





# SHADOW WARFARE: THE EFFECTIVENESS OF CIA DRONE STRIKES IN CONDUCTING COVERT IRREGULAR WARFARE

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# **JCSP 40**

# Exercise Solo Flight

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## **PCEMI 40**

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### CANADIAN FORCES COLLEGE / COLLÈGE DES FORCES CANADIENNES JCSP 40 / PCEMI 40

#### **SOLO FLIGHT ESSAY**

#### **SHADOW WARFARE:** THE EFFECTIVENESS OF CIA DRONE STRIKES IN CONDUCTING **COVERT IRREGULAR WARFARE**

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Word Count: 5,365 Compte de mots: 5,365 Be extremely subtle, even to the point of formlessness. Be extremely mysterious, even to the point of soundlessness. Thereby you can be the director of the opponent's fate.

- Sun Tzu, quote from BrainyQuote.com

#### **INTRODUCTION**

As the world evolves within an ever changing security environment, the character of warfare is becoming increasingly irregular. To combat the increasing shift to irregular and asymmetric warfare necessitates increasingly technological and irregular ways and means. The evolution of unmanned aerial vehicles (UAV), or drone technologies, has changed the nature of war in that it can now be conducted in a more persistent, deliberate, and precise manner. In their ability to fly high and out of sight, drones enable what Sun Tzu describes in the opening epigraph as 'formlessness' and 'soundlessness' to direct the fate of the opponent. With their ability to conduct surveillance, targeting, and surgical strikes, drones have transformed the nature of persistent and irregular warfare; however, their effectiveness is challenged due to the consequences, blowback, and civilian casualties which result from drone strikes.

The terrorist attack of September 11, 2001 (9/11) was a tragic and historical milestone and in the subsequent global war on terror (GWOT), the US committed to waging protracted irregular warfare against a violent, unpredictable, and ideological enemy. Fighting terrorism means fighting and disrupting a dispersed and elusive adversary network and systematically breaking the adversary's command and control (C2) structure and will to fight. This necessitates continuous engagements to achieve strategic success. The GWOT is thus a war which must be won by fighting on US

external lines; conducted through drone strikes in the sanctuaries and safe havens of al Qaeda and their affiliate organizations where terrorists are cultivated and attacks are planned. This is the battlespace of the Central Intelligence Agency (CIA) and their domain of shadow warfare.

This essay will analyze CIA drone strikes within the context of the GWOT and argue that despite their consequences, drone strikes are an effective means by which the CIA conducts covert irregular warfare to achieve tactical, operational, and strategic success. As a methodology in analyzing the effectiveness of CIA drone strikes, this essay will focus on the use of drones as an effective tool and instrument of covert irregular warfare in their ability to track, target, and engage an elusive and dispersed adversary. This essay will also rigorously analyze the cost benefit analysis of CIA drone strikes, weighing their consequences against their value and benefits to argue their effectiveness within the GWOT.

#### THE EVOLUTION OF DRONES IN CONDUCTING IRREGULAR WARFARE

#### **The Evolution of Drones**

Warfare has forever been a clash of human wills and despite how irregular warfare has become, humans have engaged in combat on a battlefield and within a battlespace using increasingly technological ways and means to achieve their strategic political goals. UAVs have been used in military operations and warfare since World War II as reconnaissance and munitions delivery platforms and as targets themselves. The use of UAVs as weapons delivery platforms, however, became prominent in Israel's war in Lebanon in 1982. Subsequent US successes with UAVs during the 1990-91 Persian Gulf

War highlighted the effectiveness of drones in a modern battlespace and stimulated the spending of "over \$3 billion on UAV programs during the 1990s." <sup>1</sup>

As drones have evolved, they have proven to be an effective tool and have revolutionized irregular warfare. During the 1999 Kosovo air campaign, drones were crucial in their role as a force multiplier as they "collected intelligence, searched out targets," and maintained vigilance over refugees. Whether drones were utilized as intelligence, surveillance, and reconnaissance (ISR) platforms or in concert with ground troops to capture or eliminate high value targets, their live video feeds created a real time common operating picture of the battlespace and enabled the ability to persistently track, target, and strike with surgical precision.

Within the GWOT, drones evolved to target and engage al Qaeda and affiliate adversaries in their own safe havens. Unseen and unheard, drones crossed conventional international borders and engaged over hostile territory to locate and destroy adversaries without the need for conventional ground forces. Equipped with infra-red, heat sensor, and optical cameras, drones can conduct overhead persistent surveillance out of visual and audible range until ready to conduct a surgical strike or be replaced by another drone. With full motion video capability, a wide area persistent stare for better situational awareness, a "multispectral targeting system," and a wide array of laser guided precision munitions, drones evolved to transcend time and space to track, target, and strike

<sup>1</sup> Andrew Callam, "Drone Wars: Armed Unmanned Aerial Vehicles," *International Affairs Review. The Elliott School of International Affairs at George Washington University*. Vol. XVIII, No. 3 (Winter 2010), 2.

