

Drones: Ethics and Use



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US Created & Used Drones

- In warzones: Afghanistan, Iraq
- Outside warzones: Yemen, Pakistan, Somalia, Libya
- Israel first to create drones.
- US first armed drone: 2001, spy planes armed with 100 pound Hellfire anti-tank missiles.



US Drone Strikes Increase

- In warzones: Afghanistan, Iraq – over 1500
- Outside warzones: Over 500 drone strikes



Drones in Afghanistan

- In warzones: Afghanistan – over 1500
- Outside warzones: Over 500 drone strikes

Afghanistan	Total armed drone sorties	Total missiles fired by drones	Total drone strikes
2008	3,240	195	130
2009	6,126	257	196
2010	9,182	279	206
2011	10,321	294	238
2012	7,612*	333*	245*
Total	36,481	1,358	1,015
* Year to October 31, 2012			

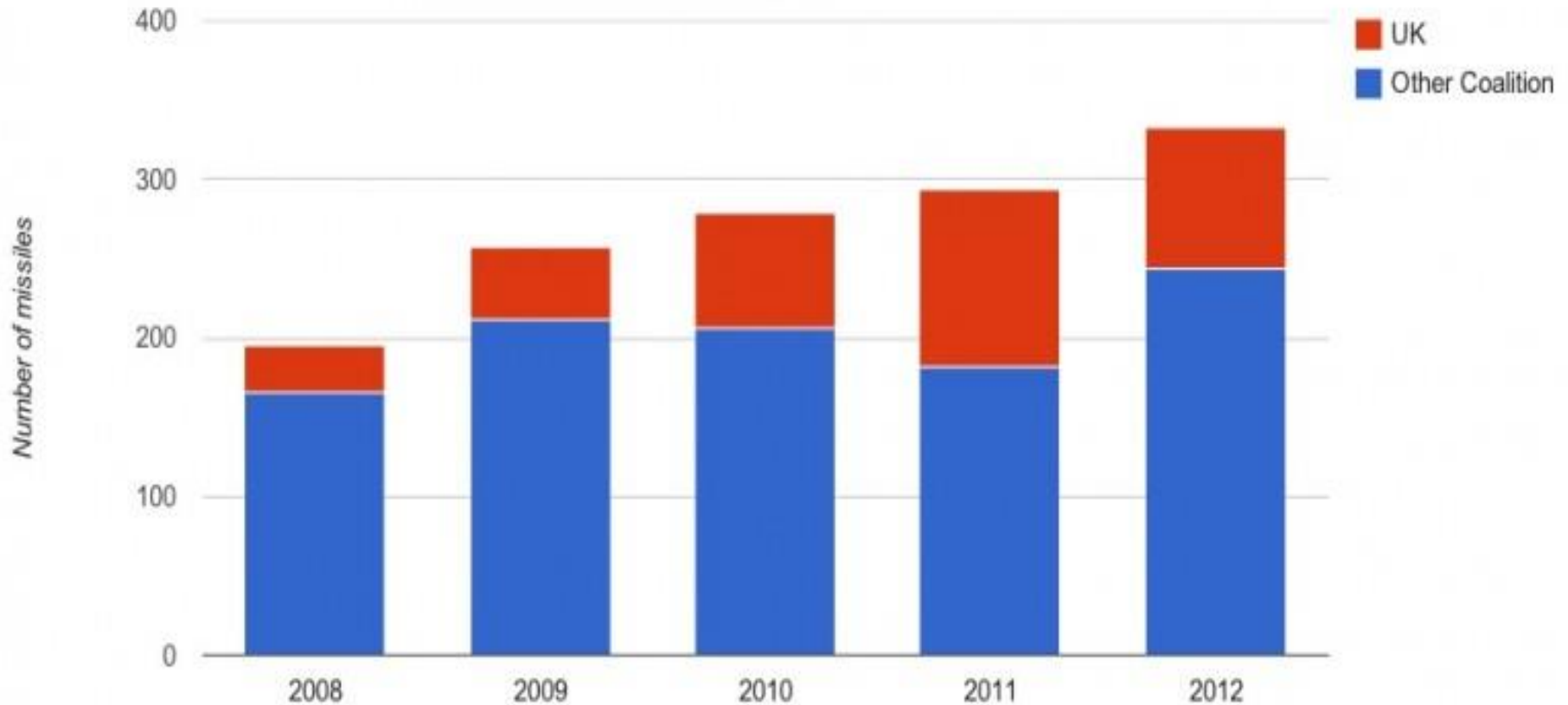
www.tbii.com

THE BUREAU OF INVESTIGATIVE JOURNALISM

US Drone Strikes

➤ In warzones: Afghanistan – over 1500

Missiles fired from drones in Afghanistan



The Bureau of Investigative Journalism - www.tbij.com

Civilian Deaths Afghanistan

Deaths in Afghanistan Click heading to sort. Download this data

Year	Anti-govn't forces	Pro-govn't forces	Other	Total	% change	% Anti-govt forces
2006	699	230		929		75.24
2007	700	629	194	1,523	63.94	45.96
2008	1,160	828	130	2,118	39.07	54.77
2009	1,630	596	186	2,412	13.88	67.58
