



Written by [Joe Wolverton, II, J.D.](#) on July 3, 2013

Despite President's Pledge, 10-Year-Old Victim of Drone Strike Identified

As *The New American* reported on June 9, missiles fired from a U.S. drone killed at least six people in a rural area of Yemen.

One of the victims, [according to Long War Journal](#), was Saleh Hassan Jredan, a suspected commander of al-Qaeda in the Arabian Peninsula (AQAP).

After the drones finally left the area and it was safe to recover the corpses, family members discovered the small, charred remains of another fatality of the strike: It was Saleh's brother, Abdulaziz, a 10-year-old boy.



A U.S. newspaper that interviewed a resident of the rural town where the drone strike occurred [recently confirmed the boy's identity](#).

According to available data, Abdulaziz was the first innocent civilian killed by an American drone assault since President Obama declared that such "collateral damage" was a thing of the past.

In [a foreign policy speech at the National Defense University](#) on May 23, President Obama set out his "comprehensive counterterrorism strategy," including a plan for the future development of the deadly drone war being waged throughout the Middle East and North Africa.

In his address, the president reported that the United States has been "at war for over a decade." This is an odd statement from a purported law professor who should know that [only Congress can declare war](#) and no such declaration has been made since the beginning of World War II.

Undaunted by his lack of constitutional understanding, President Obama went on to admit: "From our use of drones to the detention of terrorist suspects, the decisions that we are making now will define the type of nation — and world — that we leave to our children."

In order to fulfill his promise of "transparency," President Obama committed to confining the use of the remote control killing machines to cases where there was a "near-certainty that no civilians will be killed or injured."

[When asked by Propublica.org](#) how the president could justify the death of 10-year-old Abdulaziz, "National security spokeswoman Caitlin Hayden would not comment on the June 9 strike or more generally on the White House position on acknowledging civilian deaths. She referred further questions to the CIA, which also declined to comment."

Similar stonewalling took place for over a year regarding the killing of another innocent young man who had the misfortune of being related to a suspect militant. Abdulrahman al-Awlaki was 15 years old when he was murdered by a U.S. drone strike in October 2011. To date the Obama administration has never informed the country of any wrongdoing by this teenager, other than being related to a man (his father, Anwar al-Awlaki) who posted on the Internet anti-American videos that allegedly influenced others to



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commit crimes.

Government-sanctioned assassinations of both boys is repugnant to all those who cherish life, liberty, and the due process that protects them.

An additional denial of due process came from the fact that no known attempt was ever made to capture either of the young men's wanted relatives.

Of course, that could be because they might actually have ended up in a court of law if they had been apprehended; and President Obama, a former lawyer, knows that trials can be long, messy, and unpredictable. It is much quicker and cleaner just to launch a missile and kill someone without going through the hassle of due process.

Curiously, however, and without a hint of irony or sarcasm, President Obama said in his May 23 speech that he has a "strong preference for the detention and prosecution of terrorists."

Certainly half of that statement is true. The president does have an abiding determination to detain prisoners. The prison at Guantanamo Bay, Cuba, remains open despite his pre-election 2008 promise to shutter it should he become president.

As for the second half of his sentence, however, the president has repeatedly — whether himself or through surrogates — fought to keep accused terrorists out of U.S. courtrooms. And regardless of his words, his actions testify of his preference for putting names on a kill list and then ordering drone strikes to carry out the fatal fiat.

Finally, at the end of his address, President Obama eloquently called for a "refutation of fear." Ironically, again, it is the very specter of harm from nameless, faceless "extremists" — whether "homegrown" or foreign — that he uses to justify the denial of due process.

Over and over, President Obama plays the fear card, believing that it trumps our dedication to honoring the Constitution and the timeless principles of liberty and justice that it is meant to preserve.

When it comes to reaffirming the fundamental right of due process and proclaiming an unswerving commitment to upholding our constitutional values regardless of the threat, President Obama's speech was full of sound and fury signifying nothing.

The president's drone policy pronouncement in May was not the first time he promulgated promises of greater precision in the prosecution of the drone war.

During [an interview with CNN's chief White House correspondent](#) Jessica Yellin last September, President Obama listed five criteria he uses to make the life or death decision to launch a drone strike.

- First, "It has to be a target that is authorized by our laws."
- Second, "It has to be a threat that is serious and not speculative."
- Third, "It has to be a situation in which we can't capture the individual before they move forward on some sort of operational plot against the United States."
- Fourth, "We've got to make sure that in whatever operations we conduct, we are very careful about avoiding civilian casualties."
- And fifth, "That while there is a legal justification for us to try and stop [American citizens] from carrying out plots ... they are subject to the protections of the Constitution and due process."

Examining this list reveals that in none of the deaths authorized by the president has any one of these



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criteria been met.

When Yellin asked Obama if he personally approves the targets of the drone strikes, the president answered, “You know, I can’t get too deeply into how these things work, but as I said as commander in chief ultimately I’m responsible for the process that we’ve set up to make sure that folks who are out to kill Americans, that we are able to disable them before they carry out their plans.”

While the president refuses to “get too deeply” into how he decides whom he will kill and whom he will spare, [the Justice Department “white paper” leaked in February](#) revealed that such life or death decisions will be handled by “an informed, high-level official of the U.S. government.”

That is hardly sufficient protection of the due process rights of Americans. Due process requires that the suspected terrorist “co-belligerent” be charged with a crime, allowed to answer those charges, and defend himself against those charges before an unbiased judge in court.

The memo argues that such constitutional procedures must be by-passed in the name of national security, arguing that the safety of America is more important than the constitutionally protected rights of one individual.

Furthermore, the memo claims that only those who pose an “imminent threat of violent attack against the United States” will be targeted.

Just days ago, a 10-year-old boy was assassinated by the United States. He posed no threat to the United States, but he was killed.

This young man’s death evinces the Obama administration’s commitment to continue along a trajectory of denial of due process and unjustified state sanctioned murder, regardless of declarations and documents denouncing such practices.

Photo of Northern Yemen

Joe A. Wolverton, II, J.D. is a correspondent for The New American and travels frequently nationwide speaking on topics of nullification, the NDAA, and the surveillance state. He can be reached at jwolverton@thenewamerican.com



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