

Justice Department Asserts Unreviewable Discretion to Kill US Citizens

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Drawing alarm at the D.C. Circuit, a lawyer for the United States argued Monday that the government has the power to kill its citizens without judicial oversight when state secrets are involved.

“Do you appreciate how extraordinary that proposition is?” U.S. Circuit Judge Patricia Millett asked Justice Department attorney Bradley Hinshelwood, paraphrasing his claim as giving the government the ability to “unilaterally decide to kill U.S. citizens.”

The hearing before the federal appeals court came as the government fights to [hold off allegations](#) by two journalists who say it [wrongly targeted](#) them as terrorists in Syria.

One of the journalists, U.S. citizen Bilal Abdul Kareem, says his interviews with al-Qaida-linked militants [landed him on the U.S. kill list](#). Just in June and August 2016, Kareem says, the U.S. government targeted him five times, including one drone strike involving a U.S.-made Hellfire missile.

Though the United States has not confirmed whether Kareem or his co-plaintiff, Ahmad Muaffaq Zaidan, pose any such threat, it has withheld information related to their case on the basis of national security.

Arguing only on the claims brought by Kareem, the Justice Department’s Hinshelwood conceded Monday that a strike against a U.S. citizen is a serious undertaking. Where the judiciary can step in, he said, is in ensuring that the state-secrets privilege was appropriately applied.

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