

The Day America Died: The only Future for Americans is a Nightmare

The Extrajudicial Killings of American Citizens

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Some of us have watched this day approach and have warned of its coming, only to be greeted with boos and hisses from “patriots” who have come to regard the US Constitution as a device that coddles criminals and terrorists and gets in the way of the President who needs to act to keep us safe.

In our book, *The Tyranny of Good Intentions*, Lawrence Stratton and I showed that long before 9/11 US law had ceased to be a shield of the people and had been turned into a weapon in the hands of the government. The event known as 9/11 was used to raise the executive branch above the law. As long as the President sanctions an illegal act, executive branch employees are no longer accountable to the law that prohibits the illegal act. On the president’s authority, the executive branch can violate US laws against spying on Americans without warrants, indefinite detention, and torture and suffer no consequences.

Many expected President Obama to re-establish the accountability of government to law. Instead, he went further than Bush/Cheney and asserted the unconstitutional power not only to hold American citizens indefinitely in prison without bringing charges, but also to take their lives without convicting them in a court of law. Obama asserts that the US Constitution notwithstanding, he has the authority to assassinate US citizens, who he deems to be a “threat,” without due process of law.

In other words, any American citizen who is moved into the threat category has no rights and can be executed without trial or evidence.

On September 30 Obama used this asserted new power of the president and had two American citizens, Anwar Awlaki and Samir Khan murdered. Khan was a wacky character associated with Inspire Magazine and does not readily come to mind as a serious threat.

Awlaki was a moderate American Muslim cleric who served as an advisor to the US government after 9/11 on ways to counter Muslim extremism. Awlaki was gradually radicalized by Washington’s use of lies to justify military attacks on Muslim countries. He became a critic of the US government and told Muslims that they did not have to passively accept American aggression and had the right to resist and to fight back. As a result Awlaki was demonized and became a threat.

All we know that Awlaki did was to give sermons critical of Washington’s indiscriminate assaults on Muslim peoples. Washington’s argument is that his sermons might have had an influence on some who are accused of attempting terrorist acts, thus making Awlaki

responsible for the attempts.

Obama's assertion that Awlaki was some kind of high-level Al Qaeda operative is merely an assertion. [Jason Ditz](#) concluded that the reason Awlaki was murdered rather than brought to trial is that the US government had no real evidence that Awlaki was an Al Qaeda operative.

But what Awlaki did or might have done is beside the point. The US Constitution requires that even the worst murderer cannot be punished until he is convicted in a court of law. When the American Civil Liberties Union challenged in federal court Obama's assertion that he had the power to order assassinations of American citizens, the Obama Justice (sic) Department argued that Obama's decision to have Americans murdered was an executive power beyond the reach of the judiciary.

In a decision that sealed America's fate, federal district court judge John Bates ignored the Constitution's requirement that no person shall be deprived of life without due process of law and dismissed the case, saying that it was up to Congress to decide. Obama acted before an appeal could be heard, thus using Judge Bates' acquiescence to establish the power and advance the transformation of the president into a Caesar that began under George W. Bush.

[Attorneys Glenn Greenwald](#) and [Jonathan Turley](#) point out that Awlaki's assassination terminated the Constitution's restraint on the power of government. Now the US government not only can seize a US citizen and confine him in prison for the rest of his life without ever presenting evidence and obtaining a conviction, but also can have him shot down in the street or blown up by a drone.

Before some readers write to declare that Awlaki's murder is no big deal because the US government has always had people murdered, keep in mind that CIA assassinations were of foreign opponents and were not publicly proclaimed events, much less a claim by the president to be above the law. Indeed, such assassinations were denied, not claimed as legitimate actions of the President of the United States.

The Ohio National Guardsmen who shot Kent State students as they protested the US invasion of Cambodia in 1970 made no claim to be carrying out an executive branch decision. Eight of the guardsmen were indicted by a grand jury. The guardsmen entered a self-defense plea. Most Americans were angry at war protestors and blamed the students. The judiciary got the message, and the criminal case was eventually dismissed. The civil case (wrongful death and injury) was settled for \$675,000 and a statement of regret by the defendants. The point isn't that the government killed people. The point is that never prior to President Obama has a President asserted the power to murder citizens.