<sup>&</sup>lt;sup>2</sup> Matt J. Martin, LCol and Charles W. Sasser, *Predator: The Remote-Control Air War over Iraq and Afghanistan: A Pilot's Story*, (Minneapolis, MN: Zenith Press, 2010), 18.

<sup>&</sup>lt;sup>3</sup> David B. Hume, Colonel, USAF, "Integration of Weaponized Unmanned Aircraft into the Airto-Ground System," *The Maxwell Papers*. Air War College Maxwell Paper No. 41, (Alabama: Air University Press, Maxwell Air Force Base September 2007), 4.

dispersed and elusive enemies.<sup>4</sup> The boundaries of warfare have become blurred with drones and the battlespace has become limitless. Within the GWOT, just as terrorist groups such as al Qaeda and affiliates can strike anywhere at anytime, so can drones.

#### The GWOT and the US Commitment to National Security

President Bush's response to 9/11 was strong and within the GWOT he identified the need to target terrorists within a global scope. President Bush asserted that "international relations are relations of power, not law [and] power prevails and law legitimizes what prevails." In the 2002 National Security Strategy, President Bush committed to the GWOT by stating that "we make no distinction between terrorists and those who knowingly harbor or provide aid to them." President Bush also asserted that "in the new world we have entered, the only path to peace and security is the path of action." This commitment has been a grounding principle throughout the GWOT and supports the use of drone strikes to target and eliminate threats to US national security.

In the 2010 National Security Strategy, President Obama committed to underwriting global security and disrupting, dismantling, and "defeating al-Qa'ida and its affiliates in Afghanistan, Pakistan, and around the globe." This commitment served to continue to shape conditions abroad and ensure US national security at home by denying

<sup>&</sup>lt;sup>4</sup> Martin and Sasser, Predator: The Remote-Control Air War over Iraq and Afghanistan..., 20.

<sup>&</sup>lt;sup>5</sup> George Soros, *The Bubble of American Supremacy: Correcting the Misuse of American Power*, (New York: Public Affairs, 2004), 3.

<sup>&</sup>lt;sup>6</sup> United States, The Office of the President, *The National Security Strategy of the United States of America*, (Washington, DC: The White House, 2002), 5.

<sup>&</sup>lt;sup>7</sup> *Ibid.*. ii.

<sup>&</sup>lt;sup>8</sup> United States, The Office of the President, *National Security Strategy*, (Washington, DC: The White House, 2010), 1.

al Qaeda and affiliates their safe havens and breaking the momentum of the Taliban. The 2010 National Security Strategy delineates the overarching commitment of the US to defeating violent extremists, terrorist networks, and denying terrorists their safe havens with increasing pressure and the use of force when necessary.

George Friedman is a political scientist and author and wrestles with the GWOT in terms of whether it is "the Fourth Global War, the U.S.-Jihadist War, the U.S.-Al Qaeda War, or the U.S.-Islamist War [or] an act of terrorism that has been manufactured into a war." Friedman's contemplation highlights the fact that the GWOT is not a conventional war; it is irregular warfare with an ideological underpinning which makes it complex and global in nature. Understanding this aspect enables the appreciation of why the successes of US drone strikes do not immediately relate to strategic and political success and why the GWOT has evolved into a more covert and protracted form of irregular warfare fought by the CIA, necessitating time and patience. Friedman refers to al Qaeda and their allies as "highly competent covert operators" and his insight supports the argument that a deliberate and covert CIA drone strike program is an effective means by which to systematically combat this irregular terrorist adversary within the GWOT. 12

#### The CIA'S Covert Drone Program within the GWOT

The CIA's use of drones has evolved into an effective form of covert drone warfare to conduct counterterrorism and irregular warfare operations against al Qaeda

<sup>&</sup>lt;sup>9</sup> *Ibid.*, 4.

<sup>&</sup>lt;sup>10</sup> *Ibid.*, 21.

<sup>&</sup>lt;sup>11</sup> George Friedman, *America's Secret War: Inside the Hidden Worldwide Struggle Between America and its Enemies*, (New York, NY: Doubleday, 2004), ix.
<sup>12</sup> *Ibid.*, 2.

and their affiliate organizations. Covert drone strikes by the CIA escalated in 2000 when "the CIA and the Pentagon joined in an operation called Afghan eyes, which used Predator drones to locate Osama bin Laden." Following 9/11, armed drones were deployed to Afghanistan and the full employment of drone warfare began in Afghanistan and Iraq. Lt. Col Matt Martin is a US Air Force (USAF) drone pilot and stated that drones were engaged in "virtually every facet of the Global War on Terror, such as tracking Osama bin Laden, helping rescue hostages, raiding "safe houses" for top al Qaeda leaders, [and] targeting terrorists." Touted as America's secret war, CIA drone warfare is evolutionary in conducting covert irregular warfare against an elusive and dispersed adversary in the GWOT.

