

Top Legal Expert: “President Obama ... Says He Can Kill [Any American Citizen Without Any Charge and] On His Own Discretion.”

"He Can Jail You Indefinitely On His Own Discretion"

By [Washington's Blog](#)

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Government Says It Can Assassinate or Indefinitely Detain Americans on American Soil Without Any Due Process of Law

I've previously [noted](#) that Obama says that he can assassinate American citizens living on U.S. soil.

This admittedly sounds over-the-top. But one of the nation's top constitutional and military law experts – Jonathan Turley – agrees.

[Turley:](#)

- Is the second most cited law professor in the country
- Has worked as both the CBS and NBC legal analyst during national controversies
- Ranks 38th in the top 100 most cited 'public intellectuals' in a recent study by a well-known judge
- Is one of the top 10 lawyers handling military cases
- Has served as a consultant on homeland security and constitutional issues
- Is a frequent witness before the House and Senate on constitutional and statutory issues

Turley said yesterday on C-Span (starting at 15:50):

President Obama has just stated a policy that he can have any American citizen killed without any charge, without any review, except his own. If he's satisfied that you are a terrorist, he says that he can kill you anywhere in the world including in the United States.

Two of his aides just ... reaffirmed they believe that American citizens can be killed on the order of the President anywhere including the United States.

You've now got a president who says that he can kill you on his own discretion. He can jail you indefinitely on his own discretion

I don't think the the Framers ever anticipated that [the American people would be so apathetic]. They assumed that people would hold their liberties close, and that they wouldn't relax ...

The Government Has Never Given a Rationale for Assassination

While one might assume that the government has given a valid justification for the claim that it can assassinate anyone anywhere, the Washington Post [noted](#) yesterday:

In outlining its legal reasoning, the administration has cited broad congressional authorizations and presidential approvals, the international laws of war and the right to self-defense. But it has not offered the American public, uneasy allies or international authorities any specifics that would make it possible to judge how it is applying those laws.

"They've based it on the personal legitimacy of [President] Obama — the 'trust me' concept," [American University law professor Kenneth Anderson] said. "That's not a viable concept for a president going forward."

Under domestic law, the administration considers [assassinations] to be covered by the [Authorization for Use of Military Force](#) that Congress passed days after the Sept. 11, 2001, attacks. In two key sentences that have no expiration date, the AUMF gives the president sole power to use "all necessary and appropriate force" against nations, groups or persons who committed or aided the attacks, and to prevent future attacks. [But the government just [broadened the authorization for use of military force](#) from those who attacked us on 9/11 to include the Taliban and the vague category of "associated forces".]

The authorization did not address targets' nationality or set geographical boundaries, and there was "nothing about the permission of the government" of any country where a terrorist might be found, the former official said.

And [see this](#).

Almost Any American Could Be Arbitrarily Labeled a "Terrorist"

As I've [previously noted](#), this is especially concerning when almost any American could be labeled a "terrorist" if the government doesn't happen to like them:

It is dangerous in a climate where you can be labeled as or suspected of being a terrorist simply for [questioning war, protesting anything, asking questions about pollution or about Wall Street shenanigans, supporting Ron Paul, being a libertarian, holding gold](#), or [stocking up on more than 7 days of food](#). [And the FBI says that [activists who investigate factory farms can be prosecuted as](#)

[terrorists.](#)] And see [this](#).

And it is problematic in a period in which [FBI agents and CIA intelligence officials, constitutional law expert professor Jonathan Turley, Time Magazine, Keith Olbermann and the Washington Post](#) have all said that U.S. government officials “were trying to create an atmosphere of fear in which the American people would give them more power”, and even former Secretary of Homeland Security – Tom Ridge – [admits](#) that he was pressured to raise terror alerts to help Bush win reelection.

And it is counter-productive in an age when the government – [instead of doing the things which could actually make us safer](#) – are [doing things which increase the risk of terrorism](#).

And it is insane in a time of perpetual war. See [this](#), [this](#), [this](#) and [this](#).

And when the “War on Terror” [in the Middle East and North Africa](#) which is being used to justify the attack on Americans was planned long [before 9/11](#).

And when Jimmy Carter’s National Security Adviser told the Senate in 2007 that [the war on terror is “a mythical historical narrative”](#). And [9/11 was entirely foreseeable](#), but wasn’t stopped. Indeed, [no one in Washington even wants to hear how 9/11 happened, even though that is necessary to stop future terrorist attacks](#). And the military has bombed a bunch of oil-rich countries [when it could have instead taken out Bin Laden years ago](#).

And – given that [U.S. soldiers admit that if they accidentally kill innocent Iraqis and Afghanis, they then “drop” automatic weapons near their body so they can pretend they were militants](#) – it is unlikely that the government would ever admit that an American citizen it assassinated was an innocent civilian who has nothing at all to do with terrorism.

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