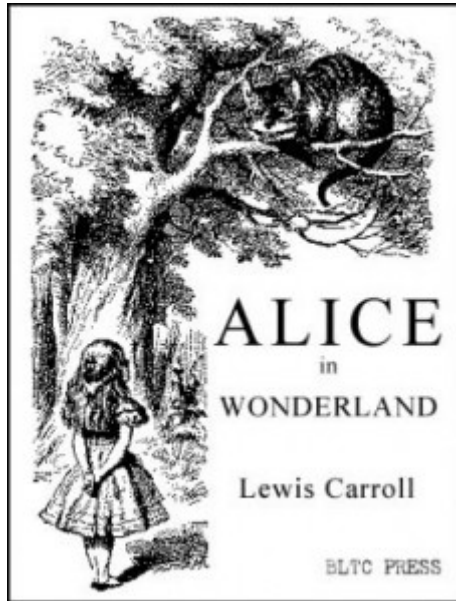


JUDGE INVOKES ALICE IN WONDERLAND IN DENYING NYT AND ACLU TARGETED KILLING FOIAS



“YOU’D better not talk!’ said Five. ‘I heard the Queen say only yesterday you deserved to be beheaded!’

‘What for?’ said the one who had spoken first.

‘That’s none of YOUR business, Two!’ said Seven.

[snip]

‘And who are THESE?’ said the Queen, pointing to the three gardeners who were lying round the rosetree; for, you see, as they were lying on their faces, and the pattern on their backs was the same as the rest of the pack, she could not tell whether they were gardeners, or soldiers, or courtiers, or three of her own children.

‘How should I know?’ said Alice, surprised at her own courage. ‘It’s no business of MINE.’

The Queen turned crimson with fury, and, after glaring at her for a moment like a wild beast,

screamed 'Off with her head! Off—'

Alice in Wonderland

The Alice-in-Wonderland nature of this pronouncement is not lost on me; but after careful consideration, I find myself stuck in a paradoxical situation in which I cannot solve a problem because of contradictory constraints and rules—a veritable Catch-22. I can find no way around the thicket of laws and precedents that effectively allow the Executive Branch of our Government to proclaim as perfectly lawful certain actions that seem on their face incompatible with our Constitution and laws, while keeping reasons for their conclusion a secret.

Judge Colleen McMahon's decision denying ACLU and NYT FOIA for targeted killing rationale NYT already published and government repeatedly discussed