ... And the final test of the true prophet is love."

After ten years of ecclesiastical silence regarding the wars in Iraq and Afghanistan, it would be a cop-out — pure and simple — to expect the leaders of the institutional "Christian" churches in the United States to act any differently from the way the German churches did during the Thirties in Germany.

Americans can no longer in good conscience expect bold action for true justice from the largely domesticated clergy; nor can we use that feckless expectation as an excuse to do nothing ourselves. As theologian Annie Dillard has put it: "There is only us; there never has been any other."

And, she might have added, we don't do "kill lists."

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