Andrew Callam is an International Affairs Program Assistant at George
Washington University and divides drone operations into two categories: "direct support
of military operations and hunter-killer missions;" the latter being the domain of covert
CIA operations. <sup>15</sup> According to Callam:

... the CIA's drone program in the tribal areas of Pakistan utilizes weaponized UAVs primarily in hunter-killer missions. This program, begun under the George W. Bush Administration as part of the GWOT, uses drones primarily in "search and destroy" missions aimed at terrorism suspects and Taliban leadership in Pakistan. One important difference between the two programs is that while the military program operates exclusively in recognized combat zones, the CIA program flies drones over civilian areas as well. The CIA conducts these strikes with the reluctant and implicit support of the Pakistani government, which has publically condemned the attacks, but continues to allow the CIA to base the drones in its territory. The Obama Administration has dramatically increased the number of CIA drone attacks since taking office. 16

<sup>13</sup> Martin and Sasser, Predator: The Remote-Control Air War over Iraq and Afghanistan..., 20.

<sup>&</sup>lt;sup>15</sup> Callam, Drone Wars: Armed Unmanned Aerial Vehicles..., 2.

<sup>&</sup>lt;sup>16</sup> *Ibid.*, 2-3.

Medea Benjamin is a reporter, author, and anti-war activist who states that while the use of drones by the USAF had increased "from seventy-four drone strikes in 2007 to 333 by 2012," the CIA conducts a more elusive and lethal drone program. There are unique aspects which the CIA can accomplish within the GWOT which no other US government agency can and has effectively conducted hundreds of drone strikes in Afghanistan, Pakistan, Yemen, and Somalia in covert CIA operations. The intelligence gathering, assessment, and analysis capabilities of the CIA are crucial aspects in finding, tracking, and targeting terrorists who pose a risk to US national security. Whereas in the past it took tremendous amounts of time to gather and analyze intelligence and track and target locations and individuals, now with drones the find, fix, and finish cycle can be accomplished much faster. Drones are the pointy end of the powerful and covert spear of an agile CIA that wields effective irregular warfighting capabilities within the GWOT.

# THE EFFECTIVENESS OF CIA DRONE STRIKES IN CONDUCTING COVERT IRREGULAR WARFARE

#### The Effectiveness of CIA Drone Strikes

Drones are a key instrument of surgical strike by which the CIA can quickly and effectively action intelligence. By tracking cellphones and satellite phones, the CIA can locate, target, and strike al Qaeda and affiliate leaders with speed and accuracy using drones. This ability results in a highly effective system of ways and means by which the CIA can conduct covert irregular warfare and track, target, and eliminate the most elusive

<sup>&</sup>lt;sup>17</sup> Medea Benjamin, *Drone Warfare: Killing by Remote Control*, (New York: Verso, 2013), 57.

al Qaeda and affiliate terrorist leaders in their safe havens to gain tactical, operational, and strategic advantage in the GWOT.

Drones have proven their effectiveness in the domains of ISR and strike and the intelligence aspect of the CIA enables al Qaeda and affiliate networks to be mapped and analyzed to reveal their high value leaders. These high value targets are the focus of the CIA drone program and are targeted for tracking and potential strike; particularly those leaders nested in their remote tribal villages and safe havens. The ability to quickly and covertly action real-time intelligence is a tremendous advantage of CIA drone strikes as the CIA can effectively get inside al Qaeda's observe, orient, decide, and act (OODA) loop and systematically disrupt and eliminate key leaders before they can plan attacks – this is a critical measure of effectiveness of CIA drone strikes.

Drone strikes are an effective means by which the CIA conducts covert irregular warfare as they do not place friendly forces at risk, require a much smaller footprint of deployed personnel, and are equipped with modern precision guided munitions. Drone strikes have proven to be particularly effective in Afghanistan and in the tribal regions of Pakistan where mountainous terrain, remoteness, and threat conditions make it difficult to safely send ground troops. Within these safe havens of the adversary, drones provide the unique capability to track, observe, and strike elusive, unseen, and dispersed adversaries in inhospitable and remote territory.

CIA drone warfare goes beyond the actual strike as the psychological effect of drones overhead is significant in deterring insurgent behavior. Benjamin suggests that the "constant hovering of drones and the uncertainty about if and when they might strike" terrorizes and profoundly affects communities and al Qaeda safe havens as people live in

a constant state of fear not knowing where, when, and who the drone will strike.<sup>18</sup> James Walsh is a Professor of Political Science and author who has studied the effectiveness of drone strikes and argues that drone strikes have been increasingly effective in targeting:

... insurgent and terrorist groups around the world [and] are a politically and militarily attractive way to counter insurgents and terrorists, but, paradoxically, this may lead to their use in situations where they are less likely to be effective and where there is difficulty in predicting the consequences. <sup>19</sup>

Walsh's assertion illuminates the challenge of measuring the effectiveness of CIA drone strikes and of weighing their value and benefits against their consequences.

