



Written by [Joe Wolverton, II, J.D.](#) on January 4, 2014

Domestic Drone Launch Date Approaches; Drones to Be Autonomous

Drones will soon be buzzing over every city in America.

As reported by the [New York Times on December 30](#):

The agency picked six institutions to operate test locations, which will explore how to set safety standards, train and certify ground-based pilots, ensure that the aircraft will operate safely even if radio links are lost and, most important, how to replace the traditional method for avoiding collisions. Integrating the aircraft into the nation's airspace, set by Congress for 2015, will be phased in gradually.



While the *Times* article reports only on the proliferation and imminent launch of sorties of surveillance drones (that is, unarmed aerial vehicles), comments made by Attorney General Eric Holder make it easy to foresee the day when drones armed with deadly missiles are carrying out strikes similar to those that have killed so many in the Middle East and North Africa.

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In March 2013, [CNN reported](#), "Attorney General Eric Holder is not entirely ruling out a scenario under which a drone strike would be ordered against Americans on U.S. soil." Such an admission is startling given the massacres that are almost commonplace in Yemen, Pakistan, and other alleged hotspots for "militant" activity.

In fact, the information reported by the *New York Times*, put in the context of Holder's prediction, wouldn't be as frightening if the drone operations to which Americans (and the world) have become accustomed weren't so deadly. As *The New American* [reported recently](#):

The U.S. government on December 12 "mistakenly" murdered 15 people attending a wedding in Yemen.

Citing "local security authorities," Reuters reports that the families celebrating the wedding "were killed in an air strike after their party was mistaken for an al-Qaida convoy."

Another unnamed official told Reuters that 10 people were killed immediately by the missiles, while five died later of injuries they sustained in the attack. Five more members of the wedding party were wounded, but survived the strike.

In a follow-up story, the *LA Times* [offered a slightly revised casualty report](#):

The death toll reached 17 overnight, hospital officials in central Bayda province said Friday. Five of those killed were suspected of involvement with Al Qaeda, but the remainder were unconnected



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with the militancy, Yemeni security officials said.

So, even if one accepts that five of those killed in the drone strike were “militants,” he must also accept that 12 of the dead were innocent.

[Writing in *The Atlantic*](#), Conor Friedersdorf presented a thought-provoking recrimination of the effect of the wedding day massacre carried out by the United States:

More than a dozen dead, many more injured, and an unknown number of survivors whose lives have suddenly taken a nightmarish turn the likes of which we cannot imagine, and all for the sake of five people suspected of ties to al-Qaeda. How many actual al-Qaeda terrorists would we have to kill with drones in Yemen to make the benefits of our drone war there outweigh the costs of this single catastrophic strike? If U.S. drone strikes put American wedding parties similarly at risk would we tolerate our targeted-killing program for a single day more? Our policy persists because we put little value on the lives of foreign innocents. Even putting them through the most horrific scene imaginable on their wedding day is but a blip on our media radar, easily eclipsed by a new Beyonce album.

Not everyone seems to be worried by the Obama administration’s perpetuation of the deadly drone war. In an article published [on December 31, *The Guardian* reports](#):

President Barack Obama’s mid-year decision to wind down drone strikes has accounted for a lower number of deaths resulting from such actions in 2013, newly compiled data indicates.

Sifting through the estimates of three non-governmental organizations, the Council on Foreign Relations scholar Micah Zenko published on Tuesday a tally of drone strikes in Pakistan, Yemen and Somalia, the central theaters of deadly and formally undeclared counterterrorism operations run in official secrecy.

The decision spoken of in *The Guardian* piece was announced in a foreign policy speech at the National Defense University on May 23, 2013. In the speech, President Obama set out his “comprehensive counterterrorism strategy,” including a plan for the future development of the deadly drone war being waged throughout the Middle East and North Africa.

In his address, the president reported that the United States has been “at war for over a decade.” This is an odd statement from a purported law professor who should know that only Congress can declare war and no such declaration has been made since the beginning of World War II.

Undaunted by his lack of constitutional understanding, President Obama went on to admit: “From our use of drones to the detention of terrorist suspects, the decisions that we are making now will define the type of nation — and world — that we leave to our children.”

This statement certainly qualifies as too little too late and brings up the question: What of the decisions of the past 12 years? What message have our decisions sent to our children and to the world? As the president sits in the Oval Office with his advisors and looks over names of people deciding whether or not to order their summary execution, will the rising generation somehow come to view such lethal autocracy as unacceptable? Have the missiles fired from drones killing thousands — regardless of their nationality — made the world safer?

The answer to both questions is no.

Blowback is a very real consequence of the way consecutive presidential administrations have executed the “War on Terror.”



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As [The New American has chronicled](#), the methods to the mayhem that is the drone war have bred far more enemies than they have eliminated. In fact, the thirst for vengeance created by the viciousness of the use of this deadly remote control force poses not only a clear and present danger, but will likely prove to be a self-perpetuating, multi-generational menace to the safety of many liberty-seeking people worldwide.

Again, from Conor Friedersdorf, commenting on the May 23 policy announcement:

The Obama Administration dishonestly talks of “surgical” drone strikes, as if surgeries ever result in double digit casualties. “Before any strike is taken, there must be near-certainty that no civilians will be killed or injured—the highest standard we can set,” President Obama promised back in May. The CNN story about this latest strike says, “The convoy consisted of 11 vehicles, and the officials said that four of the vehicles were targeted in the strikes.” Is attempting to pick off alleged militants while in a wedding convoy with innocents the highest standard we can set to avoid civilian deaths? If so, the results speak for themselves.

President Obama’s nearly daily approval of drone-delivered assassinations is an effrontery to over 650 years of our Anglo-American law’s protection from autocratic decrees of death without due process of law. When any president usurps the power to place names on a kill list and then have those people summarily executed without due process, he places our Republic on a trajectory toward tyranny and government-sponsored terrorism.

Of course, it would be another matter if those targeted and executed by the president were armed enemy combatants — they were not. Were these suspected “militants” enemy soldiers captured during wartime, they would be necessarily afforded certain rights granted to POWs.

Those slated for assassination are not allowed any rights — neither the due process rights given to those accused of crimes nor the rights of fair treatment given to enemies captured on the battlefield. The White House has assumed all power over life and death and created ex nihilo a new category of individual — one deprived of all rights altogether.

Although the president’s use of drones to execute the war on terror and those he assumes are associated with it has so far occurred only outside the United States, within a year, drones will slice through the domestic skies as well. While the sight of drones over U.S. cities and towns is rare right now, the Federal Aviation Administration (FAA) predicts that by 2020, 30,000 of these unmanned aerial vehicles (UAV) will be patrolling American airspace.

Scores of these UAVs will be deployed by state and local law enforcement, adding to the many that will be sent airborne by the federal government.

With the rise of the drones comes the rise of several critical questions of the constitutionality of their potential uses. One of the most crucial of those inquiries concerns the application of the [Fourth Amendment’s prohibition](#) against “unlawful searches and seizures” and the requirement that warrants be supported by affidavits “particularly describing the place to be searched, and the persons or things to be seized.”

Add to that scenario the information presented in [a recent report by the Pentagon](#) indicating that drones will be armed with powerful chemical weapons and be programmed to make autonomous decision without the need of human direction or decision-making and you have a picture of a very frightening future.



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Photo: AP Images

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