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Blood and Sulfur: The Ethical and Human Rights Failures of
Drone Warfare

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Introduction

In the recent decade of the 21st century, the concept of warfare has changed dramatically. New tactics and methods have not only changed the capabilities of parties involved in armed conflict, however these new tactics have also challenged the ethics and laws regarding warfare, drone strikes have been one of these highly divided. This essay will examine and pose an answer to the question of whether drone strikes are still ethical even if all the bureaucratic and legal procedures are taken into account prior to the engagement of an attack.

This essay will argue that drone strikes remain as unconventional, technically illegal and unethical methods of engagement in armed conflict. To answer this question, the following arguments will be analyzed; 1) Drone strikes are reliant on imperfect human judgment, 2) they are not as effective as portrayed because they result in extensive collateral damage, 3) the immense physical and ethical distancing from the target and the operator contributes to reckless collateral damage, 4) the procedures involved in initiating a legal drone strikes is overly bureaucratic and legalizes actions that are unethical and technically illegal, this process furthermore dehumanization of the targets of these attacks, and 5) drone attacks do not abide by the rules of proportional warfare. I shall also include a section of my own thoughts on the ethical concerns of drone warfare.

Human Judgment

Drone strikes are a mechanical operation that involves limited human interaction other an operation of the device and the judgment of the combat situation by human beings. Obviously drones are robotic and are unable to make a distinction between targets and non-hostiles, drones are also incapable of making moral and ethical choices for obvious reasons. Because of these inanimate limitations of drones, the decision making on whether to engage or to not engage in an

attack is left entirely up to the personnel who run the operation. The main problem here is that virtually everything concerning drone warfare, such as: targeting, justification and deadlines are all reliant upon imperfect human judgment. In a conflict situation, judgment can become clouded by emotions or deliberate malfeasance. Misjudgments in the situation of drones may lead to numerous casualties of non-combatants and civilians. Churchill explains; “Over reliance on technological capacities and quick fixes for pressing security problems can lull us into substituting a mechanical formula for a moral judgment...In this sense drone warfare is only as precise as your intelligence and the quality of your justifications for selecting human targets. Obviously, this second, critical decision cannot be made by technology; it is a result of human judgment that ought to be informed by careful moral reasoning” (Churchill; 35).

Effectiveness and Collateral Damage of Drone Strikes

Another highly controversial issue regarding the use of drones in armed combat situations is their accuracy and the collateral damage that is prevalent in drone strikes. As mentioned before, drones are machines and are not capable of distinguishing between targets and non-combatants. Only the drone operators are capable of making such decisions. Furthermore, drones often employ the use of ballistic missiles, the explosive radius of which, inevitably results in casualties (Boyle; 7). This makes drone attacks an indiscriminate and inaccurate form of warfare, even if all safety and legal precautions are taken the odds of an attack yielding zero civilian/non-combatant casualties is very small.

The Obama administration launched approximately 334 drone attacks, 288 of those attacks occurred in Pakistan alone. While there have been no clear statistics on the casualties, it is estimated that approximately 2000-3000 deaths of civilians in these attacks from 2014 to 2015. Elsewhere

in the Middle East, some 30 to 40 unconfirmed drone strikes have resulted in approximately 300-1000 deaths in Yemen, and 60-170 deaths in Somalia, mostly consisting of civilian deaths (Boyle; 5). Legal experts also concur, that the ineffectiveness of drone attacks corrodes local stability, fuels anti-American sentiments, and generates new recruits for Islamic terrorist groups (Boyle; 3).

Ethical Distancing of Operators from Victims

The technology of drones has become so advanced that the devices can be operated remotely over incredible distances. The remote operation of drones is possible over hundreds of kilometers and over-seas, an operator in Texas has the capability of launching a drone strike in Iran, all from the comfort of his/her own chair. Herein lies another ethical concern with drone strikes, the ethical distancing of operators to their targets. Ghandeharian explains: “Being spatially and temporally distinct...means that we are also psychologically and emotionally distinct...since a particular mind is inseparable from the particular body it inhabits. Space-time distance therefore entails at least a minimum of emotional-psychological distancing just from the fact that human beings are materially, and, therefore, mentally, distinct from one another in the concrete world” (Ghandeharian; 11).

In other words, the further we (or a drone operator in this case) reside from one another in a special-temporal sense, we maintain equal distance from others in a psychological-emotional sense. This can lead to drone pilots having a callous or dismissive attitude towards their targets in spite of legal procedures, the target ceases to be an individual human being and is no more than a projection on their screen which they destroy with impunity as if they were an insect. Mentalities such as have the potential to result in human rights atrocities that constitute violations of the

Geneva Convention's principals on the ethical treatment of enemy combatants, proportional warfare (which will be discussed later) and the protection of civilians and non-combatants.

Bureaucracy of Legalizing Drone Strikes and the Banality of Evil

The process by which an attack from an unmanned aerial drone can be sanctioned by law is a highly bureaucratic and intricate procedure. Drone strikes must be authorized by a particular authority figure, usually the Head of State, in accordance with the legal procedures initiated by the state itself, international general principals and the Geneva Conventions. While it is true that these legal procedures can be used to legally justify the usage of drones in armed conflict, these laws cannot exempt drones from ethical concerns.

In the previous section, we discussed the existence of ethical concerns of dehumanization inherent to drone attacks due to the geographical and emotional/psychological distancing of the operators and the targets. The legalization of drone strikes results in the bureaucratization of targeted killing from drone strikes (Adams, Barrie; 5). The bureaucratic process of legalizing drone strikes gives rise to a system reminiscent of the systematic order of abjection, dehumanizing, sequestering and ultimately murdering holocaust targets during the second world war. While it is of course not the exact system that the Nazis implemented so efficiently, the legal bureaucracy of drone strikes diminishes the ethical implications of these attacks through a process similar to what the Nazis used to legally sanction the holocaust, this process is what Hannah Arendt refers to as the banality of evil.

