



Written by [Joe Wolverton, II, J.D.](#) on May 2, 2015

AP Poll: Most Americans Agree With Killing Citizens With Drones

Most Americans agree with using a drone to kill one of their fellow citizens if they have joined a terrorist association, according to a recent poll.

On May 1, the Associated Press (AP) reported the results of a poll the organization conducted April 23-27, in which not only did “nearly three-quarters of Americans say it’s acceptable for the U.S. to use an unmanned aerial drone to kill an American citizen abroad if that person has joined a terror organization,” but that a “majority, 6 in 10, supports the use of drones to target terrorists in general.”



The publishing of the opinions expressed by those polled by the AP was undoubtedly meant to coincide with the [apology by President Obama](#) that a drone strike conducted by the CIA in Pakistan resulted in the “accidental” death of Warren Weinstein, an American being held by al-Qaeda, and Italian Giovanni Lo Porto, another hostage.

As the AP noted in the article reporting the findings, this isn’t the first time Americans have expressed approval of the use of drones to hunt and kill suspected terrorists. Details of this latest survey demonstrate the widespread acceptance of the otherwise controversial policy. The AP reports:

Support for targeted killing with drones crosses party lines, the new poll found. Nearly 6 in 10 Democrats favor using drones to bomb members of terrorist groups, while only 16 percent are opposed. Among Republicans, 72 percent are in favor and only 10 percent are opposed. Independents are more ambivalent, with 45 percent in favor and 12 percent opposed; 37 percent are neutral on the issue.

Just 47 percent of Americans think it’s appropriate to use drones to target terrorists overseas if innocent Americans might be killed in the process.

More than 4 in 10 (43 percent) of those who initially said they favor using drones — or that they didn’t favor or oppose using them — said it’s unacceptable to use drones if innocent Americans could be killed.

To constitutionalists, there should be several problems with the policy and the poll.

Regardless of the president’s suspicions, a person is innocent until proven guilty. The label of terrorist should apply only to one who has been found guilty of committing an act of terrorism. The accused becomes a terrorist through application of due process.

In the Anglo-American system of jurisprudence, due process consists of filing criminal charges, giving the accused an opportunity to answer those charges, holding a hearing on the merit of the charges by an impartial judge or jury, and a finding of guilt of commission of the crime with which the accused was



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charged.

This process is called “due process” because it is the process that all men — regardless of nationality — are due as a consequence of having been “endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.”

Or, as the Constitution phrases it, “No person shall ... be deprived of life, liberty, or property without due process of law.”

Constitutionalists, therefore, should immediately notice two very important facts that were apparently overlooked by those who responded to the AP drone poll. First, the Declaration of Independence recognizes a panoply of rights that are granted to all men by their Creator. Any attempt to alienate those rights, then, would be an act of attempting to place oneself above the Creator himself.

Moreover, the so-called “Due Process Clause” of the Constitution makes no distinction between citizen and foreigner in its protection of life, liberty, and property from arbitrary abrogation by government.

Of course, everyone understands that the two Western hostages who were killed last month were innocent. But how many of the *intended* targets may also have been innocent or at least had no demonstrable ties to terrorist organizations? This question will never be known with certainty because the president alone serves as judge, jury, and executioner — and does not believe he is obliged to provide evidence to the American people.

In fact, it would be very naïve to believe that whenever an innocent is killed in a targeted drone strike, it is an unfortunate miscalculation. When the judicial and executive powers of government are consolidated and restraints on the exercise of power are cast aside, it can be expected — based both on our knowledge of history and on the nature of man — that power will be abused and no one’s rights or life will be safe from elimination by despots.

Despite completely ignoring these fundamental considerations of constitutional importance, the AP did give glancing covering to “skeptics.”

“Almost everyone, of course, is going to support killing people who are trying to kill us, but that’s not who we are necessarily targeting in each case,” said Sarah Kreps, an associate professor in the Department of Government at Cornell University.

Kreps examined poll data and found that if respondents are confronted with evidence of errors and civilian casualties in some drone strikes, support for the strikes drops below a majority.

What about the innocents killed with foreknowledge of their presence at places designated for so-called “signature strikes”? In these cases, our government forfeits the easy out of claiming accidental collateral damage and of apologizing afterward to the families of those caught in the kill zone.

Finally, what of this notion apparently shared by so many Americans that “association” with “terrorists” is enough to justify assassination by the CIA? As I [wrote in 2012](#):

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



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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.

The administration’s drone policy is anathema to the Declaration of Independence, the Constitution, and the rule of law. But is it anathema to most Americans? It once would have been, of course, but according to the AP survey 21st-century Americans think differently: no rights, no questions, no due process, no Constitution, no problem. Yet public opinion surveys results are often skewed by the way the questions are asked, and it is reasonable to ask in this instance how much different the results may have been if the question were rephrased to specifically refer to *suspected* terrorists being targeted for assassination *without due process*.

Regardless, there is no question that In the 21st century, the rule of law is routinely disregarded by those in power — and that the American people are not only allowing this to happen but are also supporting the abuse of power (at least tacitly) by voting known abusers of the rule of law back into office. Our leaders consider the Constitution irrelevant and seek only their own counsel in selecting targets for the Hellfire missiles launched from drones guided by spies who act absolutely without accountability to the American citizens in whose names they kill.

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