

# USA: The CCR controversy — Why I spoke out on Anwar al-Awlaki

Human Rights organisations, extrajudicial killings, state and non-state actors

Saturday 20 November 2010, by [BENNOUNE Karima](#) (Date first published: 19 November 2010).

**I support human rights for all - and that is why I dissent from the uncritical legal defence of a jihadist who advocates murder.**

I am a member of the board of trustees of the Center for Constitutional Rights (CCR) in the US and an international law professor of Muslim heritage. I spoke out in the *Guardian* of 15 November 2010 [\[1\]](#) against CCR's decision to represent pro bono the interests of Anwar al-Awlaki - a jihadist linked to al-Qaida in the Arabian Peninsula - in litigation against the Obama administration over its stated intention to assassinate al-Awlaki.

As a human rights lawyer, I oppose extrajudicial killings in violation of international law, so I oppose a policy of targeted assassinations by the US government, whether applied to Awlaki or others. However, Awlaki has himself openly called for assassinations, and is at large and continuing to do so [\[2\]](#).

How can we defend the principle that assassinations are wrong by standing silently next to an advocate of assassinations? I urged CCR to find other ways to challenge the Obama administration's policy without associating with Awlaki.

I appreciate that CCR says it merely seeks to challenge US government policy, and opposes all killings of civilians. Yet, the organisation has been quiet about who Awlaki is and what he has done, describing him simply as a "Muslim cleric" or a "US citizen". This silence exacerbates a climate where others claim Awlaki denies involvement in terrorism or is innocent [\[3\]](#) - odd assertions about someone openly calling for killings.

Consider what Awlaki himself advocates: "Hatred of the *kuffar* [unbelievers] is a central element of our military creed" (from *44 Ways to Support Jihad*). Conversely, loyalty to those Awlaki deems Muslim has to be absolute, irrespective of what they have done: "If a Muslim kills each and every civilian disbeliever on the face of the earth he is still a Muslim and we cannot side with the disbelievers against him" (from Awlaki's now defunct blog, 2 December 2009). His "disbelievers" include those he deems insufficiently pure Muslims.

In his *44 Ways to Support Jihad*, Awlaki provides practical advice on arms training, financing mujahideen and encouraging love of jihad among children. In a lecture series, entitled *Constants on the Path of Jihad*, he says, "Jihad will also carry on until the Day of Judgment since we are told to wipe out *kufr* (unbelief) from the world." Recently, he has written that Muslims living in the west have two options: departure or jihad.

Some say that this is merely Awlaki exercising freedom of speech as an American citizen, but he is

openly calling for large-scale murder of non-fundamentalist Muslims and other civilians. And there is every reason to believe he knows such action may occur imminently when he calls for it. He and others have allegedly acted on such pronouncements, whether in the 2009 Christmas Day attempted airliner attack, the failed Times Square bombing in May, or the stabbing of an MP by a young woman in Britain [4].

Awlaki should not be assassinated as a result, or subjected to human rights abuses, but he should be brought to justice in accordance with international law for his own crimes against humanity. And he clearly should be denounced by human rights advocates, rather than represented by them when he is at large and not a detainee.

By choosing to take up Anwar al-Awlaki's case when he is still free to incite violence, CCR risks seeming to side with the extreme right in Muslim contexts, with the kind of militants who issued death threats to my own father, a leftwing Algerian professor who had to stop teaching at the University of Algiers in 1994 as a result. (Recently, the remnants of those same Algerian armed groups have merged with al-Qaida and are now allies of Awlaki's.) In fact, a group of prominent Algerians, many of whom were victims of just such threats or who saw members of their families killed in the 1990s by fundamentalists like Awlaki, wrote to CCR last weekend condemning its silence about Awlaki's incitement of assassination [5].

In the current environment, I must also say clearly to anyone looking for an excuse to engage in bigotry against Muslims or to justify US or others' atrocities in the "war on terror": I am not on your side. My concern here is precisely to bring attention to the human rights of all the victims of Muslim fundamentalist armed groups, the vast majority of whom are Muslims or of Muslim heritage. I am looking for a fuller human rights position, not a lesser one. I have great respect for CCR's work against torture and extraordinary rendition in the "war on terror" - practices which I oppose when meted out to any person.

However, today, the CCR is acting as lawyers for Nasser al-Awlaki, Anwar's father, as representative of his son's interest. Given Nasser al-Awlaki's romantic view of his son expressed in press accounts, this is tantamount to representing, without comment, the father of the Grand Dragon of the Ku Klux Klan who claims his son is a good man.

Would a progressive human rights group do that, even if the son faced abuses at the hands of the US government? And if they did, would they be silent about the grave harms done by the KKK?

I make this public statement with sadness, after working internally for years trying to convince human rights groups to take Muslim fundamentalism seriously, and to support its progressive Muslim opponents, even as we rightly battle gross abuses by governments in the "war on terror". I have raised these concerns consistently inside the CCR since June to no effect.

Lives are at stake in this debate - and not just related to the US government's target lists. Thousands of civilians are also being killed by, and on order of, jihadists like Anwar al-Awlaki every year in countries like Afghanistan, Iraq, Pakistan and Somalia.

Let me conclude with one specific example of the direct connections here. Above Anwar al-Awlaki's article published in al-Qaida's *Inspire* magazine this summer [6], as CCR was deciding to represent his interests, a death list appeared, under a title of Awlaki's. The list is chilling - a litany of names in shadow above a gun. The list includes: Salman Rushdie, Ayaan Hirsi Ali and American cartoonist Molly Norris [7], for whose "assassination" Awlaki again calls in his article (after a passage providing religious justification for the killings of women - a justification that can now be cited to support countless outrages against women, primarily Muslims). Molly Norris's "offence" was to call

for “Everybody draw Muhammed day” [8]. She did this to protest death threats against the South Park creators from a US jihadist group, following their attempts to portray the Prophet [9] – along with the prophets of other major religions.

Molly Norris, sadly, no longer exists. As of September of this year, she had to give up her identity and go into hiding. I fear that when Awlaki is positioned merely as a victim of US policy, Molly Norris – and the countless victims of fundamentalist armed groups – are made to disappear all over again.

**Karima Bennoune**

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**P.S.**

\* From the Guardian.co.uk, Friday 19 November 2010 17.00 GMT:

<http://www.guardian.co.uk/commentisfree/cifamerica/2010/nov/19/human-rights-usa>

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## Footnotes

[1] See on ESSF: [Legal challenge to US assassination policy divides rights groups](#)

[2] pdf; see pages 24-28, in particular: <http://info.publicintelligence.net/CompleteInspire.pdf>

[3] <http://www.worldcantwait.net/index.php/about-mainmenu-2/from-the-director-mainmenu-293/6354-assassination-first-due-process-never-no>

[4] <http://www.bbc.co.uk/news/uk-england-london-11682732>

[5] See on ESSF: [Algeria/USA:human rights organisations should not support Muslim fundamentalists](#)

[6] <http://www.thedailybeast.com/blogs-and-stories/2010-06-30/al-qaeda-inspire-anwar-awlakis-new-magazine-for-terrorists/>

[7] <http://www.seattleweekly.com/2010-09-15/news/on-the-advice-of-the-fbi-cartoonist-molly-norris-disappears-from-view/>

[8] [http://en.wikipedia.org/wiki/Everybody\\_Draw\\_Mohammed\\_Day](http://en.wikipedia.org/wiki/Everybody_Draw_Mohammed_Day)

[9] <http://www.guardian.co.uk/tv-and-radio/2010/apr/22/south-park-censored-fatwa-muhammad>