

The First Drone War: Air Power for Strategic Effect

By Flight Lieutenant Kenny Fuchter

Air power has had a bad press lately and yet a revolutionary air campaign of devastating effect has been ongoing, largely in the background. A campaign whose primary proponent is not an air force but a civilian intelligence agency, employing civilian contractors. Over the last four years, in support of a clear and consistently stated National Strategic Aim, the United States has systematically and relentlessly pursued and struck al-Qaeda from the air. In what can now be called the 'First Drone War', air power (primarily through the use of UAS conducting ISR and strike) has demonstrated stunning utility in support of a global comprehensive approach counter-terror campaign. Although controversial, the effects on al-Qaeda have been devastating, to the extent that the stated aim of defeating al-Qaeda is, according to official US public statements, within reach.

Introduction

*"We are at war. We are at war against a terrorist organization called al-Qaeda that has brutally murdered thousands of Americans, men, women and children, as well as thousands of other innocent people around the world. In recent years, with the help of targeted strikes, we have turned al-Qaeda into a shadow of what it once was. They are on the road to destruction."*¹
Deputy National Security Advisor for Homeland Security and Counterterrorism, John Brennan, 30 April 2012.

Air power has had a bad press lately. The debate over its efficacy and cost effectiveness has raged, with distinguished strategists such as Van Creveld even claiming that air power is on the wane.² A few authors, such as McKenzie, have robustly countered such assertions,³ citing the success of air power in the intervention in Libya. Meanwhile, largely in the background, a revolutionary air campaign of devastating effect has been ongoing. An air campaign that could arguably be described as one of the most significant in history, whose primary proponent is not an air force but a civilian intelligence agency employing civilian contractors.⁴ Over the last ten years and more significantly in the last four, the United States has systematically and relentlessly pursued and struck al-Qaeda from the air, not just in Pakistan and Afghanistan but also in Yemen and Somalia. In what can now be called the 'First Drone War', air power (primarily through the use of Unmanned Aerial Systems (UAS) conducting Intelligence Surveillance and Reconnaissance (ISR) and strike) has demonstrated stunning utility in the context of a global counter-terror campaign.

The majority of what little debate there has been on the air campaign has typically focused on its legality, morality, wisdom and the negative impact it is having, especially in Pakistan.⁵ Rather than engaging in that heated debate this article aims to analyse the air campaign from an air power perspective, examining the underlying US government strategy, the scale of the strikes and the impact they have had on al-Qaeda. Although a clandestine campaign, since April 2012 the US administration has made increased attempts at transparency, largely in an attempt to counter negative publicity. Public statements from key stakeholders such as President Obama, Attorney General Holder, Secretary of Defence Panetta and Chief Counterterrorism Advisor to the President John Brennan give us for the first time a direct insight into the policy and strategy behind the strikes. The link between policy and any application of force is of key importance in assessing efficacy and these statements will be of critical importance in assessing whether this campaign has had strategic effect. The release of some of Bin Laden's letters in May 2012 from the material seized at his compound in Abbottabad,⁶ combined with al-Qaeda in the Arabian Peninsula's *Inspire* magazine has also allowed us for the first time to get an account of the impact of these 'drone strikes' from an al-Qaeda perspective.

The War that has to be Won

"It is time to turn the page. When I am President, we will wage the war that has to be won, with a comprehensive strategy with five elements: getting out of Iraq and on to the right battlefield in

Afghanistan and Pakistan; developing the capabilities and partnerships we need to take out the terrorists and the world's most deadly weapons; engaging the world to dry up support for terror and extremism; restoring our values; and securing a more resilient homeland." Senator Barack Obama (candidate for Democratic presidential nomination), 1 August 2007⁷

Air power, like any form of power, hard or soft, can only achieve strategic effect when clearly aligned in support of policy. Whilst it might still be possible to achieve significant operational or tactical effect when this is not the case, strategic impact will be impossible. The current campaign of 'targeted strikes' has been so successful precisely because it is integrated into a clear, well-understood,⁸ consistent, and comprehensive US government policy. Understanding the policy driving the air campaign makes it possible to appreciate its efficacy.