#### **CIA Drone Strikes – The Challenge of Measuring Effectiveness**

CIA drone strike operations are comprised of intelligence gathering, real-time surveillance, targeting, and precision bombing; collectively, these elements effectively achieve CIA objectives – to eliminate the adversary. It is challenging, however, to measure the effectiveness of CIA drone strikes as successes within covert CIA operations and the impact of eliminating key al Qaeda and affiliate leaders are difficult to quantify. It is also difficult to determine the effectiveness of CIA drone strikes in preventing a terrorist attack which did not occur - was the drone strike thereby effective? Arguably yes, particularly if the CIA identified the target as a threat to US national security.

In analyzing the effectiveness of CIA drone strikes in the context of irregular warfare and operational design, if the particular decisive point was achieved and the targeted adversary was eliminated, the drone strike should be considered successful and

<sup>19</sup> James Igoe Walsh, *The Effectiveness of Drone Strikes in Counterinsurgency and Counterterrorism Campaigns*, (Carlisle Barracks, PA: Strategic Studies Institute and U.S. Army War College Press September 2013), xi.

<sup>&</sup>lt;sup>18</sup> Benjamin, *Drone Warfare: Killing by Remote Control...*, 111.

effective. The effectiveness of CIA drone strikes should thereby stem from their unique ability to deter and punish al Qaeda and affiliates by "killing and creating fear and uncertainty" among members of the organization. <sup>20</sup> By targeting and striking key al Qaeda and affiliate leaders in their safe havens, their network leaders are forced to change locations more frequently, use different means of communication, and lose trust in their membership who may be providing information to the CIA.

The selective and systematic application of force and violence through CIA drone strikes is effective in undermining the organization's ability to plan and execute acts of terrorism. However, controversy surrounds this measure of effectiveness with one school of thought positing that insurgent organizations are "resilient to the loss of individual members" as they are organized into loosely linked cellular networks. 21 With a resilient cellular structure, as network leaders are targeted and eliminated, the cells can theoretically adapt to new leadership, recruit new members, and alter their behavior and communications to avoid further strikes.

The greatest difficulty in measuring the effectiveness of CIA drone strikes primarily resides in the challenge of accurately assessing their value against blowback and the increase or decrease of insurgent activity resulting from a drone strike. Measuring effectiveness through statistical modeling may be an optional method; however, this area of research is beyond the scope of this paper. Subjectively, however, the effectiveness of CIA drone strikes can be measured and analyzed when the manifest variables and consequences of blowback, civilian casualties, legitimacy, and political costs are assessed against the value and benefits of CIA drone strikes within the GWOT.

<sup>&</sup>lt;sup>20</sup> *Ibid.*, 1. <sup>21</sup> *Ibid*.

#### CONSEQUENCES OF CIA DRONE STRIKES

#### CIA Drone Strikes – Civilian Casualties and Blowback to the US

The overarching consequence of CIA drone strikes is blowback to the US due to civilian casualties. It is acknowledged that any civilian casualties from CIA drone strikes "create powerful grievances against the United States [and] insurgents magnify these grievances through their propaganda – leading individuals and groups to lead and cultivate direct or indirect support to insurgent organizations."<sup>22</sup> The consequences of drone strikes are thus leveraged and used as justification by al Qaeda and affiliate organizations for subsequent terrorist actions and retaliation against the US.

Al Qaeda and affiliate organizations frame CIA drone strikes in their propaganda as "violations of international law and universal moral precepts." Within the context of international human rights law, civilian casualties are unacceptable but unfortunately they occur. Estimates of civilian casualties from CIA drone strikes vary and verification of accurate numbers are difficult to determine due to the remoteness of most strike locations and the lack of available human intelligence (HUMINT) and independent media coverage. Although US allegations posit that drones have eliminated top al Qaeda leadership while lowering civilian casualties, critics argue that upwards of 30% of people killed during drone strikes are civilians.<sup>24</sup>

<sup>&</sup>lt;sup>22</sup> *Ibid.*, 18. <sup>23</sup> *Ibid.*, 19.

<sup>&</sup>lt;sup>24</sup> Public Broadcasting System, *Rise of the Drones*, NOVA. Directed by Peter Yost. (WGBH Educational Foundation, 2013).