2010	2,037	427	326	2,790	15.67	73.01
2011	2,332	410	279	3,021	8.28	77.19
2012	2,179	316	891	2,754	-8.84	79.12
TOTAL, 2007-2012	10,737	3,436	2,006	16,179	n/a	66.36

US Drone Strikes Outside Warzones

- US Drone strikes Pakistan, Yemen, Somalia
- Sen. Lindsay Graham (R-SC) reported 4700 dead from US drone attacks (Feb. 2013)
- [The Bureau of Investigative Journalism estimate came closest, although lower, estimating the number of killed in Yemen, Pakistan and Somalia in the period 2002-2013 between 3,072 and 4,756].

US Drone Strikes Outside Warzones

- Over 500 drone strikes Pakistan, Yemen, Somalia
- Over 100 drone strikes in Libya
- Total killed in Pakistan: 2,548 - 3,549
- Civilians killed: 411 - 890
- Children killed: 168 - 197
- Total reported injured: 1,177 - 1,480
- Strikes under the Bush Administration: 52
- Strikes under the Obama Administration: 318
- more than 76% of the dead fall in the legal grey zone, 22% are confirmed civilians (included 5% minors) and only the remaining 1.5% are high-profile targets

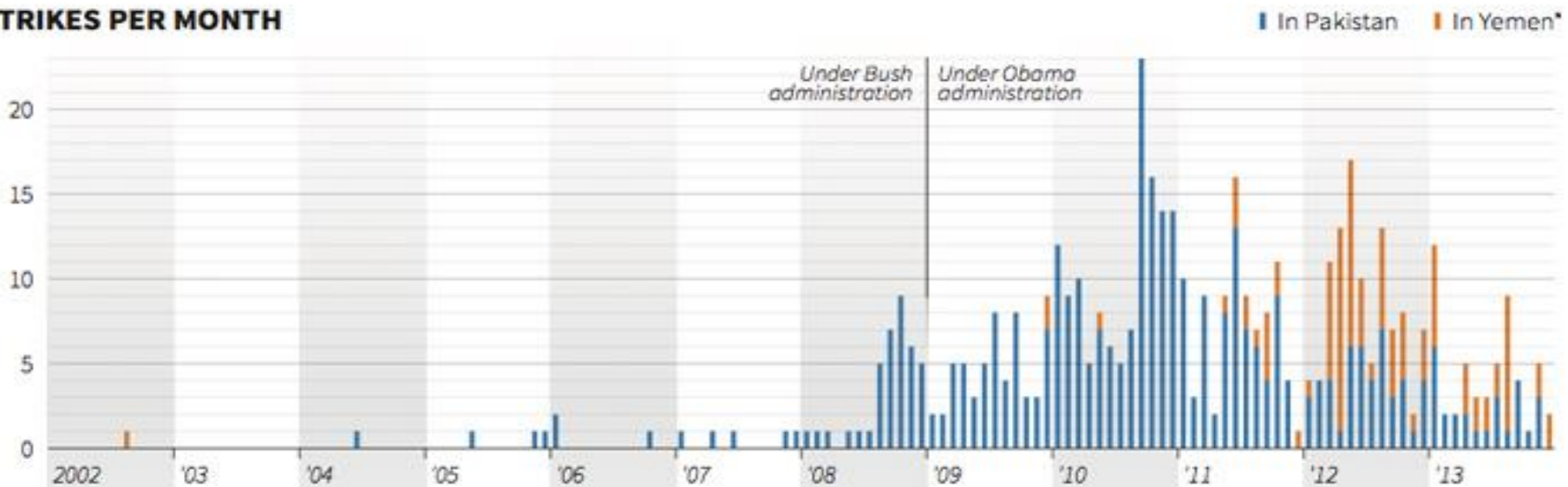
US Drone Attacks Outside Warzones

➤ Out of warzones: Yemen, Pakistan, Somalia, Libya

U.S. drone strikes

U.S. drone strikes in the Middle East are under the spotlight after Yemen officials said 15 people on their way to a wedding were killed when their party was mistaken for an al Qaeda convoy.