The behaviour of states is often examined under two competing analytical paradigms of international relations; Rationalism and Constructivism.⁹ The Rationalist approach suggests, by reference to goal seeking behaviour, that states pursue their interests according to the "logic of expected consequences";¹⁰ adopting policies where the benefits outweigh the costs.¹¹ Constructivists assume that states are social actors whose policy choices in international relations are affected by beliefs, expectations and interpretations.¹² These analytical approaches are especially relevant in understanding counter-terrorism. Here rationalists believe that a state will do what is in its best interest (i.e. to minimise or eliminate the threat); whilst constructivists would argue that any response would be defined by the social norms and interpretation of the nature of the threat and the appropriate responses.¹³ These two theories, often seen as competing, can be used together to understand the strategy that lies behind the current employment of air power against al-Qaeda and therefore why it has been successful.

The defining event in recent history remains 9/11, which has shaped US foreign policy throughout the 21st Century and will continue to do so for at least the next decade. Reference to 9/11 is repeatedly made by US policymakers when discussing targeted strikes. Constructivists would argue that to understand US strategy it is important to appreciate the impact that 9/11 continues to have. Driven by this devastating terrorist attack the rationalist aim for both US administrations since has been to minimise and eliminate the threat from al-Qaeda:

"We have got to defend the United States of America. That's our first responsibility". Leon Panetta, Secretary of Defense, 27 May 2012¹⁴

The method of achieving this changed significantly with the election of President Obama in 2008. Prior to his election he had noted in 2007 how his priority in power would be to tackle al-Qaeda by getting out of Iraq and "waging the war that has to be won" in Afghanistan and Pakistan.¹⁵ This strategy has been consistently repeated in subsequent speeches and policy documents over the last four years:

"Our overarching goal remains the same: to disrupt, dismantle and defeat al-Qaeda in Afghanistan and Pakistan, and to prevent its capacity to threaten America and our allies in the future." President Obama, West Point, 1 December 2009¹⁶

"We will disrupt, dismantle and defeat al-Qaeda and its affiliates through a comprehensive strategy." US National Security Strategy, 2010¹⁷

In doctrinal terms this can be translated into the National Strategic Aim.¹⁸ This aim is normally expressed in terms of a desired outcome, in this case succinctly by President Obama:

"Our goal is to destroy al-Qaeda." President Obama, Bagram Airfield, 1 May 2012¹⁹

Clear and unwavering political strategic direction is essential in ensuring the success of any application of force. During the Obama administration this has been the bedrock of the campaign's efficacy. In UK doctrine the identification of the National Strategic Aim allows a clear understanding of the problem by key stakeholders (in this case the CIA and the Department of Defense (DoD)) and allows analysis of two key campaign-planning concepts: the desired campaign end state and associated Centre(s) of Gravity.²⁰ The campaign end state is clear: the defeat of al-Qaeda and denial of the opportunity to rebuild.²¹ Centre of gravity analysis seeks to determine the relative strengths and weaknesses of the principal protagonists. It complements the manoeuvrist approach, which applies strength against vulnerabilities, seeking predominantly indirect ways and means to target the conceptual and moral components of an opponent's fighting power.²² Clausewitz, the originator of the centre of gravity concept, noted that in an 'insurrection' the centre of gravity lies in the 'person of the chief leader' against whom persistently repeated concentrated blows should be directed.²³ It has been suggested that al-Qaeda has three clear centres of gravity, two of which are of primary significance for the air campaign.²⁴ It is evident that the strategic centre of gravity lies in the senior leadership, often known as al-Qaeda Core or al-Qaeda Central and based largely in the tribal areas of Pakistan.²⁵ It has also been argued that another Centre of gravity consists of al-Qaeda's middle management who provide the vital link between the top of the organisation with the grass roots and therefore make it possible for al-Qaeda to function as a coherent and operationally effective entity, especially in Europe and North America. The third and final Centre of gravity are the grass-roots themselves including those who are inspired by al-Qaeda and often 'participate' through Internet forums ("jihobbyists"), low level members of jihadist cells and their leaders; and those who may have been to a training camp and returned home without retaining lasting links to the leadership.²⁶ This last is not particularly suited to the application of military force but falls to others, under the comprehensive approach, to engage. The senior leadership and middle managers, who can roughly be equated to a strategic and operational centre of gravity, are however vulnerable to the application of military force.