Benjamin contends that the CIA conducts drone strikes with little to no accountability for the deaths of civilians who become collateral damage. <sup>25</sup> Benjamin also criticizes drone strikes for leaving behind "trails of human suffering – grieving widows, orphaned children, young lives snuffed out [and] lifetime disabilities" and asserts that people now live in a state of psychological terror "under the constant threat of a drone attack." <sup>26</sup> Jeffrey Sluka is a political anthropologist, author, and Associate Professor at Massey University who has studied the wars in Afghanistan and Iraq and posits that drone strikes and "virtual war dehumanizes the victims, desensitizes the perpetrators of violence, and lowers the moral and psychological barriers to killing." <sup>27</sup> Although CIA drone strikes are effective in eliminating key al Qaeda and affiliate leaders, the question is whether any civilian casualties are worth the price of eliminating key leaders if the blowback creates more insurgents.

Unfortunately, the inability to accurately assess and describe the impact and consequences of CIA drone strikes projects a message that drone strikes are indiscriminate and result in numerous civilian deaths. Between 2006 and 2009, reports indicate that CIA drone strikes in the Federally Administered Tribal Areas (FATAs) of Pakistan were estimated to have caused seven hundred civilian deaths. <sup>28</sup> Benjamin indicates that "according to the Bureau of Investigative journalism, between 2004 and 2012, the CIA conducted over 350 drone strikes in Pakistan … killing somewhere

<sup>&</sup>lt;sup>25</sup> Benjamin, Drone Warfare: Killing by Remote Control..., viii.

<sup>&</sup>lt;sup>26</sup> *Ibid.*, 28-29.

<sup>&</sup>lt;sup>27</sup> Jeffrey A. Sluka, "Virtual War in the Tribal Zone: Air Strikes, Drones, Civilian Casualties, and Losing Hearts and Minds in Afghanistan and Pakistan." in *Virtual War and Magical Death: Technologies and Imaginaries for Terror and Killing*, ed. Neil L. Whitehead and Sverker Finnstrom, 171-193 (Durham, USA: Duke University Press, 2013), 187.

<sup>&</sup>lt;sup>28</sup> *Ibid.*, 174.

between 2,600 and 3,400 people."<sup>29</sup> The difficulty of accurately reporting civilian casualties is partly due to the media's inability to have safe and quick access to areas following drone strikes. There is also difficulty in determining "who is a civilian and who is a militant" and in defining the boundary between children and "military-age males in the strike zone."<sup>30</sup> Any civilian casualties and blowback resulting from CIA drone strikes, however, fuel al Qaeda and their allies and incite greater public anger toward the US.

Critics argue that drone strikes are ineffective if the effect itself fuels the insurgency and propagates the cycle of violence toward the US. Micah Zenko is an author on US national policy and security and posits that drone strikes have been "proven effective in ... killing suspected "high-value" al-Qaeda leaders." However, the challenge is determining if drone strikes are indirectly "increasing the number of militants" and hatred toward the US. 32 Although evidence is inconclusive, the blowback created by drone strikes may lead to greater "radicalization of local populations that join or sympathize with al-Qaeda or affiliated organizations."33 It is difficult to determine if drone strikes alone provide the motivation for increased radicalization of local populations; however, Zenko asserts that "there appears to be a strong correlation." 34

#### CIA Drone Strikes – Legitimacy, Legality, and Transparency within the GWOT

The legitimacy of CIA drone strikes is ultimately a bargain between global public opinion, the societies within which al Qaeda and their affiliates are embedded, and the

<sup>31</sup> Micah Zenko, Reforming U.S. Drone Strike Policies, (New York, NY: Council on Foreign Relations, 2013), 9. <sup>32</sup> *Ibid.*, 10.

<sup>&</sup>lt;sup>29</sup> Benjamin, Drone Warfare: Killing by Remote Control..., 61.

<sup>&</sup>lt;sup>33</sup> Ibid.

<sup>&</sup>lt;sup>34</sup> *Ibid.*, 11.

US government who conducts the drone strikes. If CIA drone strikes enhance US national security, they can be considered legitimate within the GWOT. However, in the realm of public opinion, if drone strikes cause civilian casualties, greater public support and opinion quickly wanes, considers the drone strikes not legitimate, and asserts political pressure on the US to cease the drone strikes.

The 2010 National Security Strategy asserts that a balance must be achieved between legitimacy, secrecy, and transparency, and in order to preserve national security, "some information must be protected from public disclosure [which includes] sources and methods of intelligence-gathering or confidential actions that keep the American people safe." These 'confidential actions' are CIA drone strikes and although they are an acknowledged reality, Robert Grenier, a former Director of the CIA Counterterrorism Center, stated that the covert CIA drone program has neither been publically acknowledged nor formally admitted to. Transparency is thus a complicating factor of asserting legitimacy as covert CIA drone strike operations are shrouded in a cloak of secrecy which clouds the public's support and acceptance of their legitimacy.