STRIKES PER MONTH

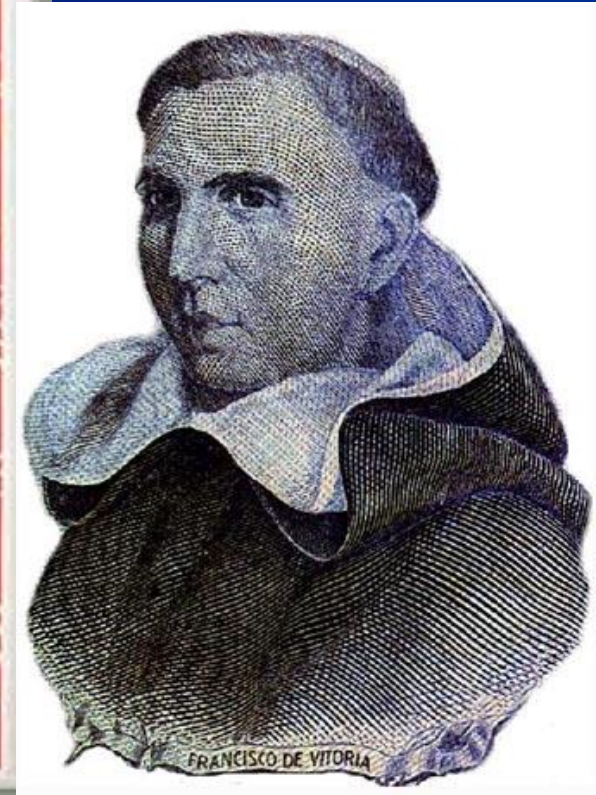
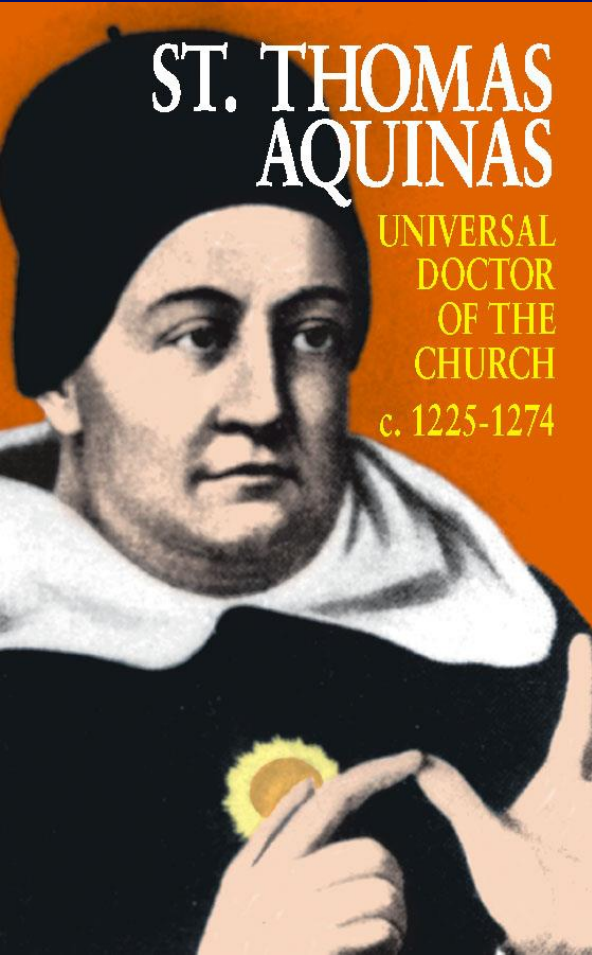


TOTAL KILLED (Minimum estimates)



Source: New America Foundation. * Includes air, drone and cruise missile strikes. Data as of December 12, 2013.

JWT: What Is It?



JWT: What Is It?

- *Before* entering combat there must be
 - just cause such as self defense,
 - right authority making the determination
 - intent on peace and protecting the common good,
 - using force only as a last resort
 - when success is possible
 - and the harms of war will not be disproportionate to the reasons for going to war.