The Utility of Air Power

"Very frankly, it's the only game in town in terms of confronting or trying to disrupt the al-Qaeda leadership". Leon Panetta, Director CIA, 18 May 2009²⁷

Al-Qaeda's core senior leadership has largely been based in an area described by US intelligence agencies as "the most dangerous region on earth"; the remote Pashtun tribal areas of Pakistan known as the FATA (Federally Administrated Tribal Area).²⁸ In this inaccessible, mountainous, autonomous region al-Qaeda, given sanctuary by the Taliban and various other militant organisations, was able to regroup and resume plotting and training for further attacks against the West following their expulsion from Afghanistan in 2001.²⁹ With the Pakistani government unwilling and unable to pursue al-Qaeda and the Taliban in this region the options for the US to tackle this centre of gravity are limited. Air power proponents will quickly realise that the key characteristics of air power - height, speed, reach, ubiquity, agility and concentration³⁰ make it ideal for such a task. This suitability is emphasised when one takes into account that one of the critical vulnerabilities of al-Qaeda is its inability to counter such a threat. In April 2012 US Counterterrorism Chief John Brennan outlined exactly why the US administration believed the use of air power was so wise:

- The ability to fly hundreds of miles over treacherous terrain, strike with astonishing precision and return to base.
- The ability to react quickly to small windows of opportunity.
- The reduction or elimination of danger to US personnel.
- The reduction in the danger to innocent civilians through collateral damage by utilising 'surgical' precision.
- Increased situational awareness of the target and its surroundings.
- No requirement for large scale military deployment on the ground which plays into al-Qaeda's hand of drawing the US into long, drawn out costly wars and inflames anti-American sentiment.³¹

The primary tool utilised to exploit the asymmetric advantage of air power in this campaign has been the Unmanned Aerial Vehicle (UAV) or Remotely Piloted Aircraft (RPA);³² the ubiquitous 'drone' of popular parlance. Employed by the CIA in Pakistan, utilising private contractors,³³ and primarily by the DoD elsewhere, the two key roles of the RPA have been ISR and strike. Whilst details of the programme remain closely held, despite recent improvements in transparency, the scale of this air operation is difficult to accurately assess. One measure that can be used as an indicator is the number of strikes that have been conducted. In the absence of official figures there are three primary sources, drawn from a wide range of open source reporting, that provide statistics and analysis of drone strikes: *The Bureau of Investigative Journalism*,³⁴ *The Long War Journal*³⁵ and the *New America Foundation*.³⁶ The figures provided suggest that there have been up to 337 strikes in Pakistan, 45 in Yemen and 9 in Somalia until 2 August 2012. These figures can only be approximate as verification is largely impossible. It is possible that there may have been more unreported strikes and some

may have been conducted by conventional aircraft or possibly even by third parties. They do however give an indication of scale and what is clear is that this is a significant air campaign.

Figure 1 below shows a comparison of the number of targeted strikes (to date) with the number of strike sorties carried out by the Royal Air Force in a number of recent major air campaigns. It is notable that the number of drone strikes has been almost half, one third and one quarter of the RAF's strike sorties in Op ALLIED FORCE (Kosovo 1999), Op TELIC (Iraq 2003) and Op ELLAMY (Libya 2011) respectively. Given the nature of those air-dominated campaigns this is significant although perhaps misleading. It is unknown how many UAV strike sorties led to each strike so this is not quite a direct comparison.³⁷ Perhaps more significantly during Op ELLAMY RAF strike sorties represented between half and two-thirds of all sorties conducted.³⁸ It is likely that the vast majority of UAV sorties against al-Qaeda will be ISR, with a much smaller percentage being strike. It is therefore possible that the total number of UAV sorties conducted to date could be in the tens of thousand across all theatres. As an indication of scale, when compared to the RAF's 3000 plus total sorties for Op ELLAMY, it highlights that this represents a major air campaign.