The legitimacy and legality of CIA drone strikes necessitates the observation of international law and human rights and when consequences and civilian casualties are highlighted, society questions whether this is warfare or merely targeted assassinations. Critics argue that drones are the "ultimate action-at-a-distance weapons, allowing the aggressor to destroy targets in Pakistan or Afghanistan while "hiding" thousands of miles away." Benjamin posits that in this context, drones have enabled the CIA to conduct a

<sup>37</sup> Benjamin, Drone Warfare: Killing by Remote Control..., vii.

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<sup>&</sup>lt;sup>35</sup> United States, The Office of the President, *National Security Strategy* 2010..., 36.

<sup>&</sup>lt;sup>36</sup> National Geographic TV, CIA Confidential: Inside the Drone War, Accessed 15 March 2014.

"program of targeted assassinations" which are justified and legitimized by the US within the GWOT. 38 Zenko suggests that US drone strike policies must be reformed so as to ensure that "targeted killings are defensible under international legal regimes" and argues that revised policies will enable the US to more openly "address concerns and counter information" surrounding the legitimacy and legality of drone strikes.<sup>39</sup>

The CIA, however, conducts its drone strike operations covertly so that the role and involvement of the US government "will not be apparent or acknowledged publically."40 The challenge, therefore, is how to effectively balance the legitimacy. legality, and transparency of secret and covert CIA drone strikes in the public domain. Benjamin clarifies the legality of CIA drone strikes by stating that:

... the legal underpinning for drone strikes is the 2001 Authorization for the Use of Military Force (AUMF), which the US Congress passed just one week after 9/11. It empowers the president to "use all necessary and appropriate force" to pursue those responsible for the terrorist attacks. The National Defense Authorization Act of 2012 reaffirmed the president's authority under the 2001 authorization.  $^{41}$ 

Although critics have suggested that extrajudicial killings by CIA drone strikes violate international laws and norms, Harold Koh, the top legal advisor within the Obama administration further defines the legal foundation of drone strikes by asserting that:

... the United States is in an armed conflict with Al Qaeda as well as the Taliban and associated forces, in response to the horrific 9/11 attacks [and] may use force consistent with its inherent right to self-defense under international law, including lethal operations conducted with the use of unmanned aerial vehicles. 42

<sup>&</sup>lt;sup>39</sup> Zenko, Reforming U.S. Drone Strike Policies..., 3.

<sup>&</sup>lt;sup>41</sup> Benjamin, Drone Warfare: Killing by Remote Control..., 130.

<sup>&</sup>lt;sup>42</sup> Ibid.

In 2012, US Attorney General Eric Holder addressed the legal and legitimacy issues of drone strikes by stating that the president is empowered by the Constitution "to protect the nation from any imminent threat of violent attack, and [there are] no geographic limitations because [the US is] at war with a stateless enemy, prone to shifting operations from country to country."<sup>43</sup> Although the legitimacy and legality of drone strikes are framed within the GWOT, the public must see them as a legitimate and effective means of conducting irregular warfare. To ensure the legitimacy and effectiveness of CIA drone strikes thereby necessitates ensuring that their consequences and political costs are weighed against their value and benefits within the GWOT.

#### **CIA Drone Strikes – Cost Benefit Analysis**

Throughout the George W. Bush administration, drone strikes evolved to become a key instrument of US power as the Bush doctrine became a strategy of "preemptive military action" and striking al Qaeda and Taliban leadership using offensive action to systematically destroy their organizational networks. Herian Williams is a Middle East expert and professor of Islamic history at the University of Massachusetts and suggests that although CIA drone strikes are effective and legitimized within the GWOT, the consequences of the "aerial assassination campaign" outweigh their value and benefits. Determining the effectiveness of CIA drone strikes therefore necessitates analyzing the cost/benefit of CIA drone strikes and assessing whether their value and benefits are worth their consequences and blowback to the US.

<sup>43</sup> Ibid 14

 <sup>43</sup> Ibid., 148.
 44 Soros, The Bubble of American Supremacy..., vii.

<sup>&</sup>lt;sup>45</sup> Brian Glyn Williams, *Predators: The CIA's Drone War on al Qaeda*, (Washington, D.C.: Potomac Books, 2013), xi.