During hostilities,

- the means used must protect noncombatants and be proportionate
- and discriminate, not total.

Drones Expand Warfare

- JWT limits war, to right authorities, causes, targets
- Within warzones, in just wars, drones could limit civilian casualties compared with other military technologies.
- The only place drone use can be justified is within Afghanistan during the (now ending) war.
- Outside of warzones, drones are expanding the battlefield.

Drones Expand Warfare

- Proponents argue that drone warfare is just, and meets all JWT criteria. They argue that using drones is *more moral* than sending in ground forces, “boots on the ground,” or large scale aerial bombing campaigns, which would kill more people. The U.S. must kill all enemies to defend from imminent al Qaeda and insurgent attacks. Drones are the best means of killing those clear and present dangers, that best protects both U.S. soldiers and non combatants.

Drones Expand Warfare

- But drones are used where the U.S. would never send in ground troops (Somalia, Yemen, Pakistan), where wars have not been declared and where the U.S. would otherwise not intervene conventionally.
- Thus drones are extending, not limiting killing.
- Self defense, imminence, necessity, last resort and proportionality are questionable.

Drones Expand Warfare

- Drones are only useful against enemies that have no air defenses. Drones are slow and vulnerable to both conventional attack and cyber hacking.
- Drones can only be used against militarily weak targets.
- This calls into question whether using drones is militarily necessary, or politically expedient, against weak targets.

Drones Expand Warfare

- Drones can only be used against militarily weak targets. Drones fire hellfire missiles built to burst through reinforced tank armor.
- The people targeted are not in tanks. When Hellfires hit people, not tanks, the missile incinerates people leaving little human remains behind, and sends shrapnel and powerful blast waves over a wide radius. A thermobaric (high pressure vacuum blast) variant sucks the oxygen out of victims lungs, shreds their internal organs and crushes them

Drones Expand Warfare

- For war to be just, it has to be necessary for self defense against imminent attack.
- Estimates are only 1.6% of drone strikes have been of “high value” individuals.
- CIA and Pentagon officials testify that al Qaeda is in disarray, on the run, and not able to strike the U.S. homeland, calling into question whether drone strikes are militarily necessary and the only and effective option to combat terror.
- Drone strikes are primarily against assorted “militants,” NOT al Qaeda who struck the US in 2001.

Inpermissible Targets

- For war to be just, it has to be necessary.
- Attacks must discriminate between civilians and combatants.
- Yet drone strikes outside of Afghanistan have targeted people the U.S. cannot even name.
- “Signature strikes” against gatherings of men is not justified.
- “All men of military age” is not a permissible target.
- Intel about targets is suspect as it derives from tribes and peoples with “an ax to grind.”
- These targets violate discrimination, proportionality.

Drones Expand Warfare

- Civilians only method of protection is to run away.
- Civilians flee warzones by the millions, particularly women and children.
- Drones used outside of warzones deprive civilians of their only means of defense, their ability to flee hostilities.
- Such attacks violate proportionality.
- Risk is shifted from U.S. soldiers, who are armed and trained and signed up for risk, to unarmed civilians, who are defenseless.
- JWT does not allow risk shifting, protecting soldiers at the expense of civilians.

Drones Are Accident Prone

- The accident rate of Predator and Reaper UAVs is more than triple the accident rate of all other aircraft. Accidents stem from interruptions in satellite communications due to bad weather, cloud cover. People are killed when drones fall from the sky or crash into buildings.



Do Drone Bombings Build Peace?

- JWT says all military action must aim at building peace and protecting innocents.
- How do Hellfire missile bombings from drones build peace?
- Drone attacks have increased opposition to the U.S. and sympathy for militants, thus undermining anti terrorism efforts.
- This calls into question whether using drones is militarily effective and has a probability of success.²¹

“Every Civilian Death Undermines our Cause”

- You can't argue against terrorism, that noncombatant life should be spared, while killing noncombatants.**
- Military force, even carefully applied, kills noncombatants.**
- This undercuts the effort to build consensus around not killing civilians.**

"Every Civilian Death Makes Enemies"



The Church's Voice is Needed

- Big money interests want Hellfire attack drones
- Who will speak for victims?
- How will drones build peace?
- Research shows people can lose their moral compass when group pressures prevail, and those in need are demonized.
- Being reminded of one's similarities or common humanity with a person in need can motivate us to come to their aid.
- Being made aware of moral concerns can help.

