



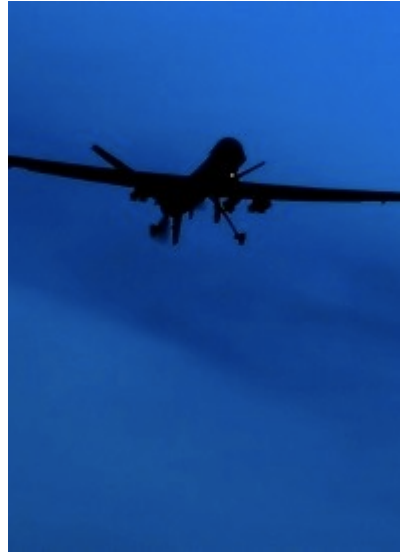
Written by [Joe Wolverton, II, J.D.](#) on April 22, 2012

## CIA Wants to Deploy More Drones in Yemen

That's [the story being told](#) by "U.S. officials" as quoted by the *Washington Post*.

If the spy agency cum hit squad gets its way, the drones would be used to carry out "signature strikes" that green light attacks on targets based on nothing more than "patterns of suspicious behavior."

For the record, this missile-attracting intelligence includes "militants gathering at known al-Qaeda compounds or unloading explosives." Given that roughly 60 percent of the U.S. Senate and 37 percent of the House of Representatives are lawyers, one would think that they would hold the intelligence agency petitioners to a higher standard of specificity. Who, one would rightly ask, is to determine "militant" status, much less how many of them together constitutes a "gathering?"



Americans who understand that our entire jurisprudential system is based on the concept of "notice" will appreciate the fundamental flaw in a series of statutes (e.g., the National Defense Authorization Act) or guidelines that codify giant swaths of gray area that the administration can then use as legal cover for Predator attacks or a platoon of presidentially deployed troops sent to neutralize a suspected threat to the homeland.

With regard to the very fundamental role played by notice in the law, the [U.S. Supreme Court has held](#) that notice must be "reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections." A Hellfire missile fired from a Predator by a faceless pilot sitting in Langley hardly seems to cross that legal threshold.

Lest readers mistake this latest revelation as evidence that constitutionalists are catching up with the CIA and its quest for unchecked launching latitude, the *Post* article insists that "the practice has been a core element of the CIA's drone program in Pakistan for years." But what is the point of this nugget? Is it to dilute the opposition to the proliferation of these remote-control executions, or to demonstrate that there's nothing new in this proposal (it's already working in Pakistan) so there's nothing to worry about?

Question is: Is it working in Pakistan? Sure, these unnamed "officials" claim that Yemen is emerging as the most target-rich environment, but where is the evidence that drones have reduced the threat from terrorists in Pakistan?

Perhaps we should look to the drone-delivered deaths of Anwar al-Awlaki, his 16-year-old son, and Samir Khan for proof of the effectiveness of this weapon against the forces of evil that threaten all we



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hold dear. One problem with this reassurance is that all three of those men (two men and one boy, to be more accurate) were citizens of the United States of America.

Awlaki was placed on the President's infamous kill list after he was suspected of influencing the Ft. Hood shooter, Major Nidal Hassan, as well as the so-called Underwear Bomber, Umar Abdulmutallab. No official charges were ever filed against the American-born cleric. The government never attempted to apprehend him and try him for his alleged atrocities. He was placed on a proscription list and murdered.

The hit reportedly went down like this: On September 30, 2011, while Anwar al-Awlaki had stopped to eat breakfast, two unmanned Predator drones fired Hellfire missiles, killing him. Two weeks later, his son Abdulrahman was killed in similar manner. No charges. No trial. No due process. The official quoted by the *Post* reporter admits that the killing of Awlaki's son was "inadvertent."

In the post-NDAA era into which the United States has now entered, the government has assumed all power over life and death and has passed law after law and innumerable volumes of regulations that legalize that usurpation. In this nation today, every man, woman, and child (including unborn children) are required by force of law to appeal to the ultimate arbiter of the right to life for their continuing existence. Should they fail to adequately demonstrate the requisite level of obsequiousness, then their life, liberty, and property may be confiscated without recourse and seemingly without remorse on the part of those carrying out the sentence.

Earlier this year, President Obama confirmed for the first time that American drones are being used to kill suspected militants living in Pakistan. Otherwise, the policy of the White House is not to discuss the covert operations in use against terrorists.

True enough, the two adults in the group openly advocated for the end of the American presence in the Middle East (including Yemen) and published screeds that were little more than pro-Islamist propaganda, but neither of those activities is criminal. But, as we learned from the CIA's request as reported by the *Washington Post*, the government doesn't need a crime, just a "pattern of suspicious behavior."

For the sake of safety, moreover, should Americans not read of the CIA's plans for expansion of their drone program and wonder what country's next on the preferred Predator deployment schedule? Could the United States not be creeping up that roster? As more American Muslims are "radicalized," it would be just a matter of applying the transitive properties of proliferation to see that the unmanned missile delivery systems will be buzzing up Broadway.

If the CIA gets their way, the use of Predators will multiply in Yemen as they have in Pakistan. The *Post* piece reports that there have been "at least eight attacks in the past four months" in Yemen. In Pakistan, [the best estimate](#) is that drone strikes have killed between 1,715 and 2,680 people since 2004. Doing the math, that means conservatively calculating there have been about 18 deaths by drone per month in Pakistan over the past eight years. The numbers cited by the *Washington Post* for attacks in Yemen don't even come close to that figure — yet.

Perhaps the most ironic bit of analysis provided by the [Washington Post](#) article comes when the author presumes to know the reaction the granting of such an expanded drone policy would have in the Oval Office:

For President Obama, an endorsement of signature strikes would mean a significant, and potentially risky, policy shift. The administration has placed tight limits on drone operations in



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Yemen to avoid being drawn into an often murky regional conflict and risk turning militants with local agendas into al-Qaeda recruits.

Such legitimate concerns never stopped President Obama's predecessor from initiating a preemptive war against an entire region after the attacks of September 11, 2001. The justification was based on the line of reasoning which held that: first, al-Qaeda carried out the attacks; second, al-Qaeda operatives were being trained in Afghanistan and hiding out in Pakistan; and finally, the militants were finding locals in the mountainous regions of the two countries to be hospitable. This led to the targeting of Afghanistan and Pakistan (Iraq is another enormous kettle of fish) for CIA-controlled Predator strikes that were meant to eliminate the breeding grounds for future Islamic militants.

When read in conjunction with the reasons the White House reportedly has for hesitating to give the CIA the go-ahead, the whole program makes no sense. That is to say, President Obama is wary of expanding the CIA's authority to use drones for fear that it would "turn militants ... into al-Qaeda recruits," but it is the very existence of these elusive militants that resulted in the indiscriminate ("inadvertent") killing of erstwhile future terrorists in the first place.

Perhaps there would be no need for "signature strikes" and for expanded authority, and there would be a significantly reduced risk of turning those who oppose the United States' intervention in the Middle East into terrorists, if those in power on Capitol Hill would conform themselves to the rule of law. That is, executions would be confined to those people who have been formally charged with a capital crime, tried before an impartial tribunal as to the merit of those charges, and then found guilty beyond a reasonable doubt by a jury of having committed those crimes.

*Photo of U.S. predator drone: AP Images*



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