Over the last 20 years, the United States has had its own Mein Kampf transformation. Terry Eastland's book, *Energy in the Executive: The Case for the Strong Presidency*, presented ideas associated with the Federalist Society, an organization of Republican lawyers that works to reduce legislative and judicial restraints on executive power. Under the cover of wartime emergencies (the war on terror), the Bush/Cheney regime employed these arguments to free the president from accountability to law and to liberate Americans from their civil liberties. War and national security provided the opening for the asserted new powers, and a mixture of fear and desire for revenge for 9/11 led Congress, the judiciary, and the people to go along with the dangerous precedents.

As civilian and military leaders have been telling us for years, the war on terror is a 30-year project. After such time has passed, the presidency will have completed its transformation into Caesarism, and there will be no going back.

Indeed, as the neoconservative “Project For A New American Century” makes clear, the war on terror is only an opening for the neoconservative imperial ambition to establish US hegemony over the world.

As wars of aggression or imperial ambition are war crimes under international law, such wars require doctrines that elevate the leader above the law and the Geneva Conventions, as Bush was elevated by his Justice (sic) Department with minimal judicial and legislative interference.

Illegal and unconstitutional actions also require a silencing of critics and punishment of those who reveal government crimes. Thus Bradley Manning has been held for a year, mainly in solitary confinement under abusive conditions, without any charges being presented against him. A federal grand jury is at work concocting spy charges against Wikileaks’ founder Julian Assange. Another federal grand jury is at work concocting terrorists charges against antiwar activists.

“Terrorist” and “giving aid to terrorists” are increasingly elastic concepts. Homeland Security has declared that the vast federal police bureaucracy has shifted its focus from terrorists to “domestic extremists.”

It is possible that Awlaki was assassinated because he was an effective critic of the US government. Police states do not originate fully fledged. Initially, they justify their illegal acts by demonizing their targets and in this way create the precedents for unaccountable power. Once the government equates critics with giving “aid and comfort” to terrorists, as they are doing with antiwar activists and Assange, or with terrorism itself, as Obama did with Awlaki, it will only be a short step to bringing accusations against Glenn Greenwald and the ACLU.

The Obama Regime, like the Bush/Cheney Regime, is a regime that does not want to be constrained by law. And neither will its successor. Those fighting to uphold the rule of law, humanity’s greatest achievement, will find themselves lumped together with the regime’s opponents and be treated as such.

This great danger that hovers over America is unrecognized by the majority of the people. When Obama announced before a military gathering his success in assassinating an American citizen, cheers erupted. The Obama regime and the media played the event as a repeat of the (claimed) killing of Osama bin Laden. Two “enemies of the people” have been triumphantly dispatched. That the President of the United States was proudly proclaiming to a cheering audience sworn to defend the Constitution that he was a murderer and that he had also assassinated the US Constitution is extraordinary evidence that Americans are incapable of recognizing the threat to their liberty.

Emotionally, the people have accepted the new powers of the president. If the president can have American citizens assassinated, there is no big deal about torturing them. Amnesty International has sent out an alert that the US Senate is poised to pass legislation that would keep Guantanamo Prison open indefinitely and that Senator Kelly Ayotte (R-NH) might introduce a provision that would legalize “enhanced interrogation techniques,” an

euphemism for torture.

Instead of seeing the danger, most Americans will merely conclude that the government is getting tough on terrorists, and it will meet with their approval. Smiling with satisfaction over the demise of their enemies, Americans are being led down the garden path to rule by government unrestrained by law and armed with the weapons of the medieval dungeon.

Americans have overwhelming evidence from news reports and YouTube videos of US police brutally abusing women, children, and the elderly, of brutal treatment and murder of prisoners not only in Abu Ghraib, Guantanamo, and secret CIA prisons abroad, but also in state and federal prisons in the US. Power over the defenseless attracts people of a brutal and evil disposition.