Drone Proliferation, No International Norms

- Drone warfare is less connected to geography.
- Spying and striking from a distance, anonymously.
- Drone strikes quadrupled under the Obama administration.
- Drone technologies commercially available.
- US policy of expanding drone use could come back to haunt us.



Increasing Drone Fleet

- Military spending on known medium- and large-size drones will be about \$40 billion, increasing inventory by 35 percent, over the next decade (\$4 b year).
- US has over 7,500 drones, armed and surveillance.
- DoD cut Global Hawk drones to use conventional tech, U-2 planes; industry and Congress restored funding.

Light attack and reconnaissance

■ OPERATIONAL

□ PURCHASED



Grey Eagle
ARMY



Predator
AIR FORCE



Reaper
AIR FORCE

Increasing Drone Fleets

- Armed drones used in combat? US, Israel, UK, France
- Over 70 countries have drones—Egypt, UAE, Saudis
- US military has over 7,500 drones.
- British military has over 500 drones. Israel has ???
- French military has about 25.
- China has successfully tested its combat drone.
- India purchased Israeli combat drones.
- Iran has a combat drone.
- Italy and Turkey are arming their spy drones.
- Greece, Sweden, Swiss, Russia their own programs.
- The 28 EU countries are working together to develop their own EU drone, so as to stop buying American and Israeli drones.

Drone Proliferation, No Rules

- Cheap drones: from \$250 to \$10 million
- Small: from 3-66 ft wingspan
- Backpack, cell operated
- Aerosonde UAV
 - Cheap (\$25k)
 - Small (15 kg)
 - Rugged (hurricane monitoring)
 - High endurance (trans-Atlantic crossing)
 - Precise (GPS accuracy)
 - Easy to operate
 - Easy to manufacture
 - Commercially available-
China markets 25 kinds

