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## Unmanned aerial vehicles

# Death from afar

**America uses drones a lot, in secret and largely unencumbered by declared rules. Worries about that abound, not least in the administration**

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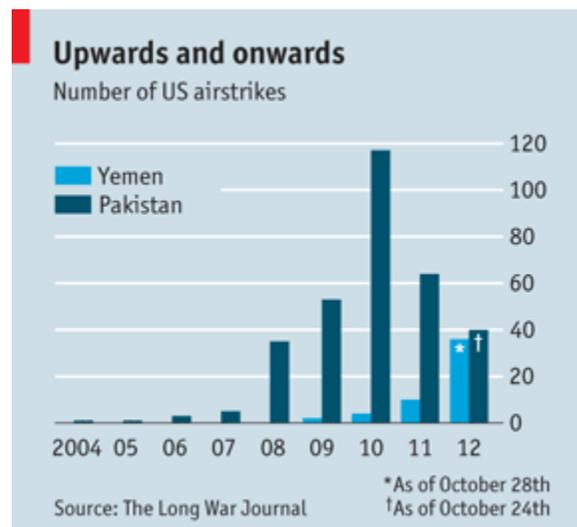
DRONES are hardly synonymous with harmony. But in the last election debate neither Barack Obama nor Mitt Romney disagreed over what is now America's main tactic in fighting the long war on terrorism: ever-greater use of armed drones for targeted killings in the tribal areas of Pakistan, the badlands of Yemen and Somalia, and, no doubt before long, north Mali, where an al-Qaeda affiliate has recently taken root. Just a few days before the debate, the CIA's director, David Petraeus, reportedly asked the White House for a big expansion in the agency's fleet of missile-carrying drones. It is part of the agency's decade-long evolution from an intelligence organisation to a paramilitary one.

In Djibouti, an impoverished mini-state on the Gulf of Aden, America has turned a former French Foreign Legion outpost, Camp Lemonnier, into the most important base for drone operations outside the war zone of Afghanistan. According to an investigation by the *Washington Post*, Predator drones take off round the clock on missions over nearby Somalia and Yemen. Their pilots are in Creech, an air force hub 8,000 miles away in Nevada. The Pentagon's Joint Special Operations Command (JSOC) runs Camp Lemonnier; the CIA is believed to have a more secret site elsewhere in the Arabian Peninsula. Aircraft from both bases often work together, as in the attack last year that killed Anwar al-Awlaki, an American citizen who became an al-Qaeda planner and propagandist.

After Iraq and Afghanistan, Americans do not want to spend blood and treasure in fighting big insurgencies on the ground. So drone strikes seem certain to stay the centrepiece of counter-terrorism efforts for many years to come and may well increase in reach and scale. America will invest \$1.4 billion on new construction at Camp Lemonnier

alone. Hugely enlarging the scope of drone operations (see chart) has been politically useful for Mr Obama. The ruthlessness of the campaign, plus the killing of Osama bin Laden, blunted Republican charges that he is soft on national security.

Because drones can loiter over potential targets for hours before firing their missiles, they are more discriminating than either fast jets or helicopter-borne special forces. Nor are their pilots put in harm's way. Yet it is disturbingly unclear how many people the attacks have killed (some estimates suggest more than 3,000). The vast majority appear to have been militants, but some have



been unlucky civilians. The distinction may also be blurring. New looser rules allow so-called "signature" attacks on unnamed fighters; that can easily mean any male of fighting age in an insurgent-held area.

It would be surprising if some aspects of the drone programme did not jar the president's sensibilities. The former law professor has decried "bending the rules" in the fight against terrorism, or thinking that the ends justify the means. He worries about a "slippery slope into a place where we're not being true to who we are". The attorney-general, Eric Holder, argued in March that the administration's counter-terrorism efforts, including the use of "technologically advanced weapons" were rooted in adherence to the law. The Pentagon and the CIA have deployed their general counsels to explain how their drones are always operated legally.

Staying true to America's principles is one worry. Providing a template for other countries is another. China and Russia have similar technologies but their own ideas about what constitutes terrorism. In April the White House's counter-terrorism adviser, John Brennan, a former senior CIA officer who opposed both the Iraq war and interrogation techniques such as water-boarding, gave a long and thoughtful speech on Mr Obama's strategy. Mr Brennan said that the president was always urging his national security team to be as open as possible and went into some detail about the "extraordinary care" that was taken to ensure that attacks were both legal in terms of American and international law, as well as ethical in the wider sense.

In September Mr Obama himself went on television to give an account of his approach. He set out five rules. The target must be "authorised by our laws" and represent a threat that is "serious and not speculative". The need for attack must be urgent. Planners must be "very careful" about avoiding civilian casualties. And despite the legal justification for stopping American citizens in al-Qaeda's ranks from carrying out plots, "they are subject to the protections of the constitution and due process". He did not

mention another principle that some lawyers regard as indispensable: the consent of the country where the attack is to take place.

Should Mr Romney win, he will inherit a counter-terrorism “playbook” from Mr Obama—a set of rules that, in effect, institutionalises the use of armed drones—and the prototype of a “disposition matrix”—a database of terrorist suspects and a menu providing options for dealing with them. Mr Brennan is said to want the rules to be better codified and more transparent. The JSOC, which has a clear chain of command and legal accountability, could take the lead on drone attacks from the CIA.

But Kurt Volker, a former American official close to Senator John McCain, sees a bigger problem: drones have made killing too easy. In a recent article he asked: “What do we want to be as a nation? A country with a permanent kill list? A country where people go to the office, launch a few kill shots and get home in time for dinner? A country that instructs workers in high-tech operations centres to kill human beings on the far side of the planet because some government agency determined that those individuals are terrorists?” The debate over drones is only just starting.

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