

# America's Weaponized UAVs: US Drone Policy Goes From Bad to Worse. The "Killing Machine" is President Obama's Lasting Legacy"

The Stimson Center Report 2018

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*Every two years, the Stimson Center Task Force on U.S. Drone Policy, directed by **Rachel Stohl**, issues a pamphlet of recommendations to the U.S. government on the use of weaponized UAVs (unmanned aerial vehicles) or RPAs (remotely piloted aircraft). Over the course of the past six years, it has become all too clear that no one in the government actually reads these reports, and the tone of the latest installment in the series, "[An Action Plan on U.S. Drone Policy: Recommendations for the Trump Administration](#)," understandably conveys frustration.*

The first report, issued in 2014, seemed to be filled with optimism and congeniality, and the second report (actually called by the Task Force a "[Report Card](#)"), issued in 2016, offered a gentle admonition of the Obama administration for its failure to make its policies and practices transparent or to produce anything even approaching international norms for the use of the new technology.

Now the task force seems to have thrown caution to the wind, recognizing that the Trump administration could not care less what the Stimson Center has to say. Despite the failures of the Obama administration to heed most of the recommendations of the first report, as reflected in that administration's poor "grades" in the second report, it has become increasingly clear that the Trump administration has no intention even of showing up for school: "U.S. drone policy under the Trump administration has thus far been defined by uncertainty coupled with less oversight and less transparency."

Critics of the U.S. government's drone program (myself included), have explained in meticulous detail how the entire institution of **premeditated, intentional, extrajudicial assassination of persons** (usually able-bodied Muslim males) suspected of possibly plotting possible future terrorist attacks—or simply being potentially capable of doing so—rests upon a lamentable [framework of linguistic legerdemain](#). People may despise President Trump, but no one with any familiarity with the history of the use of lethal drones can deny that **the "killing machine" is [President Obama's lasting legacy](#)**.

What is good about the 2018 Stimson Center report is that the authors explicitly articulate criticisms diplomatically skirted in the earlier reports, particularly the first one, which was produced under the guidance of a variety of industry and military experts and expressed

general agreement with them that the use of lethal drones was morally and legally permissible.

Four years later, perhaps out of exasperation, the Stimson Center has finally decided to voice some serious objections to what has been going on for the past sixteen years. Consider these examples:

Currently, the U.S. drone program rests on indistinct frameworks and an approach to drone strikes based on U.S. exceptionalism. Ambiguity surrounding U.S. drone policy has contributed to enduring questions about the legality, efficacy, and legitimacy of the U.S. drone program.

This one is buried in a footnote (#1), but is noteworthy:

Although not included in this report, the lethal targeting of U.S. citizens is a critical aspect of this conversation. In 2014, the Obama administration released a Justice Department memo articulating its legal justification for targeting an American citizen abroad, Anwar al-Awlaki. The memo, released to the public following lawsuits filed by the American Civil Liberties Union and The New York Times, argues that U.S. citizenship did not make Anwar al-Awlaki immune from the use of force abroad and that the killing of a U.S. citizen by the U.S. government is authorized by the law of war under a public authority exception to a U.S. statute prohibiting the foreign murder of U.S. nationals.

Or consider this zinger:

By requiring some connection to an imminent threat, a “near certainty” of the presence of the targeted subject, and no perceived risk of civilian casualties, the PPG [Presidential Policy Guidance] was at least intended to minimize civilian harm. Nevertheless, some elements of the PPG — such as the requirement that a threat be both continuing and imminent — seem inherently contradictory, and many critics of U.S. drone strikes have questioned whether strikes outside areas of active hostilities are lawful.

Another one:

The U.S. government’s refusal to release information about the targets of its drone attacks and the difficulty in accessing the locations where U.S. drone strikes have occurred have made it difficult for third parties to assess the legality of specific attacks.

While there is consensus that the United States is engaged in an armed conflict in Afghanistan, Iraq, and Syria, critics of U.S. policy and practice argue that U.S. drone strikes to conduct targeted killings outside these areas should be governed not by the law of armed conflict but by the stricter requirements of international human rights law, which permits killings of individuals only to prevent an imminent threat to life.