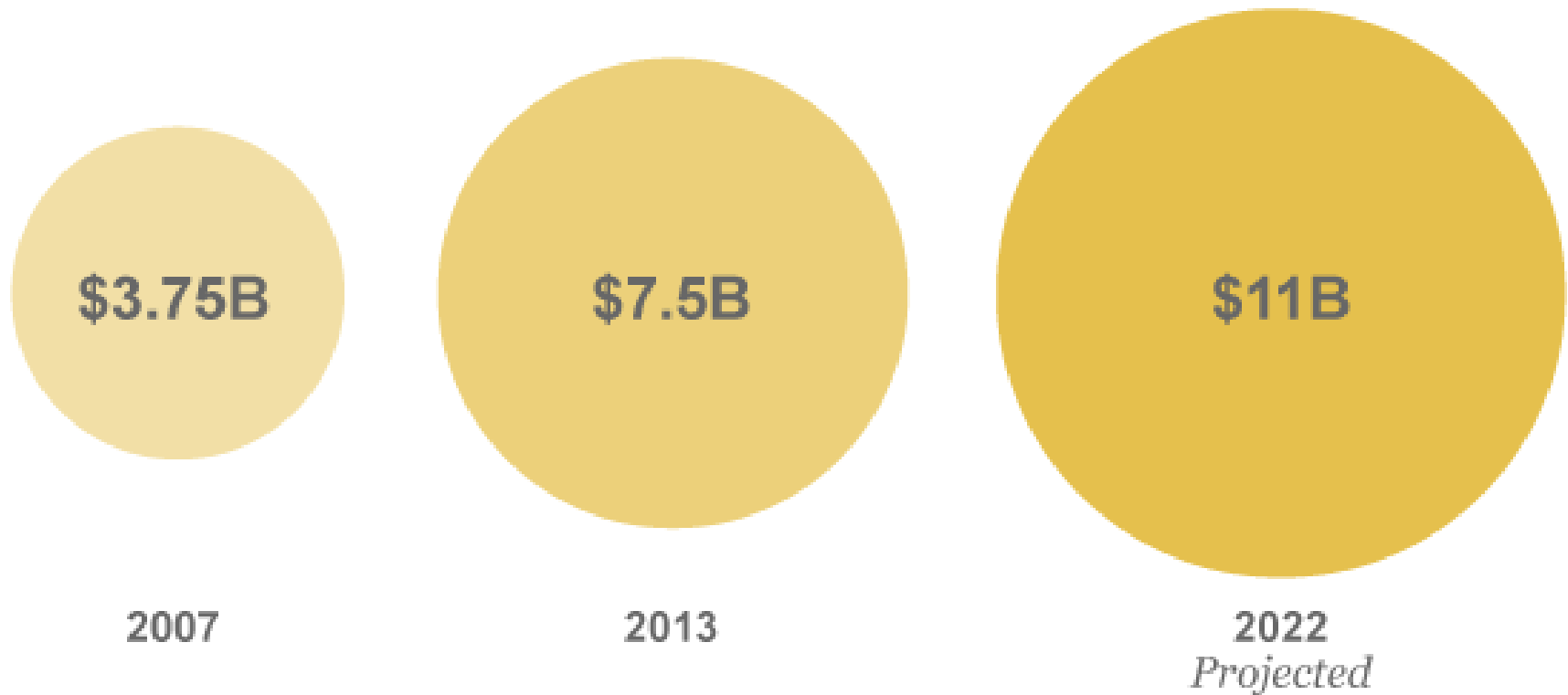


Military Drones: Big Business

Northrop Grumman ([NOC](#)), General Atomics, Lockheed Martin ([LMT](#)), Boeing ([BA](#)), Israel Aerospace, and Textron ([TXT](#)) win. US makes up 2/3 of the global market.

31% of Air Force planes are drones, including recon planes.

Worldwide drone market
in Billions



Commercial Drones: Big Business

- Industry estimates: \$13.5 billion within three years
- Over \$80 billion between 2015 and 2025
- Creating more than 100,000 well-paying jobs
- National tax revenue of \$482 million by 2025.



Drones Are Here

- Customs and Border Patrol Predator drones flew 700 missions over the US between 2010 - 2012 on behalf of the FBI, Immigration and Customs Enforcement, and various local police departments.
- First drone arrest: Rodney Brossart, a North Dakota cattle rancher, was sentenced to three years in prison for terrorizing police officers. A drone on loan from Homeland Security was used to help police know where he was and his sons were on his 3600 acre ranch, to make an arrest safely.

Drones Are Coming to You

- Sept. 30, 2015: the Federal Aviation Administration's target date to safely integrate UAVs into the national airspace
- 7,500 drones could be in commercial use over U.S. towns and cities within five years
- FAA plans to establish six federally designated drone testing sites around the country
- Police and fire depts. Use drones; cheaper than helicopters in search & rescue, traffic, surveillance, etc.
- The industry claims it will create 100,000 jobs and contribute \$82 billion toward the GDP by 2025—but only if the FAA hits its 2015 target date.
- 34 states are trying to pass legislation restricting the use of UAVs; some cities and local governments are also passing restrictions, such as Charlottesville, VA.
- **Monopoly on the use of force?**

Anyone can use them, without rules

- Monopoly on the use of force?
- Drones "democratize the ability to fight war" and so using cheap, miniature "everyman" drones needs to be banned by international treaties before such devices fall into the hands of private users including terrorists," Google's Chairman Eric Schmidt.
- No restrictions on public sale of drones, which are also easy to make, means that governments of countries will not be the only ones with drones.
- Criminal actors, terrorists will also get and use drones.
- What rules of the road we want for "us" will also be used for "them."
- The Libyan opposition bought and used a drone in deposing Ghaddafi.