In terms of value vice consequences, Benjamin questions whether or not drone warfare is "the best possible solution to the strategic challenges posed by non-state actors hiding in remote outposts in the world." For the CIA, drone strikes are an effective solution. Capable of conducting persistent observation of targets and striking quickly and surgically, drones are effective in striking when the time is right to minimize civilian casualties. The evidence of their effectiveness is nested in the successes of the CIA in eliminating key al Qaeda, Taliban, and affiliate leaders and the systematic disruption of their terrorist C2 networks. The drone strike of Neh Mohammed at his house in 2004 was one of the first successful drone strikes of the CIA and had the strategic effect of eliminating his leadership from al Qaeda's C2 network. This success led to a greater evolution of CIA drone strikes. Callam, however, challenges whether or not CIA drone strikes are valuable and effective in that they cause too many civilian casualties. Callam states that the drone strike to kill the leader of the Pakistani Taliban, Baitullah Mehsud:

... took sixteen strikes, fourteen months and between 207 and 321 additional deaths to finally kill him. In contrast, the American government views the drone program as one of its most effective weapons against al Qaeda and the Taliban, described by CIA director Leon Panetta as "the only game in town."<sup>47</sup>

In an era of instantaneous global communications and social media, al Qaeda and affiliate organizations can quickly influence world opinion through information messaging and propaganda. Walsh asserts that Osama bin Laden once stated that within this century, the media war will be one of the strongest instruments and methods of terrorism.<sup>48</sup> This is evidenced within the GWOT as al Qaeda and affiliate organizations

<sup>46</sup> Benjamin, Drone Warfare: Killing by Remote Control..., 109.

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<sup>&</sup>lt;sup>47</sup> Callam, Drone Wars: Armed Unmanned Aerial Vehicles..., 1.

leverage the unclear and inconclusive consequences and civilian casualties of CIA drone strikes to assert their propaganda and anti-US sentiment. This propaganda becomes blowback and quickly diminishes the value, legitimacy, and effectiveness of CIA drone strikes in the court of public opinion. The overarching factor in this cost benefit analysis, however, is the preservation of US national security and the CIA is the key agency to appreciate whether or not the drone strike has been effective in potentially preventing a future terrorist attack.

In analyzing their blowback against value, drone strikes potentially propagate an escalation of the cycle of violence against the US. Benjamin contends that a significant consequence is that "drone attacks stoke an endless fire of violence and revenge" against the US. <sup>49</sup> This violence and revenge, however, also gets focused internally within al Qaeda and affiliate networks and leads to internal mistrust and network disruption. Following drone strikes, insurgents hunt down potential informants within their networks who they suspect have helped the US and CIA identify targets. Thus, if the CIA is paying informants for information on certain key leaders, al Qaeda and affiliate network leaders would not know who to trust within their networks. This results in the desired effect of weakening, disrupting, and ultimately destroying their organization and the will of the people to support them. How long this protracted covert war will and must continue, however, is another question, but evidence suggests that this disruption is a valuable outcome, benefit, and measure of success and effectiveness of CIA drone strikes.

<sup>&</sup>lt;sup>48</sup> Walsh, *The Effectiveness of Drone Strikes in Counterinsurgency and Counterterrorism Campaigns...*, 40.

<sup>&</sup>lt;sup>49</sup> Benjamin, *Drone Warfare: Killing by Remote Control...*, 121.

Within the GWOT, because al Qaeda and affiliate leaders are nested within their remote villages and tribal sanctuaries, targeting and striking them is often difficult without causing collateral casualties. The key rule of engagement (ROE) in drone operations is that as few people as possible are endangered when employing force through a strike. 50 However, when civilians are nearby, it is a complex decision whether or not to conduct a drone strike as the question becomes whether the cost of incurring civilian casualties is worth elimination of the high value target. Added to this challenge is the ambiguity as to who is an insurgent and who is an innocent civilian. The decision to conduct each drone strike thus hinges on whether the value and benefit of eliminating a key al Qaeda or affiliate leader with potential civilian casualties is worth the blowback and political cost to the US. Critics also argue that drones "act as accidental recruiters" for terrorists when any civilians are killed in drone strikes.<sup>51</sup> The cost benefit analysis must therefore be regarded through a strategic and political lens for each strike to ensure their continued value, legitimacy and effectiveness. Within the domain of covert irregular warfare, this is a CIA command decision based on the benefit to US national security.

The weighing of the value and benefits of drone strikes against their consequences and political costs must be accomplished from a subjective command perspective. In the domain of irregular warfare within the GWOT, CIA drone strikes are in concert with the philosophy of waging insurgent warfare by Mao Zedong, who professed that the essential element of insurgent warfare was "not overwhelming force, but patience." In this context, CIA drone strikes are very effective in enabling and asserting patience as they

Martin and Sasser, Predator: The Remote-Control Air War over Iraq and Afghanistan..., 106.
 Williams, Predators: The CIA's Drone War on al Qaeda..., 228.

<sup>&</sup>lt;sup>52</sup> Antulio J. Echevarria, *Clausewitz and Contemporary War*, (Oxford: Oxford University Press, 2007), 137.

can persistently observe the adversary and assert both the reality and threat of violence.

This is reasoning for a persistent GWOT which requires deliberate and consistent strategic successes through effective CIA drone strikes to systematically destroy the adversary's will to fight.

