

US Drones and The “Global War on Terrorism”

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The initial US response to the deadly attack on the nation's Libyan embassy includes deploying spies, Marines, and drones. Current [reports](#) indicate that US drones operating in Libyan airspace will be limited to surveillance. But the decision to deploy them in this highly volatile situation ought to force American citizens to reflect on a somber anniversary. It warns against believing that drones provide a costless way to curb our terrorist enemies.

Americans should remember September 30, 2011, the day that drones unleashed by the CIA and Joint Special Operations Command (JSOC) targeted American citizen Anwar Al-Aulaqi, killing him and at least three other people, including a second US citizen, Samir Khan. Al-Aulaqi had been on CIA and JSOC “kill lists” since late 2009 or early 2010, and the target of previous drone strikes. Although US officials alleged that Khan was not a target in the September 2011 strike, they contended that he too played an active role in Al Qaeda in the Arabian Peninsula. A subsequent US drone strike in Yemen on October 14, 2011, killed seven people, including Al-Aulaqi's 16-year old son, Abdulrahman, also an American citizen.

Their deaths were part of an ongoing, [systematic program of US drone strikes](#) against suspected terrorists in countries outside the context of armed conflict. The US has conducted targeted killings in Yemen, Pakistan, and Somalia since 2002, though this campaign intensified dramatically in 2009 after President Obama took office.

The anniversary of Anwar Al-Aulaqi's death underscores two interrelated and intractable problems with our reliance on drones. Internationally, drones intensify our enemies' resolve because drones, no less than the suicide bombers and roadside devices that Americans have come to dread, are instruments of terror and lawless death. Domestically, drone strikes against US citizens on foreign soil usurp even the pretense of legal due process.

[Force](#), Simone Weil once observed, is pitilessly intoxicating to those who possess it. So it is not surprising that neither the American public nor their leaders have sought an informed public debate about the use of drones for targeted killings. Does their deployment make good sense in terms of national security? Is the nation's drone-based response to terrorism even legal under the US constitution and international law?

By invoking vague, shifting legal standards and asserting secrecy in the name of national security, government officials, including President Obama himself, have effectively situated the drone campaign on the periphery of public concern. With few exceptions, the corporate media have followed officials' leads.

Government officials seldom provide the public with evidence that targeted individuals posed specific and imminent threats, except for the assertion that they were “on the list.” This was true in Al-Aulaqi's case. Government officials, including Obama's counterterrorism

chief Michael Leiter, [compared al-Aulaqi to Osama bin Laden](#). Just as exaggerated descriptions of bin Laden as a “terrorist mastermind” oversimplified the complexity of Islamist terrorist networks, so comparisons of Al-Aulaqi to bin Laden overemphasized al-Aulaqi’s importance to Al Qaeda and his threat to US security. The corporate media dutifully conveyed these official views while describing Al-Aulaqi as an “alleged” or “suspected” terrorist.

By and large, the American public seems to have accepted the government’s argument of guilt by assertion and rhetorical association: A February 2012 [opinion poll](#) conducted by the *Washington Post* and ABC News found that 83 percent of Americans approved of drone strikes against terrorists overseas, including 65 percent who approved even when “those suspected terrorists are American citizens living in other countries.”

Neither President Obama nor Republican challenger Mitt Romney has shown any inclination to make targeted killings a campaign issue. Overshadowed by the hoopla of the Democratic National Convention, President Obama conducted a brief, formal [interview](#) with CNN’s Jessica Yellin in which he acknowledged that drones are “one tool we use” in order “to keep the American people safe.” Obama affirmed that targets must be “authorized by our laws” and pose threats that are “serious and not speculative.” In response to Yellin’s question, “Are the standards different when the target is an American?” Obama avowed that American citizens “are subject to the protections of the constitution and due process.” Neither Yellin nor Obama mentioned Al-Aulaqi, and Yellin chose not pursue the contradiction between the President’s claim and the facts regarding September 30, 2011.

A combination of divided oversight and economic conflicts of interest have kept Congress from effectively holding the White House, the CIA, or JSOC accountable. As the *Washington Post*’s Greg Miller has [reported](#), congressional lawmakers “receive scant information about the administration’s drone program,” and executive claims of secrecy typically muzzle them from discussing the little information they do receive. Meanwhile, drone manufacturers—including Boeing, Northrop Grumman, and General Atomics—lobby Congress for increasingly lucrative federal contracts through industry organizations such as AUVSI, the Association for Unmanned Vehicle Systems International. AUVSI lobbyists and similar industry groups meet [willing sponsors in Congress](#): The House of Representatives has its own drone caucus with over fifty bipartisan members. Divided oversight and corporate lobbying combine to render Congress ineffective in challenging the White House, CIA, and JSOC on drones.

In June 2012, a sharply worded [letter to President Obama](#) from Rep. Dennis Kucinich and 25 additional members of Congress questioned the authority for so-called “signature” strikes, characterizing drones as “faceless ambassadors” that cause both civilian deaths and “powerful and enduring anti-American sentiment.” Corporate media all but ignored this congressional rebuke, thus contributing to a counter-democratic dynamic in which the American public is unaware of developing Congressional opposition, while a majority in Congress will not take a position against targeted killing until their constituents demand that they do so.

Due to the persistence of civil rights groups, the courts may be the first branch of government to hold the illegal drone campaign’s commanders accountable. A July 2012 lawsuit filed by the Center for Constitutional Rights and the American Civil Liberties Union names Defense Secretary and former CIA Director Leon Panetta, Commander of US Special

Operations Command William McRaven, JSOC Commander Joseph Votel, and CIA Director David Petraeus as defendants in the deaths of Anwar Al-Aulaqi, Samir Khan, and Abdulrahman Al-Aulaqi. [Al-Aulaqi v. Panetta](#) argues that the targeted killing of Anwar Al-Aulaqi was not “a last resort to protect against a concrete, specific, and imminent threat of death or serious physical injury” and is therefore a violation of both the US Constitution and international human rights law. It also charges that the defendants failed in their obligations, under the Constitution and international law, “to take measures to prevent harm to Samir Khan, Abdulrahman Al-Aulaqi, and other bystanders.”

At present, the government’s global drone campaign operates with minimal transparency, accountability, or oversight. The lawsuit could force the defendants to reveal the process used to determine that Al-Aulaqi must die and the evidence for that decision. If Rep. Kucinich is right—drone strikes pose significant threats to national security because they promote widespread, powerful anti-American sentiment—then the court’s decision in Al-Aulaqi v. Panetta could do more to protect the US and its citizens than was accomplished by the targeted killing of Al-Aulaqi and other alleged terrorists. The case could sober the American public enough to reckon with the reality that, although drones seem a costless substitute for boots on the ground, our intoxication with them threatens our national security and our most cherished values.

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