Non State Actors

Legal

Illegal

Nonprofit

NGOs

Terrorist Groups

Profit

MNCs

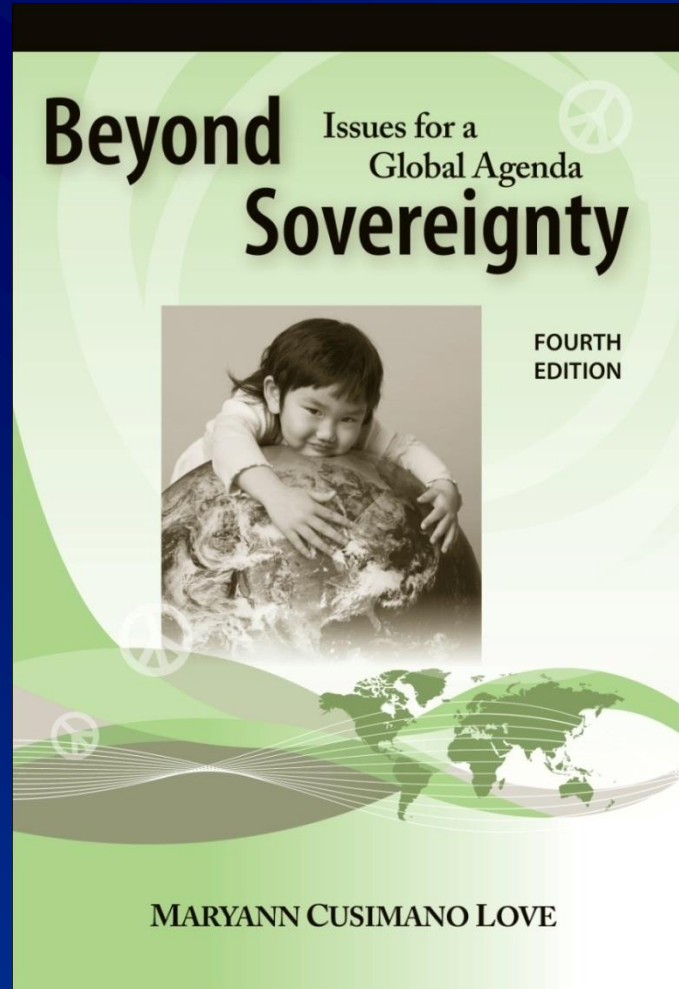
International
Criminal Cartels

[IGOs (intergovernmental organizations)—
organizations of states]

Drones Need International Norms

- Don't use attack drones outside of warzones.
- Invest in non-lethal and police means to combat terror.
- Develop rules for drones.
- "Whatsoever you do to the least of my brothers:" protect the most vulnerable. Do not shift risk from soldiers to civilians.
- Build peace.
- In developing rules for drones, consider that drones will be used against the U.S.

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Globalization Defined

- Globalization is the fast, interdependent, worldwide spread of
 - open society,
 - open economy, and
 - open technology infrastructures.

JWT: What Is It?

- JWT is a centuries-old guide to thinking about when it is ever morally justifiable to break the commandment “Thou shall not kill,” to go to war (*jus ad bellum*) and how to fight war in an ethical manner (*jus in bello*).
- The morality of war is “always judged twice,” considering both just reasons for going to war and means to fight war.
- Maryann Cusimano Love, *Morality Matters*, Chapter Two.

JWT: What Is It?

- JWT stakes out the middle ground between committed non-violence (pacifism) on the one side, and political realism (realpolitik) on the other.
- JWT agrees with non-violence that there are usually other more effective methods to deal with conflict, and war is usually unjust.
- JWT agrees with political realism that in an imperfect world, war is sometimes required to save lives.

JWT: What Is It?

- In contrast, JWT holds that even under the extreme conditions of warfare, we are all moral beings capable of moral behavior and required to live up to our capacity for ethical treatment of other human beings. Rather than either uniformly decrying or readily sanctioning warfare, JWT seeks to bring moral reasoning to bear on both the macro, strategic decisions to intervene militarily and the micro, practical decisions of how to employ forces in the field.

JWT: What Is It? Jus ad Bellum

- *Before* entering combat there must be
 - a just cause such as self defense and protection of life and innocents,
 - discerned by a right authority
 - intent on peace and protecting the common good,
 - using force only as a last resort,
 - when success is possible
 - and the harms of war will not outweigh the good reasons for going to war.

JWT: What Is It? Jus in Bello

During hostilities,

- the means used must protect noncombatants and be proportionate
- and discriminate, not total.

Just Peace?

- JWT may limit violence, but it does not tell us how to build peace.
- How does bombing in Pakistan, Yemen, Somalia, expand the peace, help build sustainable peace?
- What do the civilian populations think?
- What do the neighbors think?
- Building peace must be on the agenda, considered seriously and systematically.

Principles of *Just Peace*

<u>Just War <i>jus ad bellum, jus in bello</i></u>	<u>Just Peace <i>Jus post bellum</i></u>
Just cause	Just cause-- protection of life, common good
right intention	Right intention-- positive peace, right relationship
right authority	Participatory process
proportionality/ comparative justice	Right relationship, both vertical and horizontal
probability of success	Reconciliation
last resort	Restoration, material, psychological, spiritual
discrimination and proportionality	Sustainable

Responsibility to Protect?

