

The Controversy over Drone Warfare

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The use of drones or Unmanned Aerial Vehicles (UAVs) in the war against Al-Qaeda and other terrorist groups affiliated with it was, until recently, celebrated as a new and efficacious American way of war. Drone warfare was touted as America's own asymmetric response to the sneaky and often lethal asymmetric way of war by 21st century non-state actors. Although drones have existed for a long time, they are a novel form of warfare and have been endorsed as revolutionary by its supporters. President Obama embraced drone strikes in his first term, and the targeted killing of suspected terrorists has come to define his presidency. But the U.S. use of armed drones or Unmanned Aerial Vehicles (UAVs) in its war with Al-Qaeda and its affiliates has generated considerable debate both in the United States and around the world. Essentially, there are two distinct camps in the debate on the evolution of drone warfare against terrorism [1].

On one side there are those who have argued that the use of armed drones against elusive terrorists is efficacious. Drones are cheaper than manned aircraft and they reduce risk to pilots. They are easier to maintain than manned aircraft and they do not require a large footprint on the ground looking for terrorists. "Decapitation strikes," it is argued leads to disarray and command and control break-down within the ranks of terrorist organizations. President Barack Obama himself has defended the use of drones in a "just war" of self-defense against deadly militants and a campaign that had made America safer. Obama administration officials have contrasted the drone program's relative precision, economy and safety for Americans with the huge costs in lives and money of the two wars in Iraq and Afghanistan [2].

On the other side, criticism of drone strikes, particularly under the Obama Administration, has mushroomed from within the ranks of legal scholars, lawyers, human rights organizations, and foreign governments particularly from those whose citizens are targeted by drone strikes, namely Yemen and Pakistan. The growing number of civilian casualties has raised the question of the efficacy of drone strikes in killing militants. According to revelations in the American media, the Central Intelligence Agency more often than not has no idea who is actually being killed in most of the strikes. Others have argued that "decapitation strikes" against terrorist leaders or commanders has done nothing to reduce the likelihood of lethal terrorist strikes. If one gets rid of high-ranking terrorist leaders, there is a chance that more inexperienced and revenge-minded leaders take over and plot even more lethal terrorist operations against the United States. Drone strikes have been described by captured terrorists as a motivation for their actions, including the failed attack on a Detroit-bound airliner in 2009 and the attempted car bombing of Times Square in 2010 [3].

The countries where the drone strikes have killed large numbers of civilians are outraged. And drone attacks often kill civilians. On June 23rd 2009, for example, an attack on a funeral in South Waziristan killed 80 non-combatants. It was not surprising then that a tribal elder in Pakistan once reputedly said that with the drone strikes "every day is a 9/11 for us." One of Obama's fervent wishes on taking office was to forge a more positive American image in the Muslim world. But the drone strikes, along with the president's failure to carry out his promise to close the Guantánamo Bay prison in Cuba, have helped drive the United States' approval rating to new lows in many Muslim countries.

In Pakistan, for instance, 19 percent of those surveyed by the Pew Research Center had a positive view of the United States in the last year of George W. Bush's presidency. By last year, the approval rating had fallen to 12 percent.

Even though the authorities in Pakistan and elsewhere have adopted a sheepish and low-key stance largely due to their implicit acceptance of the drone strikes, civilians and lawyers in those countries have begun to fight back. In a recent landmark ruling brought by a noted Pakistani lawyer, the Peshawar High Court ordered the Pakistani government to defend its citizens' right to life by demanding that America halt drone strikes and compensate civilian victims. The lawyer in question brought litigation on behalf of more than 100 civilian victims and their families before the provincial High Court in Peshawar and lower courts in Islamabad, the capital, to demand that the Pakistani government exercise its duty to protect the lives of its citizens [4].

The controversy over drone strikes seemed to have had an impact in Washington, D.C. Speaking at National Defense University on May 23rd 2013, President Barack Obama took note of public criticism of CIA-led drone strikes in the U.S. war on global terror which besides killing terrorists have also caused large-scale "collateral damage" (civilian deaths) in Yemen and Pakistan. President Obama now seeks to refocus the war on al Qaeda and its allies by restricting the use of drone strikes in countries with which the U.S. is not at war, and by shifting control of them from the CIA to the U.S. military. The C.I.A., which has overseen the drone war in the tribal areas of Pakistan and elsewhere, will generally cede its role to the military after a six-month transition period as forces draw down in Afghanistan. The administration listed criteria for the approval of a drone strike: "near certainty" the target was present and that civilians would not be injured or killed; capture of a terrorist is not feasible; failure of the authorities of the country in question could not or would not address the threat; and no other reasonable alternatives were available. The proposed new standard could end "signature strikes," or attacks on groups of unknown men based only on their presumed status as members of Al-Qaeda or some other enemy group - an approach that has resulted in many civilian casualties. Obama also defended the use of drones to kill four US citizens saying that "we are at war with an organization that right now would kill as many Americans as they could if we did not stop them first." Obama also said his administration would be willing to accept increased oversight of drone strikes outside war zones like Afghanistan. Nonetheless, Obama made it clear that drone strikes would continue. Lethal force will only be used against targets who pose "a continuing, imminent threat to Americans." And indeed on May 29th an American drone was said to have killed the deputy

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head of the Pakistani Taliban, Wali ur-Rahman Mehsud. It is not clear, however, how Wali-ur-Rahman who was reportedly in favor of direct negotiations with the Pakistani government, was a direct threat to American lives [5].

But lost in the fractious debate over the legality, morality and effectiveness of drone warfare is the fact that the number of strikes has declined. Strikes in Pakistan peaked in 2010 and have fallen sharply since then. The pace of strikes in Yemen has slowed to half of last year's rate; and no strike has been reported in Somalia for more than a year. The decline may reflect a changing calculation of the long-term costs and benefits of targeted killings. The costs of the drone strikes themselves have become more evident. Reports of innocent civilians killed by drones-whether real or, as American officials often assert, exaggerated-have shaken the claims of precise targeting. Former senior Bush and Obama administration security officials have expressed concern that the short-term gains of drone strikes in eliminating specific militants may be outweighed by long-term strategic costs to

America's security, relations with foreign countries, and standing in the world. Nonetheless, UAVs will continue to remain a key element of the American arsenal against both state and non-state actors in the coming decades. Indeed, research into more advanced drones is continuing and the U.S. is expected to remain at the forefront of drone warfare in the coming decades in spite of the fact that other countries have taken note and are accelerating their own programs [6].

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