Antulio Echevarria is a historian and professor at the US Army War College who has studied the philosophy of Clausewitz and asserts that in terms of victory and success, victory belongs in the realm of tactics while success belongs in the realm of strategy. <sup>53</sup> In Clausewitzian terms, CIA drone strikes are tactical engagements with the enemy; breaking his will to fight through successive victories and making him suffer through loss of forces, loss of C2 capabilities, and strategically destroying his network. Each CIA drone strike produces results and is thus effective in systematically destroying the adversary, his morale, and his capability and will to fight. This concept of systematic disruption and destruction of the adversary ties together the value, benefits, and victories of CIA drone strikes and proves their effectiveness within the GWOT to enable US national security and strategic success.

Warfare is filled with both successes and unfortunate consequences and as the adversary is embedded within their remote villages and safe havens, civilian casualties must be minimized to the greatest extent possible. If we contend that the cohesion and will to fight of al Qaeda, Taliban, and their affiliates is their center of gravity (CoG), evidence of drone strike victories and thus their effectiveness resides in eliminating network leaders, breaking C2 connections, and creating C2 gaps in order to disrupt, degrade, and destroy the adversary's cohesion and will to fight – their CoG. CIA drone

<sup>&</sup>lt;sup>53</sup> Antulio J. Echevarria, *Clausewitz and Contemporary War*, (Oxford: Oxford University Press, 2007), 126.

strikes are conducted with patience and timely and surgical precision to disrupt and destroy the adversary's CoG methodically and covertly with decisive results while minimizing civilian casualties – this proves and quantifies the effectiveness of CIA drone strikes. President Obama was quoted by Williams in stating that:

... We've seen violent extremists pushed out of their sanctuaries. We've struck major blows against al Qaeda leadership as well as the Taliban's. They are hunkered down. They're worried about their own safety. It's harder for them to move, it's harder for them to train and to plot and to attack ... and all of that makes America safer.<sup>54</sup>

Through persistent and effective CIA drone strike engagements within the GWOT, al Qaeda and their affiliates will eventually culminate. Victory and success in the GWOT thus necessitates persistence, patience, and the continuance of legitimate, covert, and effective CIA drone strikes within the complex domain of shadow warfare.

#### **CONCLUSION**

The evolution of drones has changed the character of warfare and has enabled it to be conducted in a more irregular, persistent, and covert manner. Drone technology has evolved tremendously to the point where drones not only provide ISR capability, they also enable the identification, observation, and striking of targets with surgical precision and lethality. Drones have the ability to conduct irregular warfare without the necessity for friendly troops on the ground, and for the CIA, this translates to an effective means by which to conduct covert irregular warfare.

The terrorist attack of 9/11 was an act of war against the US as its national security was attacked with extreme aggression. President Bush's response was strong as

<sup>&</sup>lt;sup>54</sup> Williams, *Predators: The CIA's Drone War on al Qaeda...*, 169.

he responded with hard power in the GWOT. The CIA subsequently used drone strikes to effectively conduct covert irregular warfare in Afghanistan and other countries against an elusive and dispersed adversary. Drones proved highly effective to bridge time and space and reach across borders to track, target, and eliminate al Qaeda and affiliate leaders in their remote and hostile safe havens. CIA drone strikes became increasingly effective to disrupt and destroy their C2 networks and eliminate threats to US national security.

Warfare is a battle of human wills and covert CIA drone strikes have been effective in systematically disrupting and defeating al Qaeda and affiliate networks within the GWOT. However, coincident with their value, benefits, and successes are the negative consequences of blowback and civilian casualties. These consequences are politically significant and have tremendous impact in the global domain of public opinion. Consequences and civilian casualties must be continuously weighed against the value, benefits, and results of drone strikes. CIA drone strikes must remain legitimate and effective within the public sphere, as in the current era of rapid mass media, the domain of public opinion easily becomes the extended battlespace of al Qaeda and their affiliates. Measuring the effectiveness of drone strikes and weighing their value and benefits against their consequences and blowback, however, are not straightforward undertakings as the domain is fraught with reporting ambiguity, inaccuracies, and the assertion of adversary propaganda. Legitimacy and public opinion are thus crucial aspects in assessing the effectiveness of CIA drone strikes as it is the political costs to the US of drone strike consequences which challenge victory and success in the GWOT.

This essay has argued that despite their consequences, CIA drone strikes are an effective means by which the CIA conducts covert irregular warfare within the GWOT.

Through their effectiveness, value, and persistent successes, CIA drone strikes enable victory and success with surgical precision while keeping friendly troops safe and minimizing civilian casualties. In assessing the cost benefit and therefore effectiveness of CIA drone strikes, their value and legitimacy must always outweigh their consequences in order to remain effective within the GWOT. As irregular warfare continues to evolve in concert with the technological advancement of drones, the conduct of shadow warfare by the CIA will inevitably prove itself to be increasingly effective in the GWOT.

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