A brutal disposition now infects the US military. The leaked video of US soldiers delighting, as their words and actions reveal, in their murder from the air of civilians and news service camera men walking innocently along a city street shows soldiers and officers devoid of humanity and military discipline. Excited by the thrill of murder, our troops repeated their crime when a father with two small children stopped to give aid to the wounded and were machine-gunned.

So many instances: the rape of a young girl and murder of her entire family; innocent civilians murdered and AK-47s placed by their side as “evidence” of insurgency; the enjoyment experienced not only by high school dropouts from torturing they-knew-not- who in Abu Ghraib and Guantanamo, but also by educated CIA operatives and Ph.D. psychologists. And no one held accountable for these crimes except two lowly soldiers prominently featured in some of the torture photographs.

What do Americans think will be their fate now that the “war on terror” has destroyed the protection once afforded them by the US Constitution? If Awlaki really needed to be assassinated, why did not President Obama protect American citizens from the precedent that their deaths can be ordered without due process of law by first stripping Awlaki of his US citizenship? If the government can strip Awlaki of his life, it certainly can strip him of citizenship. The implication is hard to avoid that the executive branch desires the power to terminate citizens without due process of law.

Governments escape the accountability of law in stages. Washington understands that its justifications for its wars are contrived and indefensible. President Obama even went so far as to declare that the military assault that he authorized on Libya without consulting Congress was not a war, and, therefore, he could ignore the War Powers Resolution of 1973, a federal law intended to check the power of the President to commit the US to an armed conflict without the consent of Congress.

Americans are beginning to unwrap themselves from the flag. Some are beginning to grasp that initially they were led into Afghanistan for revenge for 9/11. From there they were led into Iraq for reasons that turned out to be false. They see more and more US military interventions: Libya, Yemen, Somalia, Pakistan and now calls for invasion of Pakistan and continued saber rattling for attacks on Syria, Lebanon, and Iran. The financial cost of a decade of the “war against terror” is starting to come home. Exploding annual federal budget deficits and national debt threaten Medicare and Social Security. Debt ceiling limits threaten government shut-downs.

War critics are beginning to have an audience. The government cannot begin its silencing of critics by bringing charges against US Representatives Ron Paul and Dennis Kucinich. It begins with antiwar protestors, who are elevated into “antiwar activists,” perhaps a step below “domestic extremists.” Washington begins with citizens who are demonized Muslim clerics radicalized by Washington’s wars on Muslims. In this way, Washington establishes the precedent that war protestors give encouragement and, thus, aid, to terrorists. It establishes the precedent that those Americans deemed a threat are not protected by law. This is the slippery slope on which we now find ourselves.

Last year the Obama Regime tested the prospects of its strategy when Dennis Blair, Director of National Intelligence, announced that the government had a list of American citizens that it was going to assassinate abroad. This announcement, had it been made in earlier times by, for example, Richard Nixon or Ronald Reagan, would have produced a national uproar and calls for impeachment. However, Blair’s announcement caused hardly a ripple. All that remained for the regime to do was to establish the policy by exercising it.

Readers ask me what they can do. Americans not only feel powerless, they are powerless. They cannot do anything. The highly concentrated, corporate-owned, government-subservient print and TV media are useless and no longer capable of performing the historic role of protecting our rights and holding government accountable. Even many antiwar Internet sites shield the government from 9/11 skepticism, and most defend the government’s “righteous intent” in its war on terror. Acceptable criticism has to be couched in words such as “it doesn’t serve our interests.”

Voting has no effect. President “Change” is worse than Bush/Cheney. As Jonathan Turley suggests, Obama is “the most disastrous president in our history.” Ron Paul is the only presidential candidate who stands up for the Constitution, but the majority of Americans are too unconcerned with the Constitution to appreciate him.

To expect salvation from an election is delusional. All you can do, if you are young enough, is to leave the country. The only future for Americans is a nightmare.

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