Campaign	First Drone War	Op ALLIED FORCE	Op TELIC	Op ELLAMY
Strike Sorties	391 ³⁹	1008 ⁴⁰	1353 ⁴¹	2000 ⁴²

Fig.1 Drone strikes (to 2 August 2012) compared to RAF strike sorties

What is also clear is that the Obama Administration has consistently followed its own stated policy. Figure 2 below shows the number of drone strikes in Pakistan since 2004 and what is clear is the significant increase in strikes following Obama's election in 2008. Indeed there were more in his first year in office, 2009, than there had been in total to that point. Selection and maintenance of the aim is a fundamental principle of war and key to any successful application of force.⁴³ In this case it has allowed the application of air power in a precise targeted campaign to enable the desired end state.

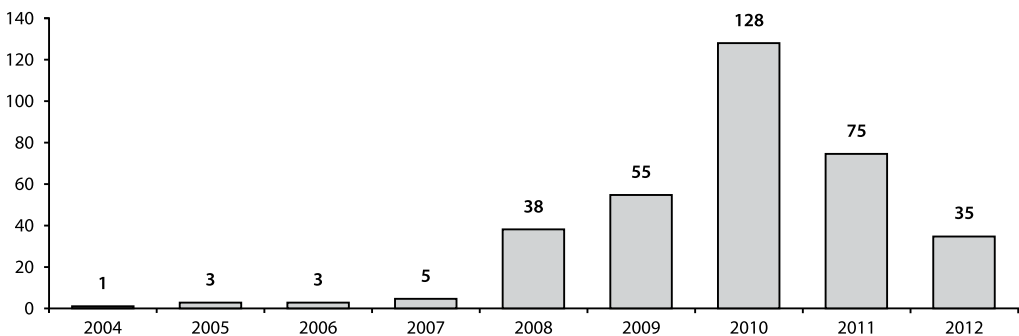


Figure.2 Drone Strikes in Pakistan (from The Bureau of Investigative Journalism Data)⁴⁴

In the absence of official figures it is impossible to know how many actual aircraft have been involved in this campaign, especially those operated by the CIA. In February 2009, prior to a move to airfields in Afghanistan, three MQ-1 Predator were seen on Google Earth imagery at Shamsi Air Base in Pakistan⁴⁵ and others were known to operate at Jacobabad in Baluchistan.⁴⁶ Further detail is unavailable. The United States Air Force (USAF) was globally able to operate 38 Combat Air Patrols (CAPs) by either MQ-1 Predator or MQ-9 Reaper at any one time in 2009 and aims to be able to operate 65 by 2014.⁴⁷ Only a fraction of these will be employed on counter-terrorism but the numbers are impressive. In 2012 the DoD has approximately 340 Unmanned Aerial Systems of the R/MQ-4 Global Hawk, MQ-9 Reaper and MQ-1 Predator class at its disposal. It aims to increase this to 650 by 2021.⁴⁸ DoD spending on UAS has increased from \$284 million in FY2000 to \$3.3 billion in FY2010.⁴⁹ This increase in investment and therefore capability is one of the key factors behind the success of the air campaign against al-Qaeda.

The Impact on al-Qaeda

"But over the last three years, the tide had turned. We broke the Taliban's momentum. We've built strong Afghan security forces. We've devastated al-Qaeda's leadership, taking out over 20 of their top 30 leaders. And one year ago, from a base here in Afghanistan, our troops launched the operation that killed Osama bin Laden. The goal that I set – to defeat al-Qaeda and deny it a chance to rebuild – is now within our reach." President Obama, 1 May 2012⁵⁰

The application of air power on the scale outlined above, in support of a strategic goal, has had a devastating impact on al-Qaeda. The two relevant centres of gravity, senior leadership and middle management in Pakistan, have suffered significant attrition from which many in US government believe, in public at least, they will be unable to recover.