In her accounts, Arendt brings to light the infamous example of Adolf Eichmann, the very embodiment of her term. She regards Eichmann as monstrously evil but not in the same way as

the Fuher. To Arendt, Eichmann was evil because of his complacency with the establishment of the Third Reich and his own moral failure to stand against an atrocity that was so obviously immoral (Arendt in: Adams, Barrie; 6). Eichmann was but one of many pawns in the holocaust however, his example speaks to how the concepts of ethics, morality, evil become meaningless through legality and the complacency with legality. This very same banality of evil applies to the ethical concerns of drone strikes and the legal bureaucracy that surrounds them, when the target is dehumanized and has their human meaning diminished by a stroke of a lawyer's pen.

Drones and Disproportionate Warfare

The main weapons of unmanned aerial drones are point targeting or remotely controlled ballistic missiles. These missiles are effective, efficient and highly destructive. This sheds light on the disproportionality of drone attacks. Most drone strikes in the recent years have been implemented against terrorist groups such as Al Qaeda and ISIS in war torn states such as Syria, Yemen, Afghanistan, Iraq etc. The groups residing in these states have noticeably less firepower and financial capabilities than drone using states, the states themselves in many situations have dwindling finances and resources. The response of a drone attack is not only overkill on a target that cannot initiate an equally powerful retaliation, but the sheer destructiveness of drones degrades state economy and infrastructure.

The US is a prime example of how disproportionate its campaign of drone warfare is. The amount of civilian deaths in drone strikes in the middle east has been in the thousands (see above), the disproportionality can also be examined in terms of their economic resources for drone warfare. This year the Pentagon spent over 2.9 billion dollars in drone research, development and

procurement of 7000 aerial combat drones (FCNL, 2016). Further figures from the Friends Committee on National Legislation (FCNL) include approximately 40 combat drones in the possession of US Homeland Security and the CIA totaling 62 million dollars every year that these drones are functioning. Even flying these drones costs an exorbitant amount of finances, the Reaper and Predator drones cost 2500-3500 dollars per hour of flight, while the Global Hawk drone costs 30,000 dollars per hour of flight (FCNL; 2016).

Drones are disproportionate in armed combat because their technology is vastly superior and more deadly and destructive than that of the enemy. While it is indeed true that members of ISIS and Al Qaeda have commonly resorted to suicide bombings, mass killing of civilians, kidnappings and extra judicial executions, these tactics have arisen because of the need to fight back effectively. When faced with a technologically superior adversary, one can only hope to defeat them by any means at their disposal that could possibly rival the assailant's tactics, even if this means to resorting to tactics which are in violation of the Geneva Conventions and the laws of war.

Review and Reflection

This section is meant to reflect and extrapolate my own views on the ethical issues raised in this paper. Beginning with the issue of human judgment on drone strikes, I feel that little is to be extrapolated on this issue, human judgment is not perfect and is indeed prone to error. However, I feel that there is such an emphasis on how people can rationalize killing other people that we fail to see the rationality behind why these actions are seen as unethical. On the issue of the effectiveness of drones, I believe their proclaimed effectiveness and efficiency is state sponsored

propaganda used to quell domestic concerns about the ethics and legality of the situation. The state is regarded as heroic in its attempts to destroy an enemy who deserves no mercy by any means possible. Furthermore, I find that the distancing between operators and the targets to be entirely irrational. If the operator is in Washington and the target in Yemen, the distance does not matter, killing remains killing and distance does not absolve the operator who executed the killing or the commander who gave the order from the liability of their actions. If anything, the distancing is used to pacify the concerns of those directly involved in the drone strike and to ethically justify these actions to themselves.

Moving on to the fourth subtopic, I believe that the bureaucratic process of legalizing drone strikes is not only hypocritical but foolish and unethical as well. These processes are initiated not to ensure that the attack is morally sound, but to ensure that everything can be legally justified and none of the operators or commanders involved in the operation can be held accountable for the crime of targeted killing. The constant need to approve every action, authorize every tactic or strategy is so abhorrently foolish and speaks volumes about the incompetence of bureaucracy. So much talk and authorization and legal jargon is undertaken that ultimately no action is done in an efficient and quick manner.

Lastly on the topic of disproportional warfare with drones, I believe that terrorist cells have turned to suicide bombings, civilian mass killings and extra judicial executions as a means of dominant strategy, just as the west has turned to drones as an ultimate method of disposing to terrorists. Since terrorist cells cannot retaliate with their own drones, the fight fire with fire by another means; unethical and illegal acts of terrorism. However, I believe that the ongoing conflicts against terrorists may have resulted differently if the west abided by the rules of proportional

warfare and ceased or initially disregarded the usage of drones, which I feel are only escalating the severity of the conflict in the middle east.

Conclusion

This paper has attempted to answer the question of whether or not drones are ethical means of warfare even if they are legally sanctioned. I believe that the answer to this question is that they are unethical as they are poorly justified ethically and legally, they are ineffective and cause excessive collateral damage, demean and dehumanize their targets and are disproportionate means of warfare in the current way they are being used. Even with the legal justifications, the unethical implications of combat drones remain ever present and greatly obvious in the issues surrounding the War on Terrorism. While it is true that combat drones do give the west an advantage against terrorist cells in the middle east, the damage they cause to human rights, and the lives of civilians is a grave consequence that I believe is too terrible a price to pay for in this war.

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