- **World leaders made a historic commitment to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity at the United Nations (UN) 2005 World Summit. This commitment, entitled the Responsibility to Protect, stipulates that:**
- 1. The State carries the **primary responsibility** for the protection of populations from genocide, war crimes, crimes against humanity and ethnic cleansing.
- 2. The international community has a **responsibility to assist** States in fulfilling this responsibility.
- 3. The international community should use **appropriate diplomatic, humanitarian and other peaceful means** to protect populations from these crimes. If a State fails to protect its populations or is in fact the perpetrator of crimes, the international community must be prepared to take stronger measures, **including the collective use of force through the UN Security Council.**

JWT Institutionalized

- JWT is not merely an academic theory. Over the centuries, just war precepts have been encoded into international and U.S. law, and standard military procedures, training, and codes of conduct, including the Geneva Conventions, the Laws of Armed Conflict, and the U.S. military codes of justice.

JWT Institutionalized

- Just war thinking is reflected in portions of the United Nations charter, as well as the charters of many regional security organizations such as NATO which state that countries have the right to defend themselves and to come to the defense of others from third party aggression, and can under certain circumstances use force to protect innocents who cannot protect themselves from grave harm and human rights abuses, but countries may not engage in aggressive war for territorial aggrandizement.

Critiques of JWT?

- Gives a moral veneer of legitimacy to very unjust wars.
- Making the cannibals eat with forks.
- No wars ever fulfill all the criteria of JWT, so it is a mythical category not found in the real world.
- JWT is hijacked by policy makers to justify unjust actions such as invasion, “pre-emptive” war.
- JWT justifies the killing of civilians.

Critiques of JWT?

- JWT hypocrisy -- Says intention is to build just peace, but does little to promote peace. JWT theorists too often engage only when war is looming, concerning themselves with whether a particular military intervention or practice is justified, and “exist blissfully unaware of the larger and broader task to cultivate a peaceful world.”

Just Peace?

- JWT has long implied but not fleshed out a just peace corollary.
- According to JWT, peace and protection of the common good must always be the intention of any use of force, force must only be undertaken as a last resort after other peaceful methods of conflict resolution have failed, and the harms of warfare must never be undertaken if they are disproportionate to the benefits of peace.
- JWT has always understood peace as “*Tranquilitas ordinata*,” not the anemic peace of a lack of organized violence, but a robust peace of justice.

...but globalization today is quicker, thicker, deeper, cheaper.

- The speed, reach, intensity, cost, and impact of the current period of globalization are new.
- Earlier periods of globalization moved trade, missionaries, and colonizers far more slowly with the speed of frigates.
- Now people and products cross borders in hours. Ideas and capital move around the globe at the touch of a keystroke.

Institutional Gaps

- Global economic and technological change is fast, while government, legal, and intergovernmental responses are slow. Governments don't move in Internet time. This creates institutional gaps between the problems of globalization and attempts to manage these problems. The problems move faster than institutional responses.

Capacity

Participation

Ethical

Jurisdiction

Legitimacy Gaps

Capacity Gaps

- Capacity gaps are shortfalls either in organizations or organizational strength, resources, personnel, competence, or standard operating procedures, which hinder the ability to effectively respond to problems of globalization.



Jurisdiction Gaps

- Jurisdiction gaps are when the writ of the problem extends farther than the authority of the institutions charged with responding to the problems. Terrorists? Genocidal leaders? Environment?



Participation Gaps

- Participation gaps are when people affected by globalization are excluded from partaking in the decision processes of managing or guiding globalization.



Participation Gaps

- When people affected are excluded from the decision processes— Example, GMOs and the food crisis in Zambia



Ethical Gaps

- Ethical gaps are when globalization is perceived to have either no ethical base or to promulgate values at odds with societal values or the common good.



Legitimacy Gaps

- Legitimacy gaps are when the institutions which manage or regulate globalization are not perceived by society as rightfully representing them.



What Can We Do?

- Civil society and the private sector have important roles to play in creating a globalization of solidarity and responsibility.
- The church has an important and constructive role to play.
- 2000 years experience as a global institution.
- Extensive global networks and rich institutions, especially in education, health care, relief and development, advocacy, and faith communities.

Our special responsibilities...

- Special responsibilities of US citizens: proximity and access
- The parable of the talents



Imagine a new globalization...

- Corporations see the world as market. In this vision people are all consumers, customers, investors.



Imagine a new globalization...

States see globalization as a world to be governed. People are citizens or soldiers, those governed or those causing problems for governance.



Imagine a new globalization...

Religious organizations present alternative visions of globalization, seeing a world in which we are all the body of Christ, souls and spirits, evidence of and participants in the spirit of creation.



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