I am not sure why Syria is included in the list as a U.S. war zone, alongside Iraq and Afghanistan, but it is good to know that the Stimson Center is at least considering criticisms brushed aside by everyone in the government and given short shrift in the 2014 report.

Better late than never. Perhaps they have been reading some of the critical books which have been rolling out in a steady stream since 2015?

Another possibility is that they no longer feel the need to hold back as they did during the Obama administration because, well, Trump is president. They may as well express all of their concerns so that at least they will seem to have been on the right side of history, even if no one in either administration took seriously anything they ever said. That may sound harsh, but I cannot help thinking that if the 2014 report had been less conciliatory, then perhaps it would have garnered more attention from the press, and there might have been some sort of public debate over the abysmal practice of assassination by remote control.

By now, euphemistically termed “targeted killing” is considered perfectly normal by nearly everyone (save [radical book authors](#), antiwar activists, and libertarians), and rolling back Obama’s radical expansion of executive power will be all but impossible to effect, except, perhaps, if “The Resistance” somehow succeeds in removing Trump from office. But wait: then Mike Pence will be president! Does anyone truly believe that Pence would be more willing than Trump to cede power? No, it is the nature of power-seeking individuals (above all, politicians) to amass power until it is taken from them.



Given that “The Resistance” recently acquiesced in the bestowal upon Commander-in-Chief Trump of a \$700+ billion defense budget, I don’t see the practice of drone assassination being curtailed anytime soon. Particularly since the Pentagon produces projections for funding which extend ahead for the next twenty-five years, effectively locking in place what they have done and are doing, thereby ensuring that there will be even more of the same. As missile-equipped UAVs continue to be produced and distributed in a dizzying flurry, and more and more operators are trained to kill, enticed by lucrative salaries and benefits packages, the hit lists will grow longer as well. Given the nature of lethal creep, I predict that some of the unarmed military UAVs already hovering in US skies will be weaponized for use in the homeland. Recall [the case of Micah Johnson](#), who was blown up by the Dallas police using an explosive-equipped robot.

So, yes, things have predictably gone from bad to worse, for lethal creep leads to further lethal creep, with no real end in sight. The 2018 Stimson Center report observes that the Trump administration is currently rolling back “restraints” and “guidelines” said to have been implemented during the Obama administration. Among the changes being considered are:

1. Expanding the targets of armed strikes by eliminating the requirement that the person pose an “imminent threat,”

2. Loosening the requirement of “near certainty” that the target is present at the time of the strike to a “reasonable certainty,” and
3. Revising the process through which strike determinations are made by reducing senior policymaker involvement and oversight in such decisions and delegating more authority to operational commanders.

Hooah! MAGA! USA! USA!

In all seriousness, the Obama administration’s “restraints” were never anything more than an effort to quell criticism. Smile politely and gush about “[just war theory](#),” and people will leave you alone, Obama learned from his targeted killing mentor, John Brennan. “Infeasibility of capture” was always a farce (see the cases of Anwar al-Awlaki and Osama bin Laden). And “near certainty”? Why don’t we ask Warren Weinstein and Giovanni Lo Porto about that one? Or, for that matter: [Abdulrahman al-Awlaki](#)?

The fundamental point cannot be overstated: by redefining “imminent threat” as no longer requiring “immediacy” and asserting the right to kill anyone anywhere deemed dangerous by a secretive committee of bureaucrats using deliberations conducted behind closed doors and never shared with the public (invoking State Secrets Privilege), the Obama administration paved the way to the latest slide down a slippery slope to even more wanton state homicide.

During the first two years of Trump’s presidency, Obama has been reveling in portrayals of himself as some sort of saint by “The Resistance” and the adoration of throngs of people who find him dignified and “presidential” next to his successor. But Obama’s own erection of a U.S. killing machine, and normalization of the insidious policy of summary execution by lethal drone outside areas of active hostilities, even of U.S. citizens, will haunt humanity for decades to come.

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***Laurie Calhoun** is the author of [We Kill Because We Can: From Soldiering to Assassination in the Drone Age, War and Delusion: A Critical Examination, You Can Leave, and Philosophy Unmasked: A Skeptic’s Critique](#).*

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