Arguably the greatest blow to al-Qaeda was the death of its founder and leader of the global jihadist movement Osama bin Laden in 2011.⁵¹ It is worth noting that although not killed in a drone strike the Special Forces raid was only possible thanks to another of the key roles of air power, air mobility. However, there have been a significant number of other senior leadership figures killed by drone strikes and the cumulative effect of this has been devastating. The *New America Foundation* has calculated that 43 senior al-Qaeda and militant leaders have been killed by drone strikes since 2004, 40 of those since 2008.⁵² Considering that the US government has consistently estimated the number of al-Qaeda leaders and operatives in Pakistan at between 300 and 400⁵³ this is a significant casualty rate. Examples of some of those killed in just the last fourteen months reveal the scale of the problem facing al-Qaeda:

Ilyas Kashmiri (killed June 2011) Senior militant commander and al-Qaeda external operational planner.⁵⁴ Leader of Huji⁵⁵ and al-Qaeda in Kashmir.⁵⁶

Atiyah Abd al-Rahman (killed August 2011) al-Qaeda operations chief who succeeded Ayman al-Zawahiri as Deputy Leader after bin Laden's death.⁵⁷

Badr Mansoor (killed February 2012) Leader of al-Qaeda in Pakistan and a key link to the Taliban and Pakistani militant groups.⁵⁸

Abu Yahya al-Libi (killed June 2012) Senior leader and Islamic scholar. Replaced al-Rahman as al-Qaeda second in command. One of the last senior leaders with global jihadi credentials.⁵⁹

It is not just al-Qaeda leadership that has been targeted but also other militant groups who have links to them or who conduct attacks in Afghanistan. These include the Taliban, Islamic Movement of Uzbekistan, Haqqani Network and the Tehrik-i-Taliban Pakistan (TTP).⁶⁰

Effects have not just been felt at senior level. Although only details of the deaths of senior leaders are confirmed by the US it is likely that the bulk of the strikes are aimed at the layer of middle managers, planners and facilitators already identified as a critical centre of gravity.⁶¹ General Stanley McChrystal, the former Commander of US Forces in Afghanistan, highlighted the importance of this part of the network:

*"What I have come to believe is that you take the middle of the network – experienced professionals – you attack them, you capture, you kill and you turn as many of them as you can, and you cause the network to collapse on itself."*⁶²

Figures vary but the *Bureau of Investigative Journalism*, *The Long War Journal* and the *New America Foundation* estimate that there have been between approximately 1500 and 2500 al-Qaeda and other extremist operatives killed to date by drone strikes in Pakistan.⁶³ Whilst there is much debate over the number of civilian casualties even the lower figure of 1500 militants represents considerable attrition, much of which will be felt at the mid-level. Such has been the effect of these strikes that as early as 2009 the then CIA Director Leon Panetta stated that the airstrikes had been "very effective" noting that al-Qaeda's leaders had come to view Pakistan's tribal areas as "neither safe nor a haven".⁶⁴

In material seized from bin Laden's compound in Abbottabad (and released by the US in May 2012) he confessed to the strikes bringing 'disaster after disaster'⁶⁵ and recommended a number of extra security measures to try and avoid surveillance, even if that meant slowing down the 'work'.⁶⁶ Such was his concern he stressed the importance of moving the "brothers" occupying leadership positions out of Waziristan and "away from aircraft photography and bombardment".⁶⁷ He was worried about the 'rise of lower leaders who are not as experienced' and how this would lead to the repetition of mistakes.⁶⁸ John Brennan notes that morale amongst al-Qaeda is reportedly low with intelligence indicating that some members are giving up and returning home, whilst attracting new recruits is a struggle:

"For all these reasons, it is harder than ever for al-Qaeda core in Pakistan to plan and execute large-scale, potentially catastrophic attacks against our homeland. Today, it is increasingly clear

that compared to 9/11, the core al-Qaeda leadership is a shadow of its former self. Al-Qaeda has been left with just a handful of capable leaders and operatives, and with continued pressure is on the path to its destruction. And for the first time since this fight began, we can look ahead and envision a world in which al-Qaeda core is simply no longer relevant.” John Brennan, 30 April 2012⁶⁹

In the UK public statements by intelligence chiefs including the Director General of the Security Service reflect this assessment:

Bin Laden is dead, al-Qaeda’s senior leadership is under serious pressure and there hasn’t been a major attack here for seven years. Jonathan Evans, 25 June 2012⁷⁰

Beyond Pakistan

“Beyond Pakistan there is a core of terrorists – probably in the tens of thousands – who have made their choice to attack America. So the second step in my strategy will be to build our capacity and our partnerships to track down, capture or kill terrorists around the world, and to deny them the world’s most dangerous weapons”. Senator Barack Obama, candidate for Democratic presidential nomination, 1 August 2007.⁷¹

It is not just in Pakistan where the effects of this campaign are felt. The decline of al-Qaeda Core in Pakistan has coincided with the rise of the affiliates, especially al-Qaeda in the Arabian Peninsula (AQ-AP).⁷² Repeated attempts by AQ-AP to attack the West and aircraft in particular, as evidenced by the underpants bombs and the bomb found in a printer cartridge at East Midland Airport has seen the group rise to the top of the CT agenda. As a result in Yemen there have been possibly as many as 45 strikes against AQ-AP, 28 of which have come in the first eight months of 2012.⁷³ Figures again vary with between 273 and 813 militants reported killed by *The Bureau of Investigative Journalism*⁷⁴ and *The Long War Journal*.⁷⁵ Even taking the lower estimate this is a significant level of attrition from a group that was assessed by the US as consisting of ‘more than a thousand’ in April 2012.⁷⁶ They have also suffered the recent loss of key leaders including:

Fahd al-Quso (killed May 2012) Senior operational planner who had plotted to blow up a passenger plane in 2012 and was involved in the attack on the USS Cole.⁷⁷

Anwar al-Awlaki (killed September 2011): Radical American Muslim cleric and leader of external operations who was responsible for planning and directing terrorist attacks against the US⁷⁸ including the 2009 ‘underpants’ plot and was linked to a number of other attacks including the Fort Hood shooting.⁷⁹ A global figure he was also linked to the Rajib Karim British Airways plot in the UK.⁸⁰ His English language rhetoric and publications inspired extremists in the West including in the UK as evidenced by the stabbing of MP Stephen Timms by Roshonara Choudray.⁸¹

The level of attrition in a relatively short period of time has had a considerable impact in terms of both key commanders and capabilities.⁸² AQ-AP's English language magazine *'Inspire'* can provide us with a unique and direct insight into this. Issue 6 of *Inspire*,⁸³ released in the summer of 2011, covers in great detail the death of bin Laden where it is noted that they *'lament the loss of a great leader'*.⁸⁴ Significantly there is also a Shuhada (or Martyr) special in the magazine which the editor introduces whilst discussing the fighting in Yemen:

*"But there is a price for everything. During these battles we have lost some of our dear brothers; brothers from the first generation, the ones who were with us from day one. You will read about some of these martyrs in this issue."*⁸⁵

Of the six senior operatives whose obituaries follow, two including Abu Ali Al-Harithi (The Veteran Lion) were killed by drone strikes and two others had survived strikes prior to their death. Looking beyond the text can provide an even greater indication of the impact of the air campaign a year on from publication. In addition to the obituaries, including of the two individuals killed by drone strikes, the magazine includes articles by Bin Laden, Abu Yahya al-Libi and Samir Khan and an invitation to write to Anwar al-Awlaki.⁸⁶ Apart from bin Laden, whose death was enabled by air power, all the rest have subsequently been killed in targeted strikes. Not only is air power having an impact on key leadership but it is also critically impacting the ability of al-Qaeda and the affiliates to deliver its message to its key audience. The inability of al-Qaeda to counter this crippling campaign is illustrated by a story about one of the senior operatives in his obituary. When a group of AQ-AP operatives were narrowly missed by a drone strike Ali Saleh apparently drew his jambia (Yemeni dagger) and raised it above his head screaming his name.⁸⁷ He had no other way of countering the asymmetric advantage that the UAV possessed. It is little wonder perhaps that Leon Panetta in his first speech after becoming Secretary of Defence in July 2011 noted that *"we have them on the run"* and that *"we are within reach of strategically defeating al-Qaeda"*.⁸⁸

Illegal use of Air Power?

"The US can no longer speak with moral authority on human rights". Former President Jimmy Carter. June 2012⁸⁹

'But we must recognise that there are instances where our government has the clear authority – and I would argue, the responsibility – to defend the United States through the appropriate and lawful use of lethal force.' Attorney General Eric Holder, 5 March 2012⁹⁰

Legality (or at least the appearance of) is of critical importance in contemporary conflict, especially in the West. The use of any strategy, tactics or weapons seen as illegal is unsustainable in the long term. To extract relevant lessons from the current drone campaign it is necessary to understand the arguments surrounding its legality, especially as proponents of air power. Targeted strikes have attracted considerable controversy. Much of the opprobrium, which comes from a broad spectrum that includes human rights groups, legal scholars and

even former Presidents, focuses on the legality and ethical nature of drone strikes, which are often seen as extrajudicial assassinations that violate human rights, violate state sovereignty, stain US moral standing and fuel extremism.⁹¹ In light of this criticism, and in an attempt to counter what has been to date a largely one-sided debate, the US government has recently outlined the legal basis it believes justifies the use of air power in this manner.

The Attorney General Eric Holder has highlighted that in terms of International Law the US is at war with al-Qaeda, the Taliban and associated forces as a result of 9/11.⁹² Any state is also entitled to use force consistent with its inherent right of self-defence.⁹³ Because the US is in an armed conflict they are authorised to take action against enemy belligerents under international law.⁹⁴ There is nothing in international law that bans the use of UAS for this purpose and nothing that prohibits the use of lethal force away from an active battlefield, at least when the country involved consents or is unable or unwilling to take action against the threat.⁹⁵ There have been very public protests by elements of the Pakistani government to placate their domestic audience but it is unclear whether they have given approval in private. In Yemen the US work closely with the government on counter-terrorism and in Somalia the Somali Transitional National Government control little beyond the immediate environs of the capital Mogadishu.

The legality of targeted strikes under US Domestic Law is also clear according to both Holder and Brennan. The US Constitution empowers the President to protect the nation from imminent threat of attack. The Authorisation for Use of Military Force (AUMF), passed by Congress after 9/11 authorised the President to 'use all necessary and appropriate forces' against those nations, organisations and individuals responsible for 9/11. There is nothing that restricts that to Afghanistan.⁹⁶ Holder highlighted that even targeting a US citizen (such as Anwar al-Awlaki) would be lawful:

"Let me be clear: an operation using lethal force in a foreign country, targeted against a US citizen who is a senior operational leader of al-Qaeda or associated forces, and who is actively engaged in planning to kill Americans, would be lawful at least in the following circumstances: First, the US government has determined, after a thorough and careful review, that the individual poses an imminent threat of violent attack against the United States; second, capture is not feasible; and third the operation would be conducted in a manner consistent with applicable law of war principles."⁹⁷

Reference to law of war principles is significant when considering any use of air power in this context. There are four fundamental law of war principles that govern any use of force:

Necessity: The target must have definite military value.

Distinction: Only lawful targets i.e. combatants, civilians directly participating in hostilities and military objectives may be intentionally targeted.

Proportionality: Anticipated collateral damage must not be excessive in relation to the

anticipated military advantage.

Humanity: Requires the use of weapons that do not inflict unnecessary suffering.

Air power is possibly the only military capability that can successfully meet these principles in this scenario. Persistent ISR though the use of UAS helps to provide the best intelligence for planners to ensure that the conditions of necessity, distinction and proportionality are met. Effective ISR also enables precision strike with small munitions, thereby minimising collateral damage and civilian casualties as far as possible and ensuring that the principles of humanity are maintained. Despite criticism to the contrary, technologically advanced air power systems are probably the most ethical and legally compliant weapons available to the US in this regard.

A frequent complaint about drone strikes is that they are assassinations.⁹⁸ However, Holder points out that the term is loaded and misplaced. Assassinations are unlawful killings that violate criminal statutes and the US Executive Order specifically banning them. Targeted killings are not unlawful in US government eyes and therefore are not assassinations.⁹⁹ The specific targeting of senior leadership has long been a recognised and legal tactic in war, as the attack against Admiral Yamamoto and attempts against Field Marshal Rommel in the Second World War aptly demonstrate.

The attempt by the US to provide greater transparency only began in April 2012 and is ongoing. The CIA General Council has addressed Harvard Law School on 'the CIA and the Rule of Law' and a recent *New York Times* article has examined in depth the complex targeting and approval process, led by President Obama, for these strikes.¹⁰⁰ It was John Brennan who began the process:

"So let me say it as simply as I can. Yes, in full accordance with the law, and in order to prevent terrorist attacks on the United States and to save American lives, the United States Government conducts targeted strikes against specific al-Qaeda terrorists, sometimes using remotely piloted aircraft, often referred to publicly as drones. And I'm here today because President Obama has instructed us to be more open with the American people about these efforts". John Brennan, Assistant to the President for Homeland Security and Counterterrorism, 30 April 2012.¹⁰¹

Conclusion

The US campaign of targeted strikes against al-Qaeda has been controversial. Even distinguished counter-insurgency scholars such as Kilcullen have criticised the strikes as counter-productive especially in the FATA.¹⁰² However, this perhaps reflects some confusion over the nature of the campaign and some conflation between counter-insurgency and counter-terrorism. When recently asked if this strategy could work in Yemen without boots on the ground (commonly recognised as the critical element in any counter-insurgency campaign) the US Defence Secretary replied:

"The answer is yes, because very frankly, what we're targeting, the operations we're conducting, require the kind of capabilities that don't necessarily involve boots on the ground, but require the kind of capabilities that target those that we're after who are threats to the United States. That's what this mission is about. It isn't about getting into, you know, their tribal difference and controversies. It isn't about getting into a civil war. It's about going after those who threaten our country. That's what this mission is about." Leon Panetta, 27 May 12¹⁰³

The air campaign is a critical element in a comprehensive approach to 'disrupt, dismantle and defeat al-Qaeda and its affiliates'.¹⁰⁴ The Rationalist/Constructivist approach of the US government recognises the dangers of the negative impact on the people of Pakistan, whose hearts and minds represent a key battleground,¹⁰⁵ but driven by 9/11 the strategic priority is first to defeat al-Qaeda. The consistency of this strategy throughout the Obama administration has allowed air power to play a key role in supporting policy. The effects on al-Qaeda from the air power delivered ISR and strike have been devastating and relentless. In support of a clearly stated National Strategic Aim, al-Qaeda's two key centres of gravity, senior leadership and middle management have been eviscerated by the application of strength, in the form of air power, against their vulnerabilities, with stunning success.

In recent years, with the help of targeted strikes, we have turned al-Qaeda into a shadow of what it once was. They are on the road to destruction." John Brennan, 30 April 2012¹⁰⁶

Bernard Fall the renowned counter-insurgency strategist of the Vietnam War famously noted in 1964 that you cannot defeat an ideology with technology.¹⁰⁷ Whilst this remains true today what the drone campaign has demonstrated is that with the precise application of air power as part of a comprehensive approach, in support of a clear strategic aim, you can bring to the brink of defeat a global terrorist organisation who promote that ideology. The fact that such a campaign is conducted largely by a civilian intelligence agency makes it even more remarkable.

"The goal that I set – to defeat al-Qaeda and deny it a chance to rebuild – is now within our reach." President Obama, 1 May 2012¹⁰⁸

Notes

¹ John Brennan speech on "The Ethics and Efficacy of the Presidents' Counterterrorism Strategy" at the Wilson Center 30 Apr 2012, available at <http://www.wilsoncenter.org/event/the-ethics-and-ethics-us-counterterrorism-strategy> accessed on 15 Aug 12

² Martin Van Creveld, The Rise and Fall of Air Power, *RUSI Journal*, 156;3, June/July 2011, 48-54

³ Alexander McKenzie, The Renaissance of Air Power, *RUSI Journal*, 157;3, June 2012

⁴ Brian G Williams, The CIA's Covert Predator Drone War in Pakistan, 2005-2010: The History of an Assassination Campaign, *Studies in Conflict and Terrorism*, No.33